

Dispute Resolution Hotline

February 19, 2025

STAMPING OF ARBITRAL AWARDS

This article was first published in www.lexology.com (February, 18, 2025).



Imposing stamp duty on arbitral awards seems rather unusual, as these two concepts don't naturally go together. Stamp duty is a government tax levied on 'instruments,' which are documents that outline the rights and obligations of the parties involved. Typically, stamp duty is associated with contracts or deeds of conveyance entered into by consenting parties. In contrast, an arbitral award is the resolution of claims submitted to arbitration by two or more disputing parties, akin to a court judgment. After an award is issued, the prevailing party can file for its enforcement. This distinction is why prominent arbitration hubs like Singapore and the United Kingdom do not categorise arbitral awards as instruments subject to stamp duty. These common law jurisdictions prefer to impose stamp duty on documents, such as deeds or agreements, rather than awards. Hence, the requirement to pay stamp duty on domestic awards – those arising from India-seated arbitrations – appears to be peculiar to the Indian legal system.

Please click [here](#) for our detailed article.

Authors

- [Ritika Bansal](#) and [Viral Mehta](#)

You can direct your queries or comments to the relevant member.

DISCLAIMER

The contents of this hotline should not be construed as legal opinion. View detailed disclaimer.

This Hotline provides general information existing at the time of preparation. The Hotline is intended as a news update and Nishith Desai Associates neither assumes nor accepts any responsibility for any loss arising to any person acting or refraining from acting as a result of any material contained in this Hotline. It is recommended that professional advice be taken based on the specific facts and circumstances. This Hotline does not substitute the need to refer to the original pronouncements.

This is not a Spam mail. You have received this mail because you have either requested for it or someone must have suggested your name. Since India has no anti-spamming law, we refer to the US directive, which states that a mail cannot be considered Spam if it contains the sender's contact information, which this mail does. In case this mail doesn't concern you, please unsubscribe from mailing list.

Research Papers

India's Oil & Gas Sector – at a Glance?

March 27, 2025

Artificial Intelligence in Healthcare

March 27, 2025

Real Estate Tokenisation

March 27, 2025

Research Articles

Re-Evaluating Press Note 3 Of 2020: Should India's Land Borders Still Define Foreign Investment Boundaries?

February 04, 2025

INDIA 2025: The Emerging Powerhouse for Private Equity and M&A Deals

January 15, 2025

Key changes to Model Concession Agreements in the Road Sector

January 03, 2025

Audio

CCI's Deal Value Test

February 22, 2025

Securities Market Regulator's Continued Quest Against "Unfiltered" Financial Advice

December 18, 2024

Digital Lending - Part 1 - What's New with NBFC P2Ps

November 19, 2024

NDA Connect

Connect with us at events, conferences and seminars.

NDA Hotline

[Click here to view Hotline archives.](#)

Video

Vaibhav Parikh, Partner, Nishith Desai Associate on Tech, M&A, and Ease of Doing Business

March 19, 2025

SIAC 2025 Rules: Key changes & Implications

February 18, 2025

How Cross Border M&A Will Shape the AI Age

February 13, 2025