

ANDHRA PRADESH STATE ROAD TRANSPORT CORPORATION

No.C5/243(286)/02-OPD©

Corporate Office,
Bus Bhavan,
Mushirabad, Hyderabad.

CIRCULAR No.07 / 2008-OPD(C) Dated 11-3-2008.

Sub: STAMP DUTY – Indian Stamp Act 1899 – Amendment to Article 33 of Schedule I(A) of the Indian Stamp Act 1899 – Audit on the records of immovable properties of the Corporation–Revision of Stamp duty– Instructions issued – Reg

Ref:- This office Circular No.34/91 OPD© , dt.4-10-1991.
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Instructions / Guidelines were issued vide Circular cited on Stamp duty to be collected from the licensees of canteens, stalls, space etc. for the agreements to be entered into with the Corporation. According to the Circular, the maximum amount of stamp duty for entering into agreement is Rs.100/- only.

The Government of AP have amended article 33 of Schedule-I(A) of Indian Stamp Act 1899, which came into being from 01-08-2005 duly revising Stamp duty. The following are the amended provisions of the Act, based on which the stamp duty has to be worked out for each transaction.

- (a). where the licence purports to be for a term of not less than one year and not more than 5 years, the stamp duty is chargeable @ 2% on the value of the average annual rent or fee or by whatever name it is called.
- (b). where the licence purports to be for a term of not less than 5 years and not exceeding 10 years, the stamp duty is chargeable @ 5% on the value of one and half times of the average Annual rent or fee or by whatever name it is called.

As per the guidelines / instructions in vogue, the maximum licence period of cycle / scooter stands is for four years, canteens stalls / space is six years, and for unused buildings / Bus Depots / Bus Stations / Built up office accommodation is ten years.

In the light of the amendment of article 33 of Schedule – I (A) of Indian Stamp Act 1899, it is mandatory to follow the amended provisions in respect of immovable properties of the Corporation such as canteens, stalls, space cycle/scooter stands etc. Hence following revised instructions are issued :

- (1). In respect of cycle / scooter stands, whose maximum licence period is for four years, stamp duty shall be @ 2% on the average annual licence fee.

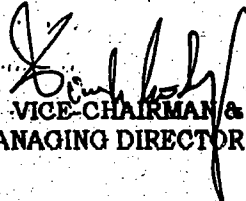
ILLUSTRATION: Assuming that the monthly licence fee of a cycle / scooter stand at a particular Bus Station is Rs.1,000/-; the annual licence fee comes to Rs. 12,000/-. The worth of stamp duty to be collected for entering into agreement @ 2% on average annual licence fee works out to Rs.240/-. If the agreement has been already entered in the stamp paper of Rs.100/- and if the agreement is still in force, fresh agreement be entered with the concerned licensee for the balance period of licence on non-judicial stamp paper worth Rs. 140/- (Rs.240-100 = Rs.140/-).

- (2). In respect of canteens/ stalls / space whose maximum licence period is for six years and in respect of unused Buildings / un-used Bus Stations / un-used Bus Depots / Built up office accommodation whose licence period is for ten years, the stamp duty shall be @ 5% on one and half times of the average annual licence fee.

ILLUSTRATION: Assuming that the monthly licence fee of a canteen or stall or space or unused Bus Station is Rs.5,000/-; then annual licence fee will be Rs. 60,000/- and one and half times of this annual licence fee works out to Rs.90,000/-. The worth of stamp duty for entering into agreement @ 5% on one and half times of average annual licence fee is Rs.4,500/-. If the agreement has been already entered in the non-judicial stamp paper of Rs.100/-, fresh agreement be entered with the concerned licensee for the balance period of licence on non-judicial stamp paper worth of Rs. 4,400/- (Rs.4,500-100 = Rs.4,400/-).

- (3). In respect of the licensees whose agreements came into being on or after 1-8-2005, and still in force, fresh agreements be entered with the concerned licensees immediately with the same terms and conditions for the balance period of licence on a non-judicial stamp paper of worth calculated based on the instructions mentioned at 1 or 2 above as per applicability, duly deducting the worth of the stamp duty (i.e., non-judicial stamp paper) over which the existing agreement was entered into.
- (4). In respect of the agreements to be entered into herein after, the worth of stamp duty (non-judicial stamp paper) be calculated as per the instructions mentioned at 1 and 2 above as per the applicability.
- (5). The stamp duty (non-judicial stamp paper) shall be at the cost of the licensee, for both existing and future agreements.
- (6). No stamp duty shall be paid on Security Deposit and one month advance licence fee of the licensees.
- (7). The existing licensees shall be convinced for entering into fresh agreements for the balance period of licence by paying revised stamp duty since it is statutory as per the amended provisions of Indian Stamp Act 1899.

The above instructions shall be followed scrupulously without any deviation.


**VICE-CHAIRMAN &
 MANAGING DIRECTOR**

To
 All Regional Managers, A P S R T C.

Copy to:
 The Director (V&S), FA, CAO, all EDs of Corporate Office for infn.
 The EDs of Zones for information,
 The HODs/Dy.CTMs in Corporate Office for information,
 The Dy.CTMs/Dy.CAOs of all Regions for information & n/a.
 The DMs, ATMs of Bus Stations, Pos & AOs in all Regions for infn & n/a.
 The Dy.EEs/AEs(Commercial Business Developers) of all Regions for infn & necessary action.