Chapter II-A - Liability of Instruments to Duty

Identify the chargeable instrument, composite transaction, distinct matters, exemptions and remissions before selecting any rate.

Chapter in 2 Minutes

Classify the instrument and controlling State/UT first. Duty follows legal substance, statutory value, current Schedule, amendments and authorised payment method. Preserve a transaction-date source and evidence pack.

Controlled provision map

Provision	Subject	Status
S. 3	Instruments chargeable with duty	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 3A	Repealed	REPEALED / HISTORICAL
S. 4	Several instruments used in single transaction of sale, mortgage or settlement	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 5	Instruments relating to several distinct matters	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 6	Instruments coming within several descriptions in Schedule I	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 7	Policies of sea-insurance	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 8	Bonds, debentures or other securities issued on loans under Act XI of 1879	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 8A	Securities dealt in depository not liable to stamp-duty	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 8B	Corporatisation and demutualisation schemes and related instruments not liable to duty	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 8C	Negotiable warehouse receipts not liable to stamp duty	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 8D	Agreement or document for assignment of receivables not liable to stamp duty	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 8E	Conversion of bank branch into wholly owned subsidiary or transfer of shareholding to holding company not liable to duty	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 8F	Transfer or assignment of rights or interest in financial assets not liable to stamp duty	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 8G	Strategic sale, disinvestment, etc., of immovable property by Government company not liable to stamp duty	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED
S. 9	Power to reduce, remit or compound duties	CENTRAL ARCHITECTURE - STATE OVERLAY REQUIRED

Implementation and example

A transaction is ready to sign before the instrument class, State schedule, value, execution location and payment mode are confirmed. Stamp analysis must be completed as a legal closing condition.

Core controls

1. Classify instrument, State and transaction. 2. Verify rate, market value, exemption and linked documents. 3. Approve duty calculation and lawful payment. 4. Execute and preserve certificate. 5. Manage adjudication, cure, refund and limitation.

Evidence checklist

Official source pack; classification memo; value working; authority; final instrument; e-stamp/franking proof; registration/filing; impounding/refund/appeal record; tax and accounting reconciliation.

Legal-use note

Exact State rate and procedure are not uniform. Verify signed Gazette and transaction-date law.