

**KARNATAKA ORDINANCE NO. 2 OF 2016**  
**THE KARNATAKA STAMP (AMENDMENT) ORDINANCE, 2016**  
**Arrangement of Sections**

**Sections:**

1. Short title and commencement.
2. Amendment of schedule

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**THE KARNATAKA STAMP (AMENDMENT) ORDINANCE, 2016**

(Promulgated by the Governor of Karnataka in the sixty-seventh year of the Republic of India and First published in the Karnataka Gazette Extra-ordinary on the 22<sup>nd</sup> day of June, 2016)

An Ordinance further to amend the Karnataka Stamp Act, 1957 (Karnataka Act 34 of 1957).

Whereas the Karnataka Legislative Assembly is not in session and the Governor of Karnataka is satisfied that the circumstances exist which render it necessary for him to take immediate action to promulgate the Ordinance for the purposes hereinafter appearing;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Karnataka is pleased to promulgate the following Ordinance, namely:-

**1. Short title and commencement.**– (1) This Ordinance may be called the Karnataka Stamp (Amendment) Ordinance, 2016.

(2) It shall come into force at once.

**2. Amendment of schedule.**– In the Karnataka Stamp Act, 1957 (Karnataka Act 34 of 1957) in the schedule, in the article 30, after item (2), the following article shall be inserted, namely:-

<b>Description of Instrument</b>	<b>Proper Stamp Duty</b>
"(3) Notwithstanding anything contained in clause (1) and (2) above, in respect of,- <b>(a)</b> Mine Development and Production Agreement (MDPA) and or Mining Lease granted through auctions:-	
(i) where the lease purports to be for a term exceeding one year and not exceeding ten years.	One rupee for every one hundred rupees or part thereof on the total amount or value of; the average annual royalty and average annual payment based on the final price offer obtained in the auction calculated on the estimated average annual production as per the approved mining plan.
(ii) where the lease purports to be for a term exceeding ten years and not exceeding twenty years	Two rupees for every one hundred rupees or part thereof on the total amount or value of; the average annual royalty and average annual payment based on the final price offer obtained in the auction calculated on the estimated average annual production as per the approved mining plan.
(iii) where the lease purports to be for a term exceeding twenty years and not exceeding thirty years	Three rupees for every one hundred rupees or part thereof on the total amount or value of; the average annual royalty and average annual payment based on the final price offer obtained in the auction calculated on the estimated average annual production as per the approved mining plan.
(iv) where the lease purports to be for a term exceeding thirty years or in perpetuity or does not purport to be for any definite term.	Five rupees for every one hundred rupees or part thereof on the total amount or value of; four times the average annual royalty and four times the average annual payment based on the final price offer obtained in the auction calculated on the estimated average annual production as per the approved mining plan Provided that in any case when Mine Development And Production Agreement (MDPA) is duly stamped with the ad valorem stamp required for MDPA as well as for a mining lease and a mining lease in pursuance of such Mine Development And Production Agreement is

Description of Instrument	Proper Stamp Duty
	subsequently executed, the duty on such mining lease shall not exceed rupees fifty:
<b>(b):</b> Mine Development and Production Agreement (MDPA) and or Mining Lease granted other than by auctions.	
(i) where the lease purports to be for a term exceeding one year and not exceeding ten years.	One rupee for every one hundred rupees or part thereof on the total amount or value of; the average annual royalty and average annual payment as share of value of mineral calculated on the estimated average annual production as per the approved mining plan, premium, money advanced, security deposit and fine.
(ii) where the lease purports to be for a term exceeding ten years and not exceeding twenty years	Two rupees for every one hundred rupees or part thereof on the total amount or value of; the average annual royalty and average annual payment as share of value of mineral calculated on the estimated average annual production as per the approved mining plan, premium, money advanced, security deposit and fine.
(iii) where the lease purports to be for a term exceeding twenty years and not exceeding thirty years	Three rupees for every one hundred rupees or part thereof on the total amount or value of; the average annual royalty and average annual payment as share of value of mineral calculated on the estimated average annual production as per the approved mining plan, premium, money advanced, security deposit and fine.
(iv) where the lease purports to be for a term exceeding thirty years or in perpetuity or does not purport to be for any definite term.	<p>Five rupees for every one hundred rupees or part thereof on the total amount or value of; four times the average annual royalty and four times the average annual payment as share of value of mineral calculated on the estimated average annual production as per the approved mining plan, premium, money advanced, security deposit and fine; or on the value of Estimated Resources whichever is higher;</p> <p>Provided that in any case when Mine Development And Production Agreement (MDPA) is duly stamped with the ad valorem stamp required for MDPAs as well as for mining lease and a mining lease in pursuance of such Mine Development And Production Agreement is subsequently executed, the duty on such mining lease shall not exceed rupees fifty:</p> <p><b>Explanation:</b> (1) The term "money advanced and security deposit" in this Article means and includes the money advanced and security deposit including performance guarantee whether refundable or adjustable towards any other payments.</p> <p>(2) "Value of Estimated Resources" shall have the same meaning as that in the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016.</p>

**VAJUBHAI VALA**  
**GOVERNOR OF KARNATAKA**

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

**K.DWARAKANATH BABU**  
Secretary to Government  
Department of Parliamentary Affairs.