Schedule I Articles 41-45 - Mortgage, Notarial, Protest and Partition

Classify each instrument by legal substance, State schedule, exemptions, market value and composite-document rules before quoting duty.

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
Art. 41	Mortgage-deed	State rate/source required
Art. 42	Notarial act	State rate/source required
Art. 43	Note or memorandum	State rate/source required
Art. 44	Note of protest by master of ship	State rate/source required
Art. 45	Partition	State rate/source required

Implementation and example

A financing package includes facility, guarantee, hypothecation, title-deed deposit, escrow and further-charge documents. The team must distinguish secured amount, ancillary instruments, caps and State-specific mortgage articles.

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.