

NSE Clearing Limited

(Formerly known as National Securities Clearing Corporation Limited)

DEPARTMENT : COMMODITY DERIVATIVES SEGMENT

Download Ref No: NCL/COM/43118

Date : January 03, 2020

Circular Ref. No: 0008/2020

All Members,

Sub. : Collection of Stamp Duty in Commodity Derivatives Segment

This is with reference to the Indian Stamp (Collection of Stamp Duty through Stock Exchanges, Clearing Corporations and Depositories) Rules, 2019 notified by the Ministry of Finance (Department of Revenue) on December 10, 2019 (copy enclosed for reference), Indian Stamp Act, 1899 amended vide Finance Act, 2019 (No. 7 of 2019) and further to our circular download reference no. NSE/COM/43089 dated January 01, 2020.

Pursuant to the above and as per the authorization received from Stock Exchange, NSE Clearing Ltd. effective January 09, 2020 shall compute and collect stamp duty at such rates and in such manner as specified in the Indian Stamp Act, 1899 and Indian Stamp Rules 2019.

As per the Indian Stamp Act, 1899, the applicable stamp duty on securities in the Commodity Derivatives Segment is as under:

Type of Security	Applicable Stamp Duty Rate	Applicable on
Commodity Futures	0.002%	Buyer

Members may note that the following procedure will be adopted by the NSE Clearing Ltd. in respect of the calculation and collection of stamp duty.

1. Stamp duty shall be collected on transactions executed on stock exchange and received for clearing by NSE Clearing Ltd and as specified in circulars issued from time to time.
2. Stamp duty shall be determined at the end of each trading day.
3. Stamp duty calculation in Commodity Derivatives Segment shall be done as per methodology specified in **Annexure 1**. In case of change in methodology the same shall be specified by way of circular.
4. All the transactions shall be identified based on the client code placed by the members at the time of order entry on the trading system of the Exchanges and as may be modified by the member using the client code modification facility provided by the Exchanges within the prescribed time viz. during trading hours and up to the trade modification close time on the respective trading day. In respect of proprietary transactions the member code shall be deemed to be the client code.
5. Members may note that the value of taxable securities and the applicable State/Union Territory (UT) shall be determined with respect to the trade executed under a particular client code. Therefore, the Clearing Corporation shall only reckon the client code entered by the member while placing the order or as may be modified within the prescribed time.

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It is therefore imperative that members exercise extreme caution and diligence while entering the client code at the time of entering an order. If the state/UT of the client is not available then the state of the trading member through whom transaction was executed will be considered.

6. For the purpose of stamp duty, each futures trade shall be valued at the actual traded price.
7. For each client code, all the buy transactions for a trading day shall be aggregated at contract level.

Information to members:

1. A Report named 'CO_SD01_<MEMBER CODE>_DDMMYYYY.CSV' shall be provided to trading members at the end of each trading day mentioning "Stamp Duty file for Trading member".
2. Similarly a report named 'CO_SD02_<MEMBER CODE>_DDMMYYYY.CSV' shall be provided to clearing members at the end of each trading day mentioning "Stamp Duty file for Clearing member".
3. These reports shall contain information such as stamp duty liability, client wise stamp duty liability, trading member wise stamp duty liability, clearing member wise stamp duty liability and also the detailed computations for determining the client wise stamp duty liability.

File format is available in **Annexure 2**.

Pay-in of funds:

Clearing Members shall be required to pay the stamp duty, as part of and along with the pay-in obligation. The stamp duty amount shall be collected as per the timelines stipulated for the funds pay-in. A separate transaction shall be created and the monies shall be collected from the settlement account of members through their clearing banks as per the process currently followed in respect of settlement obligations.

Failure to pay funds:

Non-payment of stamp duty shall be treated as fund shortage for the purpose of all consequential actions against the member.

This circular shall be effective for all the applicable transactions from the trade date January 09, 2020.

**For and on behalf of
NSE Clearing Limited**

**Onkar Phadnavis
Associate Vice President**

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Annexure 1: Calculation of Stamp Duty**1. Computation of stamp duty at contract client level:****1.1. Computation of stamp duty on commodity futures:****a) Each futures buy trade shall be valued at the actual traded price:**

- I. Total Buy Value (BVAL) - This is the sum of the trade value (Trade quantity * Trade price for each trade) of all buy trades for the client.

b) Stamp Duty shall be calculated by applying the prescribed rate:

- I. Stamp Duty (BVALSTD) = BVAL* stamp duty rate on commodity futures. The value so computed shall be rounded off to two decimals.

2. Computation of stamp duty at client level:

The total stamp duty liability for a client will be arrived at by summing up the total stamp duty for each security in various settlements arrived at as above and rounded off to the nearest rupee i.e. value with 50 paise and above will be increased to one rupee and value less than 50 paise it shall be ignored.

3. Computation of stamp duty at trading member level:

The total stamp duty liability for a trading member will be arrived at by summing up the total stamp duty for each client.

4. Computation of stamp duty at clearing member level:

The total stamp duty liability for a clearing member will be arrived at by summing up the total stamp duty for each trading member.

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Annexure 2: Information to Members

File for Trading Member:

File Name – O_SD01_<MEMBER CODE>_DDMMYYYY.CSV

File Location- /COMFTP/O<MEMBER CODE>/REPORTS

Header Record (Trading Member level stamp duty information)
Record Type (10)
Stamp Duty date
Trading Member Code
Total Stamp Duty
Detailed Record (Client level Stamp Duty information)
Record type (20)
Stamp Duty date
Trading Member code
Trading Client code
Total Stamp Duty
State Union Territory
Detailed Record (Client Contract level Stamp Duty information)
Record type (30)
Stamp Duty date
Trading Member code
Trading Client code
Instrument Type
Symbol
Expiry Date
Strike Price
Option Type
CA level
Buy quantity
Buy Value
Total Stamp Duty

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File for Clearing Member:

File Name – O_SD02_<MEMBER CODE>_DDMMYYYY.CSV

File Location- /COMFTP/O<MEMBER CODE>/REPORTS

Header Record (Clearing Member level Stamp Duty information)	
Record Type (10)	
Stamp Duty date	
Due date of payment	
Clearing Member Code	
Total Stamp Duty	
Detailed Record (Trading Member level Stamp Duty information)	
Record type (20)	
Stamp Duty date	
Trading Member code	
Total Stamp Duty	
Detailed Record (Client level Stamp Duty information)	
Record type (30)	
Stamp Duty date	
Trading Member code	
Trading Client code	
Total Stamp Duty	
State Union Territory	
Detailed Record (Client Contract level Stamp Duty information)	
Record Type (40)	
Stamp Duty date	
Trading Member Code	
Trading Client code	
Instrument Type	
Symbol	
Expiry Date	
Strike Price	
Option Type	
CA level	
Buy quantity	
Buy Value	
Total Stamp Duty	