GOVERNMENT



GAZETTE

North-West Frontier Province

Published by Authority

PESHAWAR, SATURDAY, 7TH JULY, 2007.

PROVINCIAL ASSEMBLY SECRETARIAT THE NORTH-WEST FRONTIER PROVINCE.

NOTIFICATION

Dated Peshawar, 7th July, 2007.

No. PA/NWFP/Legis-I/2007/13723.—The North-West Frontier Province Finance Bill, 2007 having been passed by the Provincial Assembly of the North-West Frontier Province on the 26th June, 2007 and assented to by the Governor of the North-West Frontier Province on 30th June, 2007 is hereby published as an Act of the Provincial Legislature of the North-West Frontier Province.

THE NORTH-WEST FRONTIER PROVINCE FINANCE ACT, 2007.

(N.-W.F.P. ACT NO. II OF 2007)

[First published after having received the assent of the Governor of the North-West Frontier Province in the Gazette of the N.-W.F.P. (Extraordinary), dated the 7th July, 2007].

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to continue, revise and exempt certain taxes and duties.

Preamble.— WHEREAS it is expedient to continue, revise and exempt certain taxes and duties;

It is hereby enacted as follows:

- 1. Short title, extent and commencement.— (1) This Act may be called the North-West Frontier Province Finance Act, 2007.
 - (2) It extends to whole of the North-West Frontier Province.

- (3) It shall come into force on the first day of July, 2007.
- 2. <u>Amendment of Act II of 1899.</u>— In the Stamp Act, 1899 (II of 1899), for Schedule I, the Schedule specified in the Appendix to this Act shall be substituted.
- 3. <u>Amendment of West Pakistan Act V of 1958.</u>— In the West Pakistan Urban Immovable Property Tax Act, 1958 (W.P. Act V of 1958), in section 3, in sub-section (2), in the proviso for clause (i), the following shall be substituted, namely:
 - "(i) a residential building owned and occupied by a widow whose annual tax, excluding the permissible rebates, is up to two thousand and five hundred rupees, and any other building owned by a widow the total area whereof does not exceed three marlas and the annual tax in respect of such building does not exceed five thousand rupees, shall be exempt from payment of any tax under this Act, but, in the case of self occupied building, if the annual tax of such building, excluding rebates, exceeds two thousand and five hundred rupees, than entire tax as assessed under clause (a) shall be payable in respect of such building;".
- 4. <u>Amendment of Schedules to W.P. Act No. XXXIV of 1964.</u>— In the West Pakistan Finance Act, 1964 (W.P. Act No. XXXIV of 1964),—
 - (a) in the Fifth Schedule, at serial No. 1,— after the entry at clause (d), the following new entry shall be added, namely:
 - "(e) Industrial/Commercial undertaking having generating capacity above 500 Kilo Volt Ampere for self use.

3(three) paisa per unit (Kilo Watt Hour) of energy generated/ consumed,"; and

- (b) In the Sixth Schedule, at serial No. 3, for the figure and word "2½ Kilowatts," the figure and words "500 Kilo Volt Ampere" shall be substituted.
- 5. <u>Amendment of N.-W.F.P. Ord. III of 2000.</u>— In the North-West Frontier Province Sales Tax Ordinance, 2000 (N.-W.F.P. Ord. III of 2000), in the Schedule, in the entry at serial No. 2, for clause (ii), the following shall be substituted, namely:
 - "(ii) advertisements financed out of funds provided under grant-in-aid Agreement; and".

BY ORDER OF MR. SPEAKER PROVINCIAL ASSEMBLY OF NORTH-WEST FRONTIER PROVINCE

Muhammad mushtaq secretary, provincial assembly of n.-w.f.p.

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APPENDIX "SCHEDULE-1" [see section-2]

STAMP DUTY ON INSTRUMENTS : ISFF SECTION-31

Article Number	Description of Instrument	Proper Stamp Duty
1	2	3
1.	ACKNOWLEDGEMENT of a debt exceeding twenty rupees in amount of value, written or signed by, or on behalf of, a debtor in order to supply evidence of such debt in any book other than a banker's pass-book or on a separate piece of paper when such book or paper is left in the creditor's possession, provided that such acknowledgement does not contain any promise to pay the debt or any stipulation to pay interest or to deliver any	Ten rupees.
	goods or other property.	
2.	ADMINISTRATION BOND, including a bond given under section 291, 375 and 376 of the Succession Act, 1925, section 6 of the Government Saving Banks Act, 1873-	A.
eren og	(a) Where the amount does not exceed Rs.1000/-	The same duty as on a Bond (No.15) on such amount.
	(b) In any other case.	One hundred and fifty rupees
3.	ADOPTION-DEED that is to say, any instrument (other than a will) recording an adoption or conferring or purporting to confer any authority adopt. ADVOCATE SEE ENTRY AS AN ADVOCATE (NO. 30).	One hundred and fifty rupees
4	AFFIDAVIT, Including an affirmation or declaration in the case of persons by law allowed to affirm or declare instead of swearing. EXEMPTIONS Affidavit or declaration in writing when made:-	Thirty rupees.
	(a) as a condition of enrolment under the Indian army Act, 1911 (VII of 1911) or the Pakistan Army Act, 1952 (XXIX of 1951) or the Indian Air Force Act, 1932 (XIV of 1932) or the Pakistan Air Force Act, 1953 (VI of 1953);	ALLES AND

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	(b) for the immediate purpose of being filed or used in any Court of before the officer of any Court; or	
	(c) for the sole purpose of enabling any person to receive any pension or charitable allowance.	
5.	AGREEMENT OR MEMORANDUM OF AN AGREEMENT-	
	(a) If relating to the sale of a bill of exchange.	Three rupees.
	(b) If relating to the sale of Government security.	Two rupees for every 10,000 rupees or part thereof of the value of the security, subject to a maximum of one hundred rupees.
	(c) If relating to the sale of a share in an incorporated company or other body corporate.	Two rupees for every rupees 5000 or part thereof of the value of the share.
	(cc) If relating to the sale of immovable property.	One hundred rupees.
	(ccc) for collection or recovery of tax on transfer of immovable property by a contractor with a Local Council.	Fifty paisa for every rupees one hundred or part thereof the amount of the contract.
	(d) If not otherwise provided for.	Fifty rupees.
	EXEMPTIONS	
	 (a) Agreement or Memorandum of an agreement for or relating to the purchase of or sale of goods or merchandise exclusively, not being a NOTE or MEMORANDUM chargeable under No. 43; (b) Made in the form of tenders to the Federal Government for or relating to any loan. 	
	AGREEMENT TO LEASE, see LEASE (No.35).	
6.	AGREEMENT RELATING TO DEPOSIT OF TITLE- DEEDS, PAWN OR PLEDGE, that is to say, any instrument evidencing an agreement relating to-	

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	 the deposit of title-deeds or instruments constituting or being evidence of the title to any property whatever (other than marketable security), or the pawn or pledge of movable property, where such deposit, pawn or pledge has been made by way of security for the repayment of money advanced or to be advanced by any of loan or an existing or future debt, 	
	(a) if such loan or debt is pay on demand or more than three months from the date of the instrument evidencing the agreement.	
	(i) in the case of banking companies or other financial institutions, when the entire finance is not based on interest; and	One-fifth of one percent, that is to say, 0.2% of the loan amount subject to a maximum of one hundred thousand rupees.
	(ii) in any other case.	One-fifth of one percent, that is to say, 0.2% of the loan amount.
	(b) If such loan or debt is repayable not more than three months from the date of such instrument.	
	(i) in the case of banking companies or other financial institutions, when the entire finance is not based on interest; and	One-tenth of one percent, that is to say, 0.1% of the loan amount subject to a maximum of fifty thousand rupees.
	(ii) in any other case.	One-tenth of one percent, that is to say 0.1% of the loan amount.
6(A)	Allotment Order or Transfer of Allotment Order issued by a developer, builder, co-operative Society, housing society or housing authority, or any other body or organization providing open plots dwelling houses or built up commercial premises;	
	i) in respect of residential open plots.	Rupees 100/- per Marla.
	ii) in respect of commercial open plots.	Rupees 200/- per Marla.
6(B)	Transfer of Allotment Orders before lease.	One half of the rates calculated according to the rates given in Clause (A) above.

7.	APPOINTMENT IN EXECUTION OF A POWER Where made by any writing not being a will-	
	(a) of trustees.	Seventy rupees.
	(b) of property, movable or immovable	One hundred and fifty rupees.
. 8.	APPRAISEMENT OR VALUATION made otherwise than under an order of the Court in the course of a suit-	
	(a) where the amount does not exceed Rs.1,000;	At the rate of four percent.
	(b) in any other case. EXEMPTIONS (a) Appraisement of valuation made for the information	Rupees one hundred and fifty
	of one party only, and not being in any manner obligatory between parties either by agreements or operation of law. (b) Appraisement of crop for the purpose of ascertaining the amount to be given to a landlord as rent.	
8-A.	Application made on plain paper.	
	(i) For arms licences of non prohibited bore.	One hundred & fifty rupees
	(ii) For arms licences of prohibited bore.	One hundred & fifty rupees
	(iii) For form X and XII prescribed under the Arms Rules.	One thousand & Five hundred rupees
9.	APPRENTICESHIP-DEED, including every writing relating to the service or tuition of any apprentice clerk or servant, placed with any master to learn any profession, trade or employment not being ARTICLES OF CLERKSHIP (No.11)	Rupees one hundred and fifty.
	EXEMPTION	
	Instrument of apprenticeship executed by a Magistrate under the Apprentices Act, 1850(XIX of 1850) or by which a person is apprenticed by or at the charge of any public charity.	
10.	ARTICLS OF ASSOCIATION OF A COMPANY	Deleted through Finance Act, 2004.

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11.	ARTICLES OF CLERKSHIP or contract whereby any person first becomes bound to serve as a clerk in order to his admission as an attorney in any High Court. ASSIGNMENT See CONVEYANCE (No.23), TRANSFER (No.62) AND TRANSFER OF LEASE (No.63), as the case may be ATTORNEY, See entry as an Attorney (No.30) and power of Attorney (No.48) AUTHORITY OF ADOPT See ADOPTION DEED (No.3).	One thousand rupees.
11(B)	AUTHENTICATED DECLARATIONS that is to say declarations of newspapers, periodicals or printing presses authenticated by a legally competent authority. Explanation IThe duty shall be paid by the declarant. Explanation IIThe declaration shall not be authenticated unless the duty is paid.	Five thousand rupees per declaration
12	AWARD, that is to say, any decision in writing by an arbitrator or umpire, not being an award directing a partition, on a reference made other-wise than by an order of the Court in the course of a suit.	The same duty as on a Bond (No.15) for the amount or value of the property to which the award relates as set forth in such award.
12(A).	BANK GUARANTEE that is to say the guarantee to be issued by any schedule Bank.	One rupee for every one hundred rupees or part thereof of the value of the Guarantee.
12(B)	BILL OF ENTRY including goods declaration or any documents relating to good declaration for the purpose of custom clearance.	
13.	BILL OF EXCHANGE as defined by section 2(2) not being BOND, bank note or currency note- (a) where payable otherwise than on demand by not more than one year after date or sight-	
	(i) if drawn singly	Two rupees for every Rs.1000/- or part thereof of the amount of the Bill.
	(ii) if drawn in set of two, for each part of the set.	Rs.1.50/- for every Rs.1000/- or part thereof of the amount of the Bill
	(iii) if drawn in set of three, for each part of the set	One rupees for every Rs.1000/- or part thereof of the amount of the Bill.
	(b) Where payable more than one year after date or sight.	2.25 percent of the amount of the bill.

14	BILL OF LADING (including a through bill of lading). Note—If a bill of lading is drawn in parts, the proper stamp therefore must be borne by each one of the sets. EXEMPTION (a) Bill of lading when the goods therein described are received at a place within the limits of any port as defined under the Ports Act,1908, XV of 1908, and are to be delivered at another place within the limits of the same port. (b) Bill of lading when executed out of Pakistan and relating to property to be delivered in Pakistan.	Ten rupees for every one lac rupees or part thereof the value of the bill subject to minimum of one hundred rupees.
15.	BOND as defined by section 2(5) not being a DEBENTURE (No.27) and not being otherwise provided for by this Act, or by the Court Fees Act, 1870.	
	 (a) When covered by the category of bonds specified in such clauses (a) and (b) of section 2 (5) and issued by public sector corporations or by financial institutions approved by or under the regulatory control of the State Bank of Pakistan, the Federal Government or a Provincial Government. (b) Other bond not covered by (a) above. 	 i. On first transaction at 0.33% of the amount or value secured. ii. On each subsequent transaction at 0.15% of the amount or value secured.
	(i) Where the amount or value secured does not exceeds Rs.500/-	Fifteen Rupees.
	(ii) Where it exceeds Rs.500/-, for every additional amount of Rs.500/- or part thereof.	Fifteen Rupees.
	See ADMINISTRATION BOND (No.2) BOTTOMRY BOND (No.16) CUSTOMS BOND (No.26).	
	INDEMNITY BOND (No.34) RESPONDENTIA BOND (No.56) SECURITY BOND (No.57)	
	EXEMPTION Bond when executed by any person for the purpose of guaranteeing that the local income derived from private subscription to a Charitable dispensary or hospital or any other object of public utility shall not be less than a specified sum per mensem.	
16.	BOTTOMARY BOND, that is to say, any instrument whereby the master of a sea going ship borrows money on the security of the ship to enable him to preserve the ship or prosecute her voyage.	The same duty as on a Bond (No.15) for the same amount.

17.	instrument by which any instrument previously executed is cancelled), if attested and not otherwise provided for.	Seventy five rupees.
come lapan gana ella	See also RELEASE (No.55), REVOCATION OF SETTLEMENT (No.58-B), SURRENDER OF LEASE (No.61) REVOCATION OF TRUST (No.64-B).	
18.	CERTIFICATE OF SALE (in respect of each property put up as separate lot and sold) granted to the purchaser of any property sold by public auction by a Civil or Revenue Court, or Collector or other Revenue Officer	Two percent of the consideration equal to the amount of the purchase money.
19.	CERTIFICATE OR OTHER DOCUMENT evidencing the right or title of the holder thereof, or any other person either to any shares, scrip or stock in or of any incorporated Company or other body corporate, or to become proprietor of shares, scrip or stock in or of any such company or body. See also LETTER OF ALLOTMENT OF SHARES (No.36)	Thirty rupees.
20.	CHARTER PARTY, that is to say, any instrument (except an agreement for the hire of a tugsteamer) whereby a vessel or some specified principal part thereof is let for the specified purposes of the charterer, whether it includes a penalty clause or not.	One hundred rupees for every one lac rupees or part thereof of the value of the charter party.
21.	CHEQUE PAY ORDER OR BANK DRAFT.	Deleted
22.	COMPOSITION DEED, that is to say, any instrument executed by a debtor whereby he conveys his property for the benefit of his creditors, or whereby payment of a composition or dividend on their debts is secured to the creditors, or whereby provision is made for the continuance of the debtor's business under the supervision of inspector or under letters of licence for the benefit of his creditors.	Two hundred and fifty rupees.
22(A)	CONTRACT, that is to say any instrument of the nature of memorandum of agreement, made or entered into by a contractor with Government, a Corporation, Local Body, Local Authority, Agency or Organization set up or controlled by the Federal or the Provincial Government. (a) to execute any work-	
	(i) where the amount of contract does not exceed fifty thousand rupees; (ii) where the amount exceeds fifty thousands rupees but does not exceed five hundred thousand rupees; (iii) where the amount exceeds five hundred thousand	Two hundred and fifty rupees. One thousand Two hundred and fifty rupees. One thousand Eight

	rupees but does not exceed one million rupees;	hundred and fifty rupees.
	(iv) where the amount exceeds one million rupees but does not exceed five million rupees.	Six thousand Two hundred and fifty rupees.
	(v) where the amount exceeds five million rupees.	Eighteen thousand seven hundred and fifty rupees.
	(b) To procure Stores and Materials.	One rupee for every Rs.100.00 or part thereof of the amount of the contract.
23.	CONVEYANCE as defined by section 2 (10) not being a TRANSFER charged or exempted under No.62.	
	(a) in case of agriculture.	Two rupees for every one hundred rupees or part thereof of the value of land.
	(b) in case of immoveable property in an urban area	Two rupees for every one hundred rupees or part thereof of the value of the property.
	(c) In any other case	Two rupees for every one hundred rupees or part thereof of the value of the property.
	Explanation-I For the purpose of sub-article (b) (1) "Urban area" shall mean	P.O.P.
	(i) an area as defined under the West Pakistan Urban Immoveable Property Tax Act, 1958; and	
	(ii) any built up area including land situated within or adjoining such area, specified by notification by Government to be an urban area for the purpose of this clause.	
	 (iii) For the purpose of sub-clause (ii) "built up area" shall mean land which is occupied as site of a building or enclosure and is not used for agricultural purposes or a purpose subservient to agriculture. (iv) duty chargeable in respect of instrument relating to property in an urban area specified by the government under sub clause (i) shall be effective from the date such area is specified as urban area. 	

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	Explanation-II Any reference in schedule I to article 23 shall mean a reference to sub articles (a) and (c) only.	
	 (1) "rural area" means an area not within the boundaries of a City, Municipality or Cantonment Board; (2) "agricultural land" means any land in the rural area other than a village abadi or a town. 	
	EXEMPTION. Assignment of copyright by entry made under the Copy Right Act, 1914, Section 5.	
	CO-PARTNERSHIP-DEED, See PARTNERSHIP (No.46)	
24.	COPY OR EXTRACT certified to be a true copy or extract by or by order of any public officer and not chargeable under the law for the time being in force relating to court fees.	
	(i) if the original was not chargeable with duty or if the duty with which it was chargeable does not exceed four rupees.	Three rupees.
	(ii) In any other case.	Fifteen rupees.
	(a) Copy of any paper which a public officer is expressly required by law to make or furnish for record in any public office or for any public purpose;	
	(b) Copy of, or extract from, any register relating to births, baptisms, dedications, marriages (divorces), deaths or burials.	
25.	COUNTERPART OR DUPLICATE of any instrument chargeable with duty and in respect of which the proper duty has been paid—	
	(a) If the duty with which the original instrument is chargeable does not exceed five rupees;	The same duty as is leviable on the original.
	(b) In any other case. EXEMPTION	Twenty rupees.
	Counterpart of any lease granted to a cultivator when such lease is exempted from duty.	investigation of the second

26.	CUSTOMS-BOND-	
	(a) where the amount does not exceed Rs.1,000	The same duty as on a Bond (No.15) for such amount.
	(b) in any other case.	One hundred and twenty five rupees.
27.	DEBENTURE OR PARTICIPATION TERM CERTIFICATE OR TERM FINANCE CERTIFICATE OR ANY OTHER INSTRUMENT OF REDEEMABLE CAPITAL OTHER THAN A COMMERCIAL PAPER. (whether or not a mortgage debenture, a Participation Term Certificate, a Term Finance Certificate or any other instrument of redeemable capital), being a marketable security transferable by endorsement or by separate instrument of transfer or by delivery. EXPLANATION. I The term "Debenture includes any interest coupons attached thereto, but the amount of such coupons shall not be included in estimating the duty. EXPLANATION. II. The term "Participation Term Certificate" means an instrument or certificate of a specified denomination called the face value or nominal value, issued by a company for raising capital, the holder whereof participates in the profit and loss of the company over such period to such extent and on such conditions as	One-Twentieth of one percent, that is to say, 0.05% of the face value per annum subject to the maximum of one million rupees.
	may be specified at the time if its issue. EXPLANATION. III. The term "Term Finance Certificate" means a fixed tenure instrument of certificate of a specified denomination called the face value or nominal value issued to raise capital by a body corporate in the form of transferable security.	
	DELIVERY ORDER IN RESPECT OF GOODS, that is to say, any instrument entitling any person therein named, or his assigns or the holder thereof, to the delivery of any goods lying in any dock or port, or in any ware house in which goods are stored or deposited on rent or hire, or upon any wharf, such instrument being signed by or on behalf of the owner of such goods upon the sale or transfer of the property therein, when such goods exceed in value twenty rupees. DEPOSIT OF TITLE-DEED [See AGREEMENT relating to DEPOSIT OF TITLE-DEEDS PAWN OR PLEDGE (No.6)].	

	DISSOLUTION OF PARTNERSHIP, See	
	PARTNERSHIP (No.46).	
29.	DIVORCE. — Instrument of, that is to say, any instrument by which any person effects the dissolution of his marriage.	Fifty rupees.
	DOWER. Instrument of See SETTLEMENT (No.58). DUPLICATE- See COUNTERPART (No.25)	
30.	ENTRY AS AN ADVOCATE, OR ATTORNEY ON THE ROLL OF ANY HIGH COURT—under the Legal Practitioners and Bar Councils Act, 1965-	
	(a) in the case of an Advocate	One thousand and five hundred rupees.
Texas	(b) in the case of Attorney	One thousand and five hundred rupees.
	EXEMPTION	
	Entry of an Advocate or attorney on the roll of any High Court when he has previously been enrolled in a High Court.	
31.	EXCHANGE OF PROPERTY—Instrument of—	Garage Control
	(a) when executed in respect of agricultural land.	Two rupees for every one hundred rupees of the value of the property of the greatest value.
	(b) when executed in respect of immoveable property in an Urban Area as defined in No.23.	Two rupees for every one hundred rupees of the value of the property of the greatest value.
	(c) In any other case.	Two rupees for every one hundred rupees of the value of the property of the greatest value.
	EXTRACT See Copy (No.24).	
31-A.	Financing document, that is to say, any instrument or set of instruments in the nature of sale and repurchase on mark up basis agreement of letter of hypothecation or pledge, mortgage, memorandum of deposit of title deed, or deed of floating charge executed in favour of a banking company	

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	(ii) If possession is not given.	The same duty as on a Bond (No.15) for the amount of the further charge secured by such instrument.
33.	GIFT- Instrument of, not being a SETTLEMENT (No. 58) OR WILL OR TRANSFER (NO.62).	
	(a) (i) when executed in favour of legal heirs in respect of Agricultural Land;	1.25 percent as set forth in such instruments.
	(ii) in any other case, in respect of Agricultural Land;	Two rupees for every one hundred rupees or part thereof of the value of the property, as notified by the District Collector.
	(b) other property (other than legal heir).	Three percent of the value of the property, as notified by the District Collector.
	HIRING AGREEMENT or agreement of service, See AGREEMENT (No.5)	
34.	INDEMNITY BOND INSPECTION-DEED, See COMPOSITION- DEED (No.22).	The same duty as on a Security Bond (No.57) for the same amount.
	INSURANCE, See POLICY OF INSURANCE (NO.47)	
35	LEASE, including an under lease or sub-lease and any agreement let or sub-let— (a) where by such lease the rent is fixed and no premium is paid or delivered—	
	(i) where the lease purports to be for a term of less than one year;	The same duty as on a Bond (No.15) for the whole amount payable or deliverable under such lease.
	(ii) where the lease purports to be for a term of not less than one year but not more than three years;	The same duty as on a Bond (No.15) for the amount or value of the average annual rent reserved.

	(iii) where the lease purports to be for a term in excess of three years, but not more than twenty years;	The same duty as on a Bond (No.15) for a consideration equal to the amount or value of the average annual rent reserved.
	(iv) where the lease purports to be for a term in excess of twenty years or in perpetuity;	The same duty as on a Bond (No.15) for a consideration equal to the whole amount of rents which would be paid or delivered in respect of the first ten years of the lease.
	(v) where the lease does not purport to be for any definite term:	The same duty as on a Bond (No.15) for a consideration equal to the amount or value of the average annual rent which would be paid or delivered for the first ten years, if the lease continued so long.
(b) (i)	where the lease is granted for money advanced and where no rent is reserved;	The same duty as is leviable on a Conveyance (No.23) for a consideration equal to the amount of such advance as set forth in the lease.
(ii)	where the lease is granted for a fine or premium and where no rent is reserved.	The same duty as is leviable on a Conveyance (No.23) for a consideration equal to the amount of such fine or premium as set forth in the lease.
(c) (i)	where the lease is granted for money advanced in addition to rent reserved.	The same duty as is leviable on a Conveyance (No.23) for a consideration equal to the amount of advance as set forth in the lease, in addition to the duty which

would have been payable

on such lease, if no advance had been paid or delivered; provided that, in any case when an agreement to leases is with stamped advalorem stamp required for a lease and a lease in such pursuance of agreement is subsequently executed, the duty on such lease shall not exceed one hundred rupees. The same duty as is (ii) where the lease is granted for a fine or leviable on a Conveyance premium in addition to rent reserved. for (No.23) consideration equal to the amount of such fine or premium as set forth in the lease in addition to the duty which would have been payable on such lease if no fine premium had been paid or delivered; provided that, in any case when an agreement to lease is stamped with the advalorem stamp required for a lease and such agreement is subsequently executed, the duty on such lease shall not exceed one hundred rupees. EXEMPTION Leases, executed in the case of a cultivator and for the purposes of cultivation (including a lease of trees for the production of food or drink) without the payment or delivery of any fine or premium when a definite term is expressed and such term does not exceed one year, or when the average annual rent reserved does not exceed one hundred rupees. LETTER OF ALLOTMENT OF SHARES in any 36 Two rupees only. company or proposed company, or in respect of any loan to be raised by any company, or proposed company. See also CERTIFICATE OR OTHER DOCUMENT (No.19)

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37	LETTER OF CREDIT, that is to say, the instrument including applications and agreements for opening letter of credit by which one person authorizes another to give credit to the person in whose favour it is drawn	
	a). If the amount of letter of Credit does not exceed Rs. 50,000;	One hundred rupees.
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	c) for any amount exceeding Rs. 500,000/-	Five hundred rupees.
	LETTER OF GAURANTEE See agreement No. 5	
38.	LETTER OF LICENCE, that is to say, any agreement between a debtor and his creditor, that the latter shall, for a specified time, suspend their claims and allow the debtor to carry on business at his own discretion.	Seventy rupees.
39	MEMORANDUM OF ASSOCIATION OF A COMPANY-	Deleted through Finance Act, 2004.
40	MORTGAGE-DEED, not being (an AGREEMENT RELATING TO DEPOSIT OR TITLE DEEDS, PAWN OR PLEDGE (No.6), BOTTOMRY BOND (No.16), MORTGAGE OF A CROP (NO.41), RESPONDENTIA BOND (No.56) OR SECURITY BOND (No.57)-	
	(a) when possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given;	The same duty as on a Conveyance (No.23) for a consideration equal to the amount secured by such deed
	(b) when possession is not given or agreed to be given as aforesaid;	The same duty as on a Bond (No.15) for the amount secured by such deed.
	Explanation:- A mortgagor who gives to the mortgage a power of attorney to collect rents or a lease of the property mortgaged or part thereof is deemed to give possession within the meaning of this article.	

	(c) When a collateral or auxiliary or additional or substituted security, or by way of further assurance for the above mentioned purposes where the principal or primary security is duly stamped-	
	(i) for every sum secured not exceeding Rs.1,000.	Fifteen rupees.
	(ii) and for every Rs,1,000 or part thereof secured in excess of Rs.1,000.	Fifteen rupees.
	d). i). Mortgage with banking companies, that is to say, simple or legal mortgage for banking companies or other financial institution, when the entire finance is not based on interest; and	One-fifth of one percent, that is to say, 0.2% of the loan amount subject to a maximum of one hundred thousand rupees.
	ii). In any other case.	One fifth of one percent, that is to say, 0.2% of the loan amount.
	iii). Mortgage with banking companies – simple/ legal mortgage for banking companies.	0.25% of the mortgage money.
41.	MORTGAGE OF A CROP, including any instrument evidencing an agreement to secure the payment of a loan made upon any mortgage of a crop, whether the crop is or is not in existence at the time of mortgage-	
	(a) when the loan is repayable not more than three months from the date of the instrument;	One percent
	for every Rs.200.00 or part thereof the sum secured (b) when loan is repayable more than three months, but not more than eighteen months, from the date of instrument-for every Rs.100/- or part thereof of the sum secured.	One percent
42.	NOTARIAL ACT, that is to say, any instrument, endorsement, note, attestation, certificate or entry not being a PROTEST (No.50) made or signed by a Notary Public in the execution of the duties of his office, or by any other person lawfully acting as a Notary Public.	Twenty five rupees.
	See also PROTEST OF BILL OR NOTE (No.50)	

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43.	NOTE OR MEMORANDUM SENT BY a broker or agent to his principal intimating the purchase or sale on account of such principal	
	(a) of any goods exceeding in value twenty rupees;	Seven rupees.
	(b) of any stock or marketable security exceeding in value twenty rupees, not being a Government Security;	Seven rupees for every Rs. 5,000 or part thereof of the value of stock or security.
	(c) of a Government Security.	Three Rupees for every Rs.10,000/-or part thereof of the value of the security subject to a maximum of fifty Rupees.
44.	NOTE OF PROTEST BY THE MASTER OF A SHIP	10 Rupees
	See also PROTEST BY MASTER OF A SHIP (No.51).	
	ORDER FOR THE PAYMENT OF MONEY See BILL OF EXCHANGE (No.13).	
45.	PARTITION- Instrument of [as defined by section 2(15)]-	The same duty as on a Bond (No.15) for the amount of the value of the separated share or shares of the property.
		Explanation- The largest share remaining after the property is partitioned (or if there are two or more shares of equal value and not smaller than any of the other shares than one of such equal shares) shall be deemed to be that from which the other shares are separated. Provided always that—
		(a) When an instrument of partition containing an agreement to divide property in severally is executed and a partition in pursuance of such agreement, the duty

upon chargeable instrument affecting such partition shall be reduced by the amount of duty paid in respect of the first instrument but shall not be less than one hundred rupees. (b) Where land is held on Revenue Settlement for a period not exceeding thirty years and paying the full assessment, the value for the purpose of duty shall be calculated at not more than five times the annual revenue. (c) Where a final order for effecting a partition passed by any Revenue Authority or any Civil court, or an award by an directing a arbitrator partition, is stamped with the stamp required for an instrument of partition, in pursuance of such order or award is subsequently executed, the duty on such instrument shall not one hundred exceed rupees. (d) When instrument of partition is executed in respect of agricultural land, the stamp duty shall be charged as one rupee and twenty five paisa for every one hundred rupees or part thereof of the value of such land. 46. PARTNERSHIP-A-INSTRUMENT OF One hundred and fifty (a) where the capital of the partnership does not exceed Rs.10,000: rupees. Five hundred rupees. (b) in any other case.

	B- DISSOLUTION OF –	Half of the stamp duty payable on original
	PAWN OF PLEDGE—See AGREEMENT RELATION TO DEPOSIT OF TITLE – DEEDS PAWN OR PLEDGE (No.6)	
47	POLICY OF INSURANCE	
	A-See INSURANCE (See section 7)—	
	(1) For each voyage	
	(i) where the premium or consideration does not exceed the rate of 1/8 percent of the amount insured by the policy, for every full sum of Rs. 5,000 and also any fractional parts thereof insured by the policy;	
	If drawn singly	Three rupees
	If drawn singly. If drawn in duplicate for each part.	Three rupees
na – jastonik 1900 – pojansk po – jiskop	(ii) in any other case, in respect of every full sum of Rs.2,000 and also any fractional part thereof insured by the policy.	
	If drawn singly.	Three rupees
	If drawn in duplicate for each part.	Three rupees
	(2) For time	
	In respect of every full sum of Rs. 2,000 or part thereof insured by the policy – (i) where the insurance shall be made for any time not exceeding six months;	
	If drawn singly.	Three rupees.
	If drawn in duplicate for each part.	Three rupees
	(ii) where the insurance shall be made for any time not exceeding six months and not exceeding twelve months.	
	If drawn singly.	Three rupees
	If drawn in duplicate for each part.	Three rupees

B-FIRE-INSURANCE AND OTHER CLASSES OF INSURANCE NOT ELSEWHERE INCLUDED IN THIS ARTICLE COVERING GOODS, MERCHANDISE PERSONAL EFFECTS, CROPS AND OTHER PROPERTY AGAINST LOSS OR DAMAGE—

- (1) In respect of an original policy--
 - (i) when the sum insured does not exceed Rs.5,000

(ii) in any other case; and

(2) in respect of each receipt for any payment of a premium on any renewal of an original policy.

Five rupees.

Eight rupees.

One half of the duty payable in respect of the original policy in addition to the amount, if any, chargeable under No 53.

C-ACCIDENT AND SICKNESS-INSURANCE--

(a) Against railway accident, valid for a single journey only.

Three rupees

EXEMPTION

When issued to a passenger traveling by the intermediate or the third class in any railway.

(b) In any other case for the maximum amount which may become payable in the case of any single accident or sickness where such amount does not exceeds Rs. 2,000 and also where such amount exceeds Rs. 2,000 for every Rs. 2,000 or part thereof.

Three rupees; provided that, in case of a policy of insurance against death by accident when the annual premium payable does not exceed Rs. 3 per Rs. 1,000 the duty on such instrument shall be seven paisa for every Rs.1,000 or part thereof of the maximum amount which may become payable under it.

D-INSURANCE BY WAY OF INDEMNITY-

Against liability to pay damages on account of accidents to workmen employed by or under the insurer or against liability to pay compensation under the Workmen's Compensation Act, 1923, for every Rs.100 or part thereof payable as premium.

Three rupees.

E-LIFE INSURANCE OR OTHER INSURANCE NOT SPECIFICALLY PROVIDED FOR, except such a REINSURANCE as is described in Division of this article-

(i) for every sum insured not exceeding Rs.250;

If drawn Singly

If drawn in duplicate for each part.

Three rupees

Three rupees

(ii) for every sum, insured exceeding Rs.250 but not exceeding Rs.500;

If drawn Singly

If drawn in duplicate for each part.

Three rupees

Three rupees

(iii) for every sum insured exceeding Rs. 500 but not exceeding Rs. 1,000 and also for every Rs. 1,000 or part thereof in excess of Rs. 1,000.

If drawn Singly

If drawn in duplicate for each part.

Three rupees

Three rupees

EXEMPTION

Policies of life insurance granted by the Director General of Post Offices in accordance with rules for Postal Life Insurance issued under the authority of the Federal Government.

F-RE-INSURANCE BY AN INSURANCE COMPANY WHICH HAS GRANTED A POLICY OF THE NATURE SPECIFIED IN DIVISION A OR DIVISION B OF THIS ARTICLE WITH ANOTHER COMPANY BY WAY OF INDEMNITY OR GUARANTEE AGAINST THE PAYMENT ON THE ORIGINAL INSURANCE OF A CERTAIN PART OF THE SUM INSURED THEREBY.

One-half of the duty payable In respect of the original insurance but not less than three rupees or more than eight rupees.

GENERAL EXEMPTION

Letter of cover or engagement to issue a policy of insurance:

Provided that, unless such letter or engagement bear the stamp prescribed by this Act for such policy nothing shall be claimable thereunder, nor shall it be available for any purpose, except to compel the delivery of the policy therein mentioned.

48	POWER OF ATTORNEY as defined by section 2(21), not being a proxy (No.52)-	
	(a) when executed for the sole purpose of procuring the registration of one or more documents in relation to a single transaction or for admitting execution of one or more such documents.	Two hundred rupees
	(b) When authorizing one person or more to act in a single transaction other than the case mentioned in clause (a), (e), (ee) and (eee).	Two hundred & fifty rupees.
	(c) When authorizing not more than five persons to act jointly and severally in more than one transaction or generally;	Seven hundred & fifty rupees.
	(d) When authorizing more than five but not more than ten persons to act jointly and severally in more than one transaction or generally;	Nine hundred rupees.
	(e) When given for consideration and authorizing the attorney to sell any immovable property.	The same duty as is leviable on a Conveyance (No.23) for the amount of the consideration.
	(ee) When given for consideration and authorizing the attorney to sell any immovable property in the case of legal heir.	One thousand rupees.
	(eee). When given not for consideration and authorizing the attorney to sell any immovable property	Two thousand rupees.
	(d) In any other case.	Fifteen rupees for each person authorized.
	EXPLANATION 1. For the purpose of this Article more person than one when belonging to the same firm shall be deemed to be one person.	
	EXPLANATION 2. The term "Registration" includes every operation incidental registration under the Registration Act, 1908;	

49.	PROMISSORY NOTE [as defined by section 2(22)]—	
	(a) when payable on demand-	
	(i) when amount or value does not exceed rupees 2,50,000	Thirty rupees
	(ii) when amount or value exceeds Rs. 2,50,000 but does not exceed Rs. 5,00,000	Sixty rupees
	(iii) in any other case	One hundred rupees
	(b) when payable otherwise than on demand, including a commercial paper	One-fiftieth of one percent, that is to say, 0.02% per annum of the amount payable.
50.	PROTEST OF BILL OR NOTE, that is to say, any declaration in writing made by a Notary Public, or other person lawfully acting as such, attesting the dishonur of a Bill of Exchange for promissory note.	Fifteen rupees.
51.	PROTEST BY THE MASTER OF A SHIP, that is to say, any declaration of the particulars of her voyage drawn up by him with a view to the adjustment of losses or the calculation of averages and every declaration in writing made by him against the charterers or the consignees for not loading or unloading the ship, when such declaration is attested or certified by a Notary Public or other person lawfully acting as such. See also NOTE OF PROTEST BY THE MASTER OF A SHIP (No.44).	Fifteen rupees
52.	PROXY empowering any person to vote at any one election of the members of a district or local board or of a body of municipal commissioners, or at any one meeting of (a) members of an incorporated company or other body corporate whose stock or funds is or are divided into shares and transferable; (b) a local authority, or (c) proprietors, members or contributors to the funds of any institution.	Ten rupees.
53	RECEIPTS as defined by section 2(23) for any money or other property the amount or value of which exceeds twenty rupees. (a) where such amount does not exceed Rs. 2,000;	Two rupees
	(b) where such amount exceeds Rs.2,000 but does not exceed Rs. 10,000;	Three rupees
	(c) where such amount exceeds Rs.10,000.	Seven rupees

EXEMPTIONS

RECEIPT-

- (a) endorsed on or contained in any instrument duly stamped or any instrument exempted under the proviso to section 3 (instruments executed on behalf of the Government) or any cheque or bill of exchange payable on demand acknowledging the receipt of the consideration money therein expressed, or the receipt of any principal-money interest or annuity, or other periodical payment thereby secured;
- (b) for any payment of money without consideration;
- (c) for any payment of rent by a cultivator on account of land assessed to Government revenue;
- (d) for pay or allowances by non-commissioned or petty officer; soldiers, sailors airmen of the armed forces of Pakistan/ Pakistan military, naval or air forces when serving in such capacity, or by mounted police-constables;
- (e) given by holders of family certificates in cases where the person from whose pay or allowances the sum comprised in the receipt has been assigned as a noncommissioned or petty officer, soldier, sailor or airmen or any of the said forces and serving in such capacity;
- (f) for pensioners or allowances by persons receiving such pensions or allowances in respect of their services as such non-commissioned or petty officers, soldiers, sailors or airmen, and not serving the State in any other capacity;
- (g) given by a headman or lambardar for land-revenue or taxes collected by him;
- (h) given for money or securities for money deposited in the hands of any banker, to be accounted for:

Provided that the same is not expressed to be received of, or by the hands of, any other than the person to whom the same is to be accounted for:

Provided also that this exemption shall not extend to receipt or acknowledgment for any sum paid or deposited for, or upon a letter of allotment of a share, or in respect of a call upon any scrip or share of, or in, any incorporated company or other body corporate or such proposed or intended company or body or in respect of a debenture being a marketable security.

See also POLICY OF INSURANCE [No.47-B(2)].

54.	RE-CONVEYANCE OF MORTGAGE PROPERTY—	
	(a) if the consideration for which the property was mortgaged does not exceed Rs.1,000;	The same duty as on a Bond (No.15) for the amount of such consideration as set forth in the re-conveyance.
	(b) in any other case.	One hundred and thirty rupees.
55.	RELEASE , that is to say, any instrument (not being such a release as is provided for by section 23-A) whereby a person renounces a claim upon another person or against any specified property.	The same duty as on a Bond (No.15) for such amount of the claim or value of the property.
56.	RESPONDENTIA BOND, that is to say, any instrument securing a loan on the cargo laden or to be laden on board a ship and making repayment contingent on the arrival of the cargo at the part of destination.	The same duty as on a Bond (No.15) for the amount of the loan secured.
	REVOCATION OF ARMY TRUST OR SETTLEMENT. See settlement (No.58) Trust (No. 64).	
57	SECURITY BOND OR MORTGAGE-DEED executed by way of security for the due execution of an office, or to account for money or other property received by virtue thereof or executed in favour of a Court for the due discharge of a contingent liability or executed by a surety to secure the due performance of a contract—	
	(a) when the amount secured does not exceed Rs.1,000	The same duty as on a Bond (No.15) for the amount secured.
	(b) in any other case.	One hundred and thirty rupees.
	EXEMPTIONS	
	Bond or other instrument, when executed	In the second second
	by any person for the purpose of guaranteeing that the local income derived from private subscriptions to a charitable dispensary or hospital or any other object of public utility shall not be less than a specified sum per mensem;	

(a) under No. 3-A' of the rules made by the Provincial Government under section 70 of the Sindh Irrigation Act, 1879; (b) executed by persons taking advance under the Land Improvement Loans Act, 1883, or the West Pakistan Agriculture Loans Act, 1958, or by their sureties, as security for repayment of such advance; executed by servants of the State of their sureties to secure the due execution of an office or the due accounting for money or other property received by virtue thereof. 58 SETTLEMENT-A-Instrument of (including a deed of dower)— Two rupees for every one (i) where the settlement is made in favour of legal heirs in hundred rupees or part respect of agricultural land. thereof of the value of the property settled. where the settlement is made for a religious or Two rupees for every one charitable purpose. hundred rupees or part thereof of the value of the property settled. (iii) in any other case. The same duty as is leviable on a Conveyance (No.23) for consideration equal to the amount or value of the property settled; Provided that, where an agreement to settle is stamped with the stamp required for an instrument of settlement, and an instrument of settlement in pursuance of agreement is subsequently executed, the duty on such instrument shall not exceed one hundred

rupees:

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	(b) If any company which has paid the said duty or composition in full subsequently issues an addition to its subscribed capital one and a half per centum of the additional capital so issued. SCRIP, See Certificate (No.19).	
60.	SHIPPING ORDER for or relating to the conveyance of goods on board of any vessel.	Ten rupees
61.	SURRENDER OF LEASE-	
	(a) when the duty with which the lease is chargeable does not exceed Thirty rupees.	The duty with which lease is chargeable.
	(b) in any other case.	One hundred and thirty rupees.
	EXEMPTION	
	Surrender of lease, when such lease is exempted from duty.	
62	TRANSFER (whether with or without consideration)-	
	(a) of shares in an incorporated company or other body corporate;	One-forth of the duty payable on a Conveyance (No.23) for a consideration equal to the value of the share.
	(b) of Debenture or Participation Term Certificate or Term Finance Certificate or any other instrument of redeemable capital (other than Commercial paper), whether mortgaged or not, being a transferable security, whether liable to duty or not except as provided for by section 8; and	One-tenth of one percent, that is to say, 0.1% of the face value of the instrument.
	(c) of any interest secured by a bond, mortgage-deed or policy of insurance-	
	(i) if the duty on such bond, mortgage-deed or policy does not exceed twenty rupees.	The duty with which such bond, mortgage-deed or policy of insurance is chargeable.
	(ii) in any other case	Seventy rupees
		Annual Control of the

	(d) of any property under the Administrator-General	Seventy rupees.
	Act, 1913, section-31;	
	(e) of any trust property without consideration from one trustee to another trustee or from a trustees to a beneficiary.	Thirty rupees or such smaller amount as may be chargeable under clauses (a) to (c) of this Article.
	EXEMPTIONS	
	Transfers by endorsement— (a) of a bill of exchange, cheques or promissory note; (b) of a bill lading, delivery order, warrant for goods or other mercantile document of title to goods; (c) of a policy of insurance; (d) of securities of the Federal Government. See also Section 8—	
63.	TRANSFER OF LEASE by way of assignment and not by way of under lease	The same duty as is leviable on a Conveyance (No.23) for a consideration equal to the amount of the consideration for the transfer.
	EXEMPTION	
	Transfer of any lease exempt from duty.	
64	TRUST— A—DECLARATION OF— of, or concerning, any property when made by any writing not being a WILL.	The same duty as on a Bond (No.15) for a sum equal to the amount or value of the property concerned as set forth in the instrument but not exceeding one hundred rupees.
	B-REVOCATION OF—of, or concerning any property when made by any instrument other than a WILL.	The same duty as on a Bond (No.15) for a sum equal to the amount or

	See also SETTLEMENT (No.58). VALUATION. See APPRAISEMENT (No.8).	value of the property concerned as set forth in the instrument but not exceeding one hundred rupees.
65.	WARRANT FOR GOODS, that is to say, any instrument evidencing the title of any person therein named, or his assignee, or the holder or thereof to the property in any goods lying in or upon any dock ware house or wharf, such instrument; being signed or certified by or on behalf of the person in whose custody such goods may be.	Ten rupees.