

Subject: REMISSION OF STAMP DUTY

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Please refer to the subject captioned above.

2. Mortgage deed executed by an officer of government in civil or military employee for securing the repayment of advance received by him from the government of the purpose of constructing, purchasing or repairing a dwelling house for use is not chargeable with stamp duty under article 40 schedule-I of the stamp duty, 1899.

3. Mr. Muhammad Ayaz Butt, an employee of Pakistan Atomic Energy Commission has executed a mortgage deed for the above said purpose. He has not paid any stamp duty on the mortgage deed. Pakistan Atomic Energy Commission is a statutory body of Government of Pakistan. It is considered a statutory body does not come within the definition of the conduct of business of Federal Government. It is laid down under Article 99 of the Constitution of Islamic Republic of Pakistan, 1973 that all executive action of Federal Government shall be expressed to be taken in the name of President and the instrument shall be made and executed in his name. The instrument of mortgage has been made and executed in the name of Chairman of Pakistan Atomic Energy Commission. A copy of mortgage deed in question and a copy of a sample executed on the prescribed proforma are attached herewith for ready reference.

4. You are requested to favour this office with your considered views / opinions whether mortgage deed is chargeable with stamp duty or not?

  
o/c CHIEF INSPECTOR OF STAMPS  
BOARD OF REVENUE, PUNJAB

To

The Section Officer (Opinion)  
Government of the Punjab  
Law and Parliamentary Affairs Department  
Civil Secretariat Punjab, Lahore.

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UO No.2345-2009/

-ST(I).

Lahore dated the

8-12-2009  
November, 2009