

The Delhi Province Stamp Rules, 1934¹

1. **Interpretation**— In these rules, unless a different intention appears from the subject or context—

- (a) the word "stamp" means as the case may be—
 - (i) a stamp intended to be used under the Indian Stamp Act, 1899 and applies both to adhesive stamps and impressed stamps.
 - (ii) a stamp intended to be used under the Court-fees Act, 1870 and applies both to adhesive stamps and impressed stamps.
- (b) the expression 'Impressed stamp' includes (1) labels affixed and impressed by the Chief Commissioner's Office, and
- (2) stamps embossed or engraved on stamped paper;
- (c) the expression "adhesive stamp" means as the case may be—
 - (i) an adhesive stamp bearing the words "Court-fee" and intended to be used under the Court-fees Act;
 - (ii) a stamp bearing the word or words "Revenue", or "Foreign Bill" or "Share Transfer" or "Advocate" or "Notarial" or, "Agreement" or "Broker's Note" or "Insurance" and intended to be used under the Indian Stamp Act, 1899.
- (d) the expression "Local Depot" means the treasury at Delhi and any place for the custody and sale of stamps where there is no treasury which the Chief Commissioner may declare to be a "Local Depot".
- (e) the expression ²[ex-officio agent], means the treasurer for the time being of the treasury at the headquarters, or his agent and the subordinate treasurer of every subordinate treasury at the headquarters, and it also includes every person appointed to discharge the functions of a treasurer at any local depot established at the place where there is no treasury and postmasters including sub and branch post-masters and persons appointed by post offices to sell "Revenue" stamps;
- (f) the expression ³["Licensed Agent"] means and includes every person who, for the time being holds a licence granted under these rules, to sell stamps, but does not include a ³[specially licensed agent] or an ³[ex-officio agent], as such, though an ³[ex-officio agent] may, if duly licensed, be also a ³[licensed agent]. The expression "licence" means a ³[licensed agent's] licence;
- (g) the term "vendor" includes an ⁴[ex-officio agent], a ⁴[licensed agent] and a ⁴[specially licensed agent],
- (h) the term "special license" means a license granted under these rules to a Government servant to sell non-judicial stamps only on special terms as to remuneration; and specially licensed vendor is a person holding such license.

1. Framed vide Notification No. B 77/34-Financial Dated 20-3-1934 and came into force from 1-4-1934, in supersession of rules published vide Punjab Govt. Notifications 1726 and 1727 Dated 22-11-1909.

2. Substituted for 'Ex-officio vendor' w.e.f. 30-12-1974.

3. Substituted for 'Ex-officio-vendor' or 'licensed vendor' or 'specially licensed vendor' w.e.f. 31-12-1974.

4. Substituted for 'Ex-officio-vendor' or 'licensed vendor' or 'specially licensed vendor' w.e.f. 31-12-1974.

I. SUPPLY OF STAMPS AND KEEPING OF ACCOUNTS

2. **Supply of stamps from Central Stamp Store, Nasik, to treasuries**— According to rule 7 of the Government of India Rules, the Controller of Stamps, Central Stamp Store, Nasik, is responsible for supplying the stamps that are required by Local Governments. The Controller of Stamps supplies stamps on the indents of Treasury officers (or officers-in-charge of local depots) submitted through the Chief Commissioner's Office.

3. **Supply of stamps from treasuries to sub-treasuries**— The district treasury has been constituted a local depot and the sub-treasury has been constituted a branch depot for the custody and sale of stamps of all descriptions. It shall be the duty of the Treasury Officer, under the control of the Deputy Commissioner and with the assistance of the treasurer, to be custodian of the main stocks of stamps under double lock in the treasury strong room, and to replenish that stock. He shall avoid overstocking and watch the balances and arrange for supplies of stamps in sufficient quantities to branch depots which are in charge of sub-treasury officers who are similarly responsible. Branch depots shall obtain their supplies of stamps from local depots to which they are subordinate.

4. **Preparation and submission of indents for stamps**— Separate rules have been framed for the preparation and submission of ordinary and emergent indents for non-postal stamps by officer-in-charge (treasury and sub-treasury officers) of local and branch depots (treasuries and sub-treasuries).

5. Rules 14 and 18 of the Government of India rules require that reserve stocks shall be maintained in local and branch depots. Accordingly, the following reserve has been prescribed in the indent rules:

- (a) *Local depots*— shall maintain a reserve stock of stamps not less than the probable consumption of three months, in addition to the stock required for the quarterly or annual consumption for which indents are submitted quarterly and yearly, respectively.
- (b) *Branch depots*— shall be so supplied with stamps that ordinarily the balance of stamps in each branch depot should never be less than sufficient for one month's nor more than sufficient for two months' average consumption.

6. **Receipt and examination of stamps at treasuries and sub-treasuries**— The receipt and examination of stamps on arrival at treasuries and sub-treasuries shall be conducted in the manner laid down in rule 10 or 18 of the rules for the despatch and receipt of stamps in treasuries and sub-treasuries. When stamps are returned by a sub-treasury, they should be received back into the double lock.

7. **All stocks of stamps received to be deposited under double lock in the strong room of treasury or sub-treasury**— Rule 24 of the Government of India rules lays down that stamps shall be dealt with as follows after receipt and counting—

“They shall be placed in proper receptacles in the store under double lock in the presence of the officer-in-charge, arranged in parcels and packets containing known quantities, the amount and value of each denomination being entered at the same time in a register maintained to show the receipts and issues to and from the store under double lock. These entries shall be checked by the officer-in-charge at the time when the stamps are deposited and correctness of the arithmetical calculations of additions to balance, as well as of the values compared with quantities, shall be verified and initialled by him at the time. The register shall then be placed with the stamps in the double lock receptacles and shall not be

removed therefrom, nor shall any entries be allowed to be made therein except in the presence of the officer-in-charge."

8. Store-book of stamps under double lock— The double lock registers referred to in the foregoing rules shall be in stereo A. & T. stamps Nos. 91-102 and 105 (b). They shall be maintained in English in bound books. There are columns showing date and nature of transaction, values of stamps, total number of stamps, total value and finally a column for the signature of the treasury or sub-treasury officer. The entries in the books shall be made (from the invoices or treasurer's passed indents, as the case may be) either by the officer-in-charge himself at the time of storing or taking out stamps, or by a treasury clerk called to the double lock chamber for the purpose; but in the latter event the entry must be personally checked by the officer-in-charge are the stamps are put in or taken out. Every entry of receipt should correspond with the invoice and show whence the stamps were received; and every entry of issue shall be vouched by a treasurer's passed indent. A balance shall be struck after each entry at the time of receipt or issue, and attested by the initials of the officer-in-charge.

8A. Treasurer's counterpart of store-book of stamps under double lock— A counterpart of the double lock registers in forms stereo No. 91-102 and 105(b) shall be maintained by the treasurer or sub-treasurer in English or Urdu with English numerals and kept in the double lock, but these registers and the double locks registers in English must be written up independently, and one shall not be a mere translation of the other. The entries in this counterpart record shall be signed by the treasurer; they shall also be verified by the initials of the officer-in-charge, who shall see that the entries of receipt correspond with the invoices, and the entries of issue with the passed indents, and that the balance struck corresponds with that shown in the English double lock registers.

9. Store-book in double lock at branch depots— When there is a Siaha Navis at the tahsil, the store-book shall be maintained by him in Urdu, English numerals being used. The store-book shall not be written on loose-sheets, but in bound volumes supplied from the district headquarters, the pages shall be numbered consecutively, the total number of pages in each volume being certified on the title page. They shall be in the same form as the counterpart registers maintained for local depots and must be kept neatly and carefully, all corrections being verified by the initials of the officer-in-charge; and a balance shall be struck at close of each day in which there has been a transaction of either receipt or issue. All entries must be signed by the officer-in-charge, and (except where the book is written up in the sub-treasurer's own hand) also by the sub-treasurer. Before signing an entry of issue by sale the officer-in-charge should satisfy himself that the stamps have been paid for and that the money has been credited in the cash account of the branch treasury.

10. Precautions to protect stamps from injury by damp or vermin— Due precautions shall be taken by the treasurer and the officer-in-charge of the treasury or sub-treasury to protect stamps from injury by damp or vermin. They shall be kept in strong chests or presses lined or covered with tin and so closed as to exclude damp, air, mice or insects. In places where white ants are troublesome, the stamp chests or presses shall not be allowed contact with the walls of the strong room, and shall be raised from the floor, and shall rest on stone or earthen troughs containing common oil. Each chest or press shall have two locks, the key of one invariably remaining in the hands of the officer-in-charge and the key of the other in the hands of the treasurer. Adhesive stamps shall be further secured by being kept in air-tight tin boxes

placed inside the stamp chest or press; the sheets shall be kept face to face and sheets of rough paper placed between each pair of gummed surfaces so as to obviate two sheets being struck together on the gum side.

11. Custody of stamped paper— The stamped paper shall be kept in the parcels of quantities noted below to save trouble in enumeration, each parcel being securely packed and sealed in cloth or paper cover bearing a note of the quantity and value of the stamps within, signed by the officer-in-charge.

- All below Rs. 1 in packets of 500
- From Rs. 1 to 4 in packets of 200
- From Rs. 5 to 16 in packets of 100
- Stamps of Higher Values as received from Nasik.

12. Issue from main stock to be made only on regular indents and in the order of receipt from Nasik— Stamps shall be supplied from the main stock under double lock only in the following circumstances :

- (a) to the treasurer or sub-treasurer on regular written indents; issues shall never be made on oral applications.
- (b) Large indents for stamps from post or telegraph offices or for service stamps from Government departments or offices may be compiled with direct from double lock.
- (c) Replenishments of stocks at branch depots and all despatches of stamps beyond the limits of a district shall be made direct from the double lock.

In order to prevent frauds, errors or damage by any cause remaining undetected for long period, the stock of stamps shall be issued in the order of its receipt, and any denomination lying unsold for any reason for a long time shall be transferred to any other depot where there is a demand for it, under the orders of the Chief Commissioner.

13. Tahvil or expense stock in the sole custody of treasurer— At each local branch depot, whether a branch of the Imperial Bank of India exists or does not exist, there shall be a supply of stamps in the tahvil or expense stock in the sole custody of the treasurer or sub-treasurer for the purpose of supply to the public and [licensed agents]. Issues shall never be made to the public or [licensed agents] from the stock under double lock.

14. Limit of Tahvil or expense stock in local and branch depots— The tahvil or expense stock in the sole custody of the treasurer or sub-treasurer shall in no case exceed the following limit [Government of India rules 26 and 31 (ii)]—

- (a) *Local depots*— (i) Stamps upto the probable demand of one week with cash and opium combined to a value not exceeding Rs. 5,000/- or
- (ii) a total value of Rs. 15,000/- for stamps, cash and opium whichever is less.
- (iii) in the special case of the Delhi Treasury, the treasurer or his agent may hold in his separate custody in single lock—
- (a) Court-fee and non-judicial stamps with opium upto a value of Rs. 15,000;
- (b) ordinary postage and service stamps upto a maximum of Rs. 35,000/-

Similar concessions may be extended to other treasuries under the orders of the Chief Commissioner.

- (b) *Branch depots*— (i) Stamps upto the probable demand of two days, with cash and opium combined to a value of not exceeding Rs. 500/-, or
- (ii) stamps, cash and opium to the total value of Rs. 1,500/- whichever is less.

1. Substituted for 'licensed vendors' w.e.f. 31-12-1974.

15. Safe custody of expense stock— For the safe custody of the expense stock, it is sufficient that an ordinary tin-lined box shall be kept besides the tahvildar by day and locked in the double lock store room at night.

16. Indents and issue of stamps thereon from the double lock— Every week/second day or when necessary the treasurer/sub-treasurer shall prepare in English or Urdu and submit to the officer-in-charge, an indent in form A. & T. No. 90 for a supply of stamps for sale. This indent shall show the estimated consumption for the week/two days, the balance in hand, and the quantity indented for. Printed forms bound in volumes are obtainable on application to the Superintendent, Government Printing, Punjab. Any denominations of stamps not specified in the indent forms should, if necessary, be entered in manuscript in the blank space provided for the purpose. All intermediate or supplementary indents shall be prepared in the forms of indents which are intended to be used both for the purpose of ordinary and emergent indents made at shorter intervals. Before complying with indents, the officer-in-charge shall examine the treasurer or sub-treasurer's store book (prescribed in rule 8) and check the arithmetical calculations made therein. The indent, after being altered, if necessary, and approved by the officer-in-charge shall be signed by him. In case of there being any difference between the No. indented for and issued, a brief note of the cause of the difference shall be made. The indent so signed becomes the warrant for the issue of stamps. The Treasury or Sub-Treasury Officer shall then cause the store under double lock to be opened and the required quantity counted and delivered in his presence to the treasurer or sub-treasurer, as the case may be, check the correctness of the entries made in the double lock register so that they correspond with those made in the single lock register, initial both registers, and return the double lock register into the double lock store.

When it is necessary to issue stamps from the store under double lock more than once the same day, the above checks need only be applied at each time of issue to the particular descriptions of stamps issued.

If the treasurer or sub-treasurer requires stamps at any intermediate time during the period prescribed, the same procedure shall be observed, but the certificate required to be made in column 10 of the indent need not be recorded.

17. Licensed vendors to be supplied with stamps promptly— Care should be taken to see that no obstacles are thrown in the way of licensed vendors obtaining their supplies of stamps from treasuries (Sadar and Tahsil). They should be allowed to obtain supplies on any day and at any hour when the treasury is open and should not be kept waiting.

18. Single lock registers to be maintained by ex-officio vendors— After the treasurer or sub-treasurer has obtained his supply of stamps on indents, he shall enter them in a store register in the same form as the counterpart of the double lock registers. This store book will show quantities and values of stamps received from double lock, the daily sales and the balance of each denomination in hand at the end of each day or the following morning. The balance shall be attested by the initials of the officer-in-charge of the depot, who should inspect daily the accounts of the daily sales, and compare the record of challans kept by the Head Treasury Clerk with the Treasurer's cash book. Before signing this book he shall see that all issues from the store under double lock have been brought to credit, that the value of stamps written off as sold have been credited in the treasury cash accounts, that entries of remittances to branch depots are in accordance with passed indents, and that those showing despatches out of the district are in accordance with the orders received on the subject.

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19. Monthly abstracts of receipts and issues to be submitted by branch depots—

At the close of the last working day of each month, an abstract showing briefly the transactions of the month and containing —

- (1) opening balance;
- (2) receipts during the month;
- (3) issues during the month;
- (4) closing balance;

shall be entered in the store books of each branch depot after the last entry. The officer-in-charge shall verify the closing balance and transmit to the local depots at the headquarters of the district, without necessary delay, a plus and minus memorandum of stamps in form A. & T. Stamps-44.

20. Scrutiny of monthly accounts of branch depots by the officer-in-charge of the local depots— The Officer-in-charge of the local depot shall scrutinize the monthly statements of receipts and issues (i.e., plus and minus memoranda and statement of stamp transactions in the double and single locks of sub-treasuries) rendered by officers-in-charge of branch depots. He shall see that the opening balances have been correctly brought forward from the previous month, that all remittances from the local depots are supported by the sub-treasury officer's receipt and have been brought to credit, that the proceeds of stamps written off as sold have been credited in the cash amount, and that the closing balances have been correctly struck.

21. Periodical verifications of stamp balances in single and double locks—

Separate rules have been framed for the periodical verification of stamp balances in the single and double locks.

II. SALE OF STAMPS, THE PERSONS BY WHOM SUCH SALE IS TO BE MADE AND THE DUTIES AND REMUNERATION OF SUCH PERSONS

22. Vendors— There will be two classes of '[agent]', namely—

- (a) ex-officio '[agent]' as vendor, defined in rule I (e).
- (b) licensed or specially licensed '[agent]' as defined in rule I (f), (g) & (h).

23. Prohibition of sale of stamps except through authorised persons— No persons other than vendor or his agent as defined in these rules shall sell stamps other than half anna, one anna, two annas and four annas revenue stamps unless specially authorised by the Controller of the district.

24. Prohibition of purchase except from licensed vendor— Except in the case of half anna, one anna, two annas and four annas revenue stamps, no person shall purchase any stamp from or exchange any stamp with, any person not authorised under these rules to sell stamps.

25. Licensed vendors— The maximum number of licensed '[agent]' or the sale of stamps at the headquarters of the district and tahsil, respectively, shall be fixed by the Collector of Delhi District in consultation with the Chief Commissioner, and the Collector, shall not without the concurrence of the Chief Commissioner, issue licenses at such headquarters to persons in excess of the number so fixed. In the case of towns and villages which are not such headquarters the number of licenses to be granted shall be fixed by the Collector alone. The Collector may grant a temporary license for a limited period to any

1. Substituted for word 'Vendor' w.e.f. 31-12-1974.

petition-writer or other person who accompanies on tour an officer whose duties necessitate the use of court-fee stamps by parties appearing before him.

26. **Grant of license to any person**— (i) Subject to the provisions of these rules, the Collector, or other officer empowered by the Local Government in this behalf, may grant a license for the sale of stamps to any person at any place or within any area within the limits of his district, to any value of description proved,

- (a) that no person may be licensed to sell any single stamp exceeding¹ [Rs. 500/-] in value;
- (b) that no person employed in any department of the public service shall be granted a license to sell stamps without the previous consent of the head of such department;
- (c) that no person shall be licensed until the licensing officer has satisfied himself that the person to be licensed bears good moral character and is qualified for the purpose educationally;
- (d) that no person whose duty it is to cancel stamps, in accordance with the provisions of section 30 of the Court-fees Act, 1870, shall be licensed to sell court-fee stamps under these rules. The license of any licensed vendor who accepts any appointment involving the duty of cancelling stamps shall be deemed to have been revoked from the time of acceptance, and shall be forthwith surrendered to the Collector.

(ii) *Ex-officio vendors*— The Collector may, in his discretion, grant a license to sell stamps to any ²[ex-officio agent], who then shall be also a ²[licensed agent] within the meaning of these rules, and shall be subject to all the provisions thereof, as regards the sale of stamps and his duties and remuneration as ²[licensed agent.]

(iii) In granting a license to an ³[ex-officio agent] who is the treasurer of a treasury at the headquarters or his agent, the Collector may, in his discretion, by provision made in his license, authorise him to grant a sub-license, for a short period and upon his own responsibility, to any person for the purpose of accompanying any civil officer on tour, to persons requiring them. Such sub-licenses may be in excess of the member ³[licensed agent] fixed under sub-rule (i) of this rule. Should the license of any such ²[ex-officio agent] expire or be at any time revoked, every sub-license granted by him shall forthwith cease and determined.

(iv) *Specially licensed vendors*— The Collector may, in his discretion and subject to proviso (b) of sub-rule (i) of this rule and subject to the following conditions, grant to any post master or sub-post master or to any other Government servant a special license to sell non-judicial stamps—

Condition 1— Any Government servant specially licensed under this sub-rule may receive, without payment of ready money, an advance stamps of the class that he is licensed to sell, of an aggregate value of fifty rupees. This advance shall be operated on in a manner analogous to that prescribed for a permanent advance on account of contingent expenditure; that is to say, the licensee on paying into the treasury any portion, may receive stamps to an equivalent amount. The licensee receiving such advance shall give a receipt for the money value thereof, which receipt shall be renewed from year to year in the manner prescribed for

1. Substituted vide Notification No. F. 7/22/66 Fin. (E) dated 30-3-1968.

2. Substituted for 'ex-officio vendor' and 'licensed vendor' w.e.f. 31-12-1974.

permanent advances on account of contingent expenditure. When the Government servant ceases to be specially licensed or desires to discontinue the advance, he shall refund the value entered in the receipt, either in money or in stamps of the class which he is licensed to sell, and shall be granted a receipt for the same by the officer to whom the refund is made, the original receipt given by the specially licensed vendor being retained on behalf of Government. When any Government servant specially licensed makes over charge to another Government servant, also specially licensed, he shall obtain from him a receipt for the advance made over to him in stamps.

Condition II— All postage charges for the remittance of stamps supplied to specially [licensed agent] or for the remittance by such vendors of the value of stamps supplied to them, or for the return by them of balances of stamps remaining unsold on their ceasing to be specially licensed, or for official correspondence relating to matters arising out of their transactions as specially [licensed agent], shall be borne by Government and charged to stamp contingencies.

27. Conditions of Licenses— (i) Every license granted under these rules shall specify—

- (1) the person licensed;
 - (2) the kind and the value of the stamps he is licensed to sell; and
 - (3) the place at which he is licensed to sell.
- (ii) Every special license granted under these rules shall contain same particulars and be in the same form as are stated in sub-rule (i) of this rule. But the Collector may, if he sees fit, grant a special license in favour of the holder for the time being of a particular office at a particular place, instead of in the name of a particular person.

28. Every license granted under these rules shall be subject to the following conditions—

- (i) The vendor shall obtain all supplies of stamps which he is authorised to sell, only from the Treasury or sub-Treasury of the district for which his license is granted.
- (ii) The vendor shall keep such stock of the stamps which he is authorised to sell, as may be prescribed by the Collector of the district, with due regard to the convenience of the treasury officer, the Stamp vendor and the litigant public.
- (iii) Subject to the provisions of Chapter V of the Indian Stamp Act, 1899, and rules made under section 27 (c) of the Court Fees Act, 1870 (as to renewal) and the orders of the Governor General in Council published in resolution No. 132 of the 11th January, 1888 (as to refunds), the vendor shall not obtain (by purchase, exchange or otherwise) any stamp from any person other than an ex-officio vendor.
- (iv) The vendor shall sell stamps which he is authorised to sell only at the place mentioned in his license and in accordance with these rules.
- (v) (a) The vendor shall not allow any other person except his agent appointed as in paragraph (b) of this condition to transact on his behalf any business which he is required by these rules to do himself.
- (b) During short period of absence, not exceeding one week at a time, the vendor may appoint an agent for the sale of stamps, making a note to this effect in the vend register before and after the entries of the sale by the agent. If the agent is required for more than a week but less than a month, he must obtain the

1. Substituted for 'ex-officio vendor' and 'licensed vendor' w.e.f. 31-12-1974.

permission of the Collector. The vendor shall be responsible for all acts of his agent. If the vendor is absent for more than a month, the matter must be reported to the Collector who may either (a) authorise the retention of an agent for a longer period, or (b) temporarily or permanently transfer the license to some other person.

- (vi) The vendor shall not sell stamps of any kind the use of which has been discontinued or prohibited by competent authority.
- (vii) The vendor shall be bound to sell to any person upon immediate payment any stamps of a kind or value permitted by his license, but not of any other kind or value. The vendor shall not demand or accept for any stamp any consideration exceeding the value of such stamp.
- (viii) The vendor shall accept payment for any stamp sold by him in any currency which would be accepted on behalf of Government of the district treasury.
- (ix) The vendor shall not sell any stamp exceeding ¹[Rs. 500/-] in value. When application is made to the vendor for stamps exceeding ¹[Rs. 500/-] in value, he shall refer the applicant to the ²[ex-officio agent].
- (x) If application is made to the vendor for a non-judicial stamp of a value not exceeding ¹[Rs. 500/-] required in the form of an impressed sheet to denote the duty on any document, the licensed or specially licensed vendor shall, if it is available in his stock, supply the applicant with stamp of the value required, and if a stamp of such value is not available in his stock he may supply in lieu of it the smallest number of impressed sheets available in his stock by which the duty required can be made up. The licensee shall not attempt to make up stamp duty exceeding ¹[Rs. 500/-] by the issue of two or more stamps of lower denomination.
- (xi) (a) When in the case of court-fees amounting to less than Rs. 25/- the amount can be denoted by a single adhesive stamp, the vendor shall issue a single adhesive stamp of the required value. But if the amount cannot be denoted by a single adhesive stamp, or if a single adhesive stamp of the required value is not available in the stock of the vendor, he shall supply an adhesive court-fee stamp of the next lower value available and make up the deficiency by the issue of one or more additional adhesive stamps of the next lower values, which may be required to make up the exact amount of the fees.
- (b) When in the case court-fee amounting to or exceeding Rs. 25/-, the amount can be denoted by a single impressed stamp, the vendor shall issue single impressed stamp of the required value, but if the amount cannot be denoted by a single impressed stamp or if a single impressed stamp of the required value is not available in his stock, the vendor shall supply an impressed stamp of the next lower value available, and the deficiency shall be made up by the issue of one or more additional impressed stamps of the next lower values available which may be required to make the exact amount of the fee, in combination with adhesive stamps to make up fractions of less than Rs. 25/-.
- (c) When the vendor is unable to furnish a single stamp of the value required by a purchaser, he shall give a certificate to that effect in the form below. The certificate referred to must be affixed to the document—

1. Substituted for 'Rs. 100' vide Notification No. F. 7/22/66-Fin (E) Dated 30-3-1968.
 2. Substituted for "ex-officio agent" w.e.f. 31-12-1974.

(Form of Certificate)

"Certified that single stamp of the value of Rs. required for this document is not available, but, in lieu thereof I have furnished a stamp of the next lower value available, and made up the deficiency by the use of one or more adhesive/impressed stamps of the next lower values available required to make up the exact amount of the fee."

- (d) The licensee shall not attempt to make up court-fees exceeding ¹[Rs. 500] by the issue of two or more stamps of lower denomination.
- (xii) The vendor shall, at the time of sale to the public, write, with his own hand, in indelible ink in English or Urdu on the blank space left for this purpose on each adhesive court-fee stamp, the name, caste or tribe and surname (if any) and residence of the purchaser, the date of the sale and the signature of the vendor, and if the stamp is purchased by any person other than the principal, the said particulars in regard to both the agent and the principal:

Provided that—

- (a) if the name to be written is that of an Indian man or unmarried woman, the vendor shall, in addition to the name and other particulars regarding such man or unmarried woman, write the name of his or her father; and
- (b) if the name is that of an Indian married woman or widow, the vendor shall, in addition to the name and other particulars regarding her, write the name of her husband.
- (c) if the stamp is purchased for any person by a pleader or an advocate as agent, the vendor need only write the name and parentage of the principal, and where the parentage cannot be conveniently ascertained, brief particulars of the case, together with a sufficient description of the agent.
- (xiii) The vendor shall, with his own hand, write in indelible ink in English or Urdu at the time of sale, on the back of every non-judicial or court-fee impressed stamp which he sells—
- (a) serial number;
- (b) the date of the sale;
- (c) (i) the name, caste or tribe and surname (if any) and residence of the purchaser;
- (ii) if the stamp is purchased by any person other than the principal, the said particulars in regard to both the agent and the principal:

Provided that—

- (a) if the name to be written is that of an Indian man or unmarried woman, the vendor shall, in addition to the name and other particulars regarding such man or unmarried woman, write the name of his or her father; and
- (b) if the name is that of an Indian married woman or widow, the vendor shall, in addition to the name and other particulars regarding her, write the name of her husband.
- (c) if the stamp is purchased for any person by a pleader or an advocate as agent, the vendor need only write the name and parentage of the principal, and where the parentage cannot be conveniently ascertained, brief particulars of the case, together with a sufficient description of the agent.

1. Substituted for 'Rs. 100' vide Notification No. F. 7/22/66 Dated 30-3-1968.

- [(cc)(i) The name/names, caste or tribe and surname (if any) and residential address of the person/persons with whom or in whose favour the document is intended to be executed.
- (ii) The purpose for which the stamp is purchased.]
- (d) the value of the stamp in full words, and shall affix his signature to the endorsement.

He shall at the same time make corresponding entries in his vend register and shall also invite the purchaser to attest them by his signature or thumb impression, or both, and in the event of the purchaser refusing so to attest the entry of sale, the vendor shall refuse to sell the stamp required and shall cancel any entries made regarding it in his register.

- (xiv) The vend register referred to in condition (xiii) shall contain columns for the following particulars, and in it the vendor shall regularly and correctly enter these particulars, viz.,
- (a) the date of sale of any impressed sheet sold;
 - (b) the serial number of the entry of every such sale, a new series of numbers being commenced on the first day of April in each year and the total number of stamps sold to make up any value required being entered under a single serial number;
 - (c) the value (in words) of each stamp sold and the total value of stamps sold in each transaction;
 - (d) (i) the name, caste or tribe and surname (if any) and residence of the purchaser;
 - (ii) if the stamp is purchased by any person other than the principal, the said particulars in regard to both the agent and the principal :

Provided that—

- (a) if the name to be written is that of an Indian man or unmarried woman, the vendor shall, in addition to the name and other particulars regarding such man or unmarried woman, write the name of his or her father; and
- (b) if the name is that of an Indian married woman or widow, the vendor shall, in addition to the name and other particulars regarding her, write the name of her husband.
- (c) if the stamp is purchased for any person by a pleader or an advocate as agent, the vendor need only write the name and parentage of the principal, and where the parentage cannot be conveniently ascertained, brief particulars of the case, together with a sufficient description of the agent.
- (e) (1) *In the case of non-judicial stamps*— the purpose for which the purchaser states that the stamp is purchased.
- (2) *In the case of court-fee stamps*— the purpose for which the purchaser states that the stamp is purchased *i.e.*, (1) value (for purpose of court-fee) and nature of the suit or appeal and (2) name of the person against whom the suit or appeal is to be instituted together with the particulars mentioned in column 4 as the case of purchaser.
- (f) (i) Signature or thumb-impression of purchaser, if the purchaser consents to sign the entry, or make the impression, and if he does not consent, the reasons for his not consenting in case the purchaser states his reasons.

- (ii) When any register becomes filled up, the vendor shall deliver the same to the Collector or other officer deputed to receive the same.
- (xv) The vendor shall not knowingly endorse on any impressed sheet sold the name of any person other than the actual purchaser, or the person on whose behalf the stamp is being purchased, deliver any stamp sold to any person other than the person whose name is endorsed thereon as that of the purchaser. The vendor shall not also retain in his possession for more than seven days any endorsed stamp entered as sold in his register of which the vendee fails to take delivery. In case of such failure, he shall, on the expiry of seven days, forward the stamp to the Collector for cancellation and refund of its value or issue of another stamp in exchange thereof.
- (xvi) The vendor shall, upon the demand of the Collector, whenever required so to do, deliver up all stamps in his custody or possession of such vendor; and if such stamps have been paid for by such vendor, the value thereof, less any discount which may have been allowed at the time of purchase thereof such value shall be refunded to him.
- (xvii) The vendor shall at all times have posted in a conspicuous place outside the place of vend, a sign-board in English and Urdu characters—
 - (a) the name of the vendor with the words "Licensed vendor of non-judicial/court fee stamps". He shall also have in the place of vend his license and the Acts of the Legislature and their schedules referring to the stamps sold by him together with these rules in English and Urdu, placed so that they can be readily seen and read by purchasers.
 - (b) The licensee is not allowed to charge more than face value of stamps.
- (xviii) The vendor shall not at any time offer any objection or resistance to the inspection of his register or the examination of his stock of stamps by any officer duly authorised by the Collector or by Government to make such inspection or examination.
- (xix) The vendor shall submit to the Excise Inspector of the district, after the close of each quarter a return in the standard vernacular Form No. 217. He shall also submit such other return as may be prescribed from time to time.
- (xx) The remuneration to the vendor shall be in the form of discount allowed from time to time under the orders of the local Government.
- (xxi) Additional conditions applying to ex-officio vendors who are also licensed to sell stamps not exceeding Rs. 500/- and to receive commission on the sale of such stamps.

This licence should be in the name of a servant or an agent who will have no authority to perform any of the treasurer's or sub-treasurer's official duties in connection with stamps. This servant or agent should—

- (a) sit separately away from the treasurer or sub-treasurer and not with his principal in the treasurer's room;
- (b) have no access to the store of stamps in the single or double locks;
- (c) not perform any duty connected with the issue of stamps;
- (d) not prepare the treasurer's or sub-treasurer's indents, nor keep the store books nor compile the monthly stamp accounts.

29. The infringement of any of these rules or conditions shall render the holder liable to the cancellation of his licence in addition to the penalties prescribed in section 69 of the

Indian Stamp Act, 1899/section 34 of the Court Fees Act, 1870, namely, imprisonment for a term which may extend to six months or fine not exceeding five hundred rupees, or both.

30. Register of Licenses to be maintained for the district— (i) The Collector shall cause a register of licenses and special licenses granted under these rules to be maintained for the district. The register shall contain the following particulars as to each license granted—

- (a) Date of granting the license.
- (b) Serial number for the year of the license.
- (c) Name, father's name, caste and residence of the person licensed; or in the case of a special license granted to a public servant, the official designation of the office in virtue of which the special license may be used.
- (d) Place or area for which the license is granted.
- (e) Kinds and values of stamps covered by the license.
- (f) Period for which the license is to continue in operation.
- (g) Amount to security (if any) taken.
- (h) Acknowledgement of the licensee.
- (i) Remarks relating to revocation, renewal, surrender, expiry etc. of the license.
- (j) Date of destruction of the license.

(ii) **Register of sub-licenses to be maintained by vendors—** Every ex-officio and licensed ¹[agent] whose license empowers him to grant sub-licenses shall maintain a similar register of sub-licenses granted by him.

31. Revocation of licenses— (i) Any license or special license or sub-license granted under these rules may at any time be revoked for sufficient reason by the Collector of the district in which it was granted, or by any Revenue Authority to whom such Collector is administratively subordinate.

(ii) When any license or special license or sub-license is revoked, or expires, it shall be the duty of the person to whom it was granted or his agent or representative forthwith to surrender it to the Collector. **If any such license is to be renewed and has been granted in a form capable of renewal and containing sufficient space for necessary entries, it shall be renewed and returned to the licensee. If any such license is not to be renewed, or if it is to be renewed by the issue of fresh license, the surrendered license shall be retained by the Collector and shall be cancelled by enfacement under his signature.**

(iii) **Collector to furnish list of licenses to ex-officio vendor—** The Collector shall furnish the ex-officio ¹[agent] with a list of all persons licensed under these rules, and keep him informed of changes in it.

32. Supply of blank vend registers by Collector and disposal of the same after use— (i) Blank vend registers in the prescribed form shall be supplied free of charge to the vendor on application to the Collector. Before issuing any blank vend register to the vendor, the Collector shall enter or cause to be entered at the beginning thereof the following particulars—

- (a) Full name and residence of the vendor; and
 - (b) the date on which the register is issued.
- (ii) Each page of such register shall bear a printed number, and all the pages of each register shall be numbered in a continuous series. The officer-in-charge of

1. Substituted for 'Vendor' w.e.f. 31-12-1974.

stamps shall certify under his signature at the beginning of each register the number of pages contained in it, and that they are numbered in a continuous series.

- (iii) To avoid the accumulation of filled or partially filled vend registers at tahsil offices, they should be transferred at the close of the official year in which they have been deposited, to the district record room where they should be retained for a period of twelve years and then destroyed.

33. Duties of ex-officio vendors— No ex-officio ¹[agent] shall, as such, sell stamps otherwise than in accordance with the following directions—

- (a) He shall sell to a licensed or specially licensed ²[agent] or a person holding a sub-license, stamps of denominations not exceeding ²[Rs. 500].
- (b) He shall sell to any person other than a licensed or specially licensed ¹[agent] or a person holding a sub-license (except when required by such ¹[agent] or private use) for impressed stamps exceeding ²[Rs. 500] in value.

Exception— In the case of a succession certificate the ex-officio ¹[agent] shall issue from his stock under single lock court-fee stamps of the required value on production of a revenue deposit repayment voucher from the court concerned.

- (c) He shall not sell any stamps except upon immediate payment for the same.
- (d) He shall also observe carefully the principle of issuing, whenever practicable, a single stamp of the value required by a purchaser, or when or any reason, this is not possible of furnishing a stamp of the next lower value available and of making up the deficiency by the use of one or more additional stamps of the next lower values available, which may be required to make up the exact amount of the fee. In the latter case when the sale is of impressed stamps exceeding ²[Rs. 500] (in value) and a single stamp of the value required by the purchaser is not available, the ex-officio ¹[agent] shall give a certificate to that effect in the form prescribed in clause (c) of condition (xi) of rule 28.

34. Remuneration of Vendors— (i) No ex-officio ¹[agent] shall, as such, be entitled to any discount or commission on the value of any stamps supplied to him for custody and sale upon the sale thereof.

- (ii) *Commission allowed on Court-fee stamps—* Every licensed vendor of court-fee stamps shall be entitled to ³["Discount at the rate of 1% on stamps upto Rs. 100 in a single transaction purchased by him from an ex-officio agent."] provided that he shall not be entitled to any such discount when the total value of stamps purchased at any one time is less than Rs. 10/- nor on any sum in excess of a multiple of Rs. 10/-.
- (iii) Every licensed ¹[agent] and post master or sub-post master as vendors of non-judicial stamps shall be entitled to discount at the rates specified in the following schedule on the value of every non-judicial stamps purchased by him from an ex-officio ¹[agent]; provided that discount shall not be allowed on the value of any stamp of a kind not specified in the said schedule, nor when the total value of the stamps purchased at one time is less than Rs. 5/-

1. Substituted for 'Vendor' w.e.f. 31-12-1974.

2. Substituted for 'Rs. 100' vide Notification No. F. 7/22/66/Fin. (E) dated 30-3-1968.

3. Substituted vide Notification No. F. 7 (40)/69-Fin (G) dated 30-12-1974.