

No.  
Board of Revenue, Punjab  
Lahore; dated 18th Dec. 1937  
DEPT. OF D. C. K.

D.C.	✓
A. M.C.	
Subj.	

24-12-97

The Secretary (Settlements),  
Board of Revenue, Punjab.

All Deputy Commissioners/  
District Registrars in the Punjab.

STAMP DUTY CHARGEABLE ON GIFT DEED UNDER ARTICLE 33  
SCHEDULE 1 TO THE STAMP ACT, 1899.

MR. HAFEEZ-ULLAH ISHAQ, MEMBER (REVENUE) BOARD OF REVENUE, PUNJAB.

Memorandum.

The Inspector of Stamps, Faisalabad Circle had reported that a deed of gift was registered in the office of Sub-Registrar, Toba Tek Singh at S.No. 679 on 19-5-1937, whereby a plot of land measuring one kanal in Chak No. 327/J.B had been conveyed at the value of Rs. 40,000/- only. He pointed out that value of land should be fixed at the rate of Rs. 4,500/- per marla as prescribed for the locality in the valuation table issued by the Collector. Thus the value should come to Rs. 90,000/- for which additional amount of Rs. 2,500/- should be paid as stamp duty.

2. The Deputy Commissioner, Toba Tek Singh, has expressed the view that value of property in gift deed for payment of stamp duty under the law should be that which is given in the instrument itself and not according to the value given in the valuation table issued by him under Section 27-A of the Stamp Act. He considers that it is meant for values of lands to be conveyed by sale or exchange only. According to him gift deeds do not come within the purview of section 27-A and as such the deed is properly stamped.

3. The matter was referred to the Law Department for advice as to whether value of land/property in a deed of gift would be the same as assessed in the Valuation Table notified by the district collector, meant for payment of stamp duty in the case of sale/exchange.

4. The Law and Parliamentary Affairs Department have advised that as Section 27-A does not apply to Article 33, the stamp duty on a gift shall be determined as per requirements of the said Article. Member (Revenue), Board of Revenue, Punjab also agrees with this view.

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5. It may be brought to the notice of all concerned  
for guidance.

*M.M.A*  
Secretary (Settlements),  
Board of Revenue, Punjab.

No. 7786-94/ 3/29 -ST (II).

A copy is forwarded for information and guidance to:-

1. All Commissioners of Divisions in the Punjab;
2. Inspector General of Registration, Punjab, Farid Kot House Lahore;
3. All Inspectors of Stamps in the Punjab.

*M.M.A*  
Secretary (Settlements),  
Board of Revenue, Punjab.