

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.III
G A Z E T T E

KHYBER PAKHTUNKHWA

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**GOVERNMENT OF THE KHYBER PAKHTUNKHWA,
LAW, PARLIAMENTARY AFFAIRS AND HUMAN RIGHTS
DEPARTMENT.**

NOTIFICATION

Dated Peshawar, the 5TH December, 2019.

No. LEGIS: 1(2)76.--- The following Ordinance by the Governor of the Khyber Pakhtunkhwa is hereby published for general information:

**THE KHYBER PAKHTUNKHWA STAMP
(AMENDMENT) ORDINANCE, 2019.**

(KHYBER PAKHTUNKHWA ORD. NO. VIII OF 2019)

**AN
ORDINANCE**

further to amend the Stamp Act, 1899

WHEREAS it is expedient further to amend the Stamp Act, 1899 (Act No. II of 1899), for the purposes hereinafter appearing;

AND WHEREAS the Provincial Assembly is not in session and the Governor of Khyber Pakhtunkhwa Province is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of Khyber Pakhtunkhwa is pleased to make and promulgate the following Ordinance:

1. Short title and commencement.---(1) This Ordinance may be called the Khyber Pakhtunkhwa Stamp (Amendment) Ordinance, 2019.

(2) It shall come into force on such date as Government may by notification appoint for an area in the Province of Khyber Pakhtunkhwa and different dates may be appointed for different areas in the Province of Khyber Pakhtunkhwa.

2. Amendment of section 2 of the Act No. II of 1899. --- In the Stamp Act, 1899 (Act No. II of 1899), hereinafter referred to as the said Act, in section 2,-

(a) for sub-section (11), the following shall be substituted, namely:

“(11) “duly stamped” means affixation of an adhesive or impressed stamp or e-stamp of not less than the requisite amount and that such stamp has been legally affixed, used or electronically generated.”;

(b) after sub-section (11), as so amended, the following new sub-section (11A) shall be inserted, namely:

“(11A) “e-stamp” means a paper printed or partially printed containing a bar code or having any of its unique identification code or features and such other information, as may be specified by the rules, to be generated and printed, on deposit of money equivalent to chargeable stamp duty in the account of Government.”;

(c) in sub-section (13),-

(i) in clause (a), the word “and” appearing at the end shall be omitted;

(ii) in clause (b), after the colon, the word “and” shall be inserted at the end and thereafter the following new clause (c) shall be inserted, namely:

“(c) an e-stamp.”; and

(d) in sub-section (14), after the word “recorded”, the words “and any instrument executed in electronic form” shall be inserted.

3. Amendment of section 10 of the Act No. II of 1899.--- In the said Act, in section 10,-

- (a) in sub- section (1), after the word “stamps”, the words “or e-stamps” shall be inserted; and
- (b) in sub-section (2), in clause (a), after the word “stamps”, the words “or e-stamps” shall be inserted.

4. Insertion of new section 32A in the Act No. II of 1899. ---In the said Act, after the existing section 32 the following new section 32A shall be inserted, namely:

“32A. Certificate of designated officer.--- An officer designated by Government shall, by notification in the Official Gazette, issue a certificate as to genuineness or otherwise of an e-stamp for the purpose of evidence in legal proceedings.”

Peshawar,
Dated the 29th November, 2019.

SHAH FARMAN
Governor of the Khyber Pakhtunkhwa.

MASOOD AHMAD
Secretary to
Government of the Khyber Pakhtunkhwa,
Law, Parliamentary Affairs and
Human Rights Department.