



महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

सोमवार, फेब्रुवारी ३, २००३/माघ १४, शके १९२४

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Bombay Stamp (Amendment) Ordinance. 2003 (Mah. Ord. I of 2003), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

PRATIMA UMARJI,
Principal Secretary to Government.
Law and Judiciary Department.

[Translation in English of the Bombay Stamp (Amendment) Ordinance. 2003 (Mah. Ord. I of 2003), published under the authority of the Governor.]

REVENUE AND FORESTS DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 3rd February 2003

MAHARASHTRA ORDINANCE No. I OF 2003.

AN ORDINANCE

further to amend the Bombay Stamp Act, 1958.

WHEREAS both Houses of the State Legislature are not in session ;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend

Bom. the Bombay Stamp Act, 1958 for the purposes hereinafter appearing ;
LX of
1958.

(२६)

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title
and
commence-
ment.

1. (1) This Ordinance may be called the Bombay Stamp (Amendment) Ordinance, 2003.

(2) It shall come into force at once.

Amendment
of section 10
of Bom. LX
of 1958

2. In section 10 of the Bombay Stamp Act, 1958 (hereinafter referred to as "the principal Act"),—

Bom.
LX of
1958.

(a) after sub-section (2), the following sub-section shall be inserted, namely :—

“(2-1A) From the date of coming into force of the Bombay Stamp (Amendment) Ordinance, 2003, in the case of instruments, stamped with impressed stamps, such stamps shall bear the stamp and signature with date, of the authorised officer of the Treasury, Sub-Treasury or the General Stamp Office in the State, or of the proper officer appointed by the Chief Controlling Revenue Authority, Superintendent of Stamps or Collector of Stamps in the State :

Mall.
Ord. I
of
2003.

Provided that, the Chief Controlling Revenue Authority may, by notification in the *Official Gazette*, from the specified date, do away with such requirement.”;

(b) for sub-section (3), the following sub-section shall be substituted, namely :—

“(3) Notwithstanding anything contained in sub-section (1) the Chief Controlling Revenue Authority, shall, by notification in the *Official Gazette*, specify the instruments in Schedule I in respect of which the duties chargeable, as specified in column 2 of the said Schedule shall be paid,—

- (1) by means of a franking machine ;
- (2) by way of cash ;
- (3) by demand draft ; or
- (4) by pay order,

in any Government Treasury a Sub-Treasury or General Stamp Office, and such payment shall be indicated on such instrument by endorsement to that effect made on the instrument by the proper officer duly notified by the Chief Controlling Revenue Authority for this purpose.”.

Insertion of
section 10A
in Bom. LX
of 1958.

3. After section 10 of the principal Act, the following section shall be inserted, namely :—

“ 10A. Notwithstanding anything contained in section 10, the State Government may, by notification in the *Official Gazette*, direct that, in case of the bodies owned or controlled by the State or Central Government, Insurance Companies and Nationalised Banks, the duty may be paid by their Head Office or Regional Office or Zonal Office by way of cash, or by demand draft or by pay order, in any Government Treasury or Sub-Treasury or General Stamp Office, Mumbai and the proper officer, not below the rank of Branch Manager, so notified by the Chief Controlling Revenue Authority, shall make an endorsement on the instrument as follows, —

Duties to be paid in cash. by demand draft or by pay order by Government controlled bodies, Insurance Companies and Banks.

Stamp duty of Rs. paid in cash or by demand draft or by pay order, *vide* Receipt/Challan No. dated the

Signature of proper officer.”

STATEMENT

The State Police have recently **unearthed** the bogus stamps racket in Pune City as well as in Bhiwandi (Thane) and Mumbai City. The amount of bogus stamps seized from the persons arrested is around rupees 2100 crore. This has resulted in a feeling of concern, uncertainty and confusion in public mind regarding the validity of stamps already purchased and affixed to documents already registered by them. In order to ensure prevention of **further** use of such bogus stamps for registration and also with a view to dispelling the doubts and fears from public mind, the State Government has decided to take effective preventive measures like **staying** the sale and use of adhesive stamps of the value of more than rupees 100, validation of existing stock of stamps and stamp-papers with signature and seal of **the authorised** officer of the Treasury, Sub-Treasury or the General Stamp Office, purchase of stamps and stamp-papers only from authorised agencies by payment, either in cash or through *chhalans* from Treasuries, and wider use of franking machines. Having regard to these objectives as well as seriousness of the situation, **Government** considers it expedient to suitably amend section 10 of the Bombay Stamp Act, 1958, to achieve the aforesaid purpose.

2. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to **take immediate action further** to amend the Bombay Stamp Act, 1958 for the purpose aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 31st January 2003

MOHD. FAZAL,
Governor of Maharashtra

By order and in the name of the Governor of Maharashtra,

W A Y MOHANLAL,
Principal Secretary to Government