

10. Does the vendor make on every court fee or non-judicial impressed stamp or a court fee adhesive stamp sold by him a proper endorsement in indelible ink [Rules 28 (xi) and (xii) of the Himachal Pradesh Stamp Rules, 1973]?
11. When a stamp is purchased by any one other than the principal in person, is it endorsed by the vendor as sold to the agent (A.B.) for the principal (C.D.) [Rules 28 (xii) and (xiii) of the Himachal Pradesh Stamp Rules, 1973]?
(The actual process of sale should sometimes be watched and endorsements as entered on stamps and registers compared).
This is an important provision, any departure from which coming to notice should, be reported to the Collector of the District.
12. Has the licensed vendor in any one case sold for the same transaction, stamps of the value above the prescribed limit and split up the sale on two consecutive days to conceal the fraud? (The licensed vendors instead of referring a purchaser of stamps, whether court fee or non-judicial exceeding Rs. 200 in value as required by rules, and in order to earn illegal commission sometimes sell such stamps themselves and make entries in respect of stamps so sold in their registers under two different dates. Sometimes one vendor joins another stamp vendor to sell stamps within his own limit although the value of stamps to be used in the transaction may exceed Rs. 200. This kind of fraud should be detected and reported.)
13. Has the licensed vendor in respect of all transactions sold the smallest number of stamps as required by rule 28 (xi) of these rules?
14. Is there any evidence or report that the vendor demands or accepts for any stamps more than actual value denoted thereon (Question about ten members of the General public on this point).
15. Is the vendor fully acquainted with the conditions of his license? Some questions should be put to him to ascertain this.
16. Has any information been ever received to indicate that any sort of illegal trade in stamps or water-marked petition paper is being carried on by stamp vendors?
17. Does the vendor experience any inconvenience or difficulty in obtaining his supplies of stamps from the local treasury or sub-treasury?
18. Whether adequate facilities for meeting the demand of the public for stamps of all descriptions exist?
19. Is there any ground for suspecting that the licensed vendor sells stamps only to those persons who undertake to have their documents written by a particular deed writer recommended by the vendor?
20. Does the vendor submit after the close of each quarter a return in the standard vernacular form No. 217?

THE HIMACHAL PRADESH COURT FEES STAMP RULES, 1973

ARRANGEMENT OF RULES

RULES

1. Number and kind of stamps to be used when fees amount to less than Rs. 25.
2. When fees amount to or exceed Rs. 25.
3. -
4. Certificate given by a stamp vendor when a single stamp is not available.
5. Mode of Stamping and Engrossing Instruments for which a single stamp is not available.
6. Directions for the use of plain paper with impressed stamps.

REVENUE DEPARTMENT

NOTIFICATION

Simla-2, the 29th March, 1974

No. 17-3/67-Rev. I.-In exercise of the powers conferred by section 35 and 36 (b) of the Himachal Pradesh Court Fees Act, 1968, the Governor, Himachal Pradesh is pleased to make rules as specified in the Annexure appended to this notification, for regulating the kind and number of stamps to be used for denoting fees chargeable under the said Act.

These Rules may be called "The Himachal Pradesh Court Fees Stamp Rules 1973" and shall come into force with immediate effect in supersession of the Himachal Pradesh Court Fees Stamp Rules, 1956, as in force in the old areas of Himachal Pradesh and the Punjab Court Fees Stamp Rules, 1934, as in force in the areas merged with Himachal Pradesh w.e.f. 1st November, 1966.

ANNEXURE

HIMACHAL PRADESH COURT FEES STAMP RULES, 1973

1. Number and kind of stamps to be used when fees amount to less than Rs. 25.-When in any case the fee chargeable under the Act is less than Rs. 25 and the amount can be denoted by a single adhesive stamp, such fee shall be denoted by a single adhesive stamp of the required value bearing the words "Court Fee". 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 a stamp of the next lower value available shall be used, and the deficiency shall be made up by the use of one or more additional adhesive stamps of the next lower values which may be required to make up the exact amount of the fee.

2. When fees amount to or exceed Rs. 25.-When in any case the fee chargeable under the Act amounts to or exceeds Rs. 25 and the amount can be denoted by a single impressed stamp it shall be denoted by a single impressed stamp of the required value bearing the words "Court Fee". But if the amount cannot be denoted by single impressed stamp, or if a single impressed stamp of the required value is not available an impressed stamp of the next lower value available shall be used and the deficiency shall be made up by the use of one or more additional stamps of the next lower value available, which may be required to make up the exact amount of the fee, in combination with adhesive stamp to make up of less than Rs. 25.

3. If in any case the amount of the chargeable involves a fraction of 5 paise, such fraction shall be remitted.

4. Certificate given by a stamp vendor when a single stamp is not available.-Where a stamp of the required value is not available, the purchaser shall obtain a certificate from the vendor to that effect in the form below. This certificate shall be affixed to the document and filed with it:-

(FORM OF CERTIFICATE)

"Certified that a 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 fees.

Dated.....Signature of Stamp Vendor."

5. Mode of stamping and engrossing instruments for which a single stamp is not available.-An adhesive stamp which may be used under rule 2 shall be affixed to the impressed stamp of the highest value employed in denoting the fee, or to the first sheet of the document to be inscribed in such manner as not to conceal the value of the stamp thereon.

6. Directions for the use of plain paper with impressed stamps.-When one or more impressed stamps used to denote a fee are found insufficient to admit of the entire document being written on the side of the paper which bears the stamp, so much plain paper may be joined thereto as may be necessary for the complete writing of the document, and writing on the impressed stamps and on the plain paper shall be attested by the signature of the person or persons executing the document.

(R.H.P. Extra., dated the 5th April, 1974, P. 637 to 639).