

# The Punjab e-Stamp Rules, 2014

PUNJAB

India

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### Rule THE-PUNJAB-E-STAMP-RULES-2014 of 2014

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**48.**

/C.A.2/1899/Sections 10,74 and 75/2014. - In exercise of the powers conferred by sections 10, 74 and 75 of the Indian Stamp Act, 1899 (Act No. 11 of 1899) and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, for Computerisation of stamp duty administration system, namely:-

## Chapter I Preliminary

### 1. Short title and commencement.

(1) These rules may be called the Punjab e-Stamp Rules, 2014. (2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

### 2. Definitions.

(1) In these rules, unless the context otherwise requires :- (a) "Act" means the Indian Stamp Act, 1899 (Act No. II of 1899); (b) "Agreement" means the Agreement executed under rule 5; (c) "Appointing Authority" means the Government of the State of Punjab in the Department of Revenue, Rehabilitation and Disaster Management; (d) "Authorised Collection Centre" means an agent appointed under rules 11 and 12, to act as an intermediary between the Central Record Keeping Agency and the Stamp Duty Payer, for collection of stamp duty and issuing the e-Stamp Certificate; (e) "Central Record Keeping Agency" means an agency appointed under rule 3 for the

Computerized Stamp Duty Administration System (C-SDAS);(f)"Chief Controlling Authority" means Financial Commissioner Revenue Government of Punjab and shall include the Inspector General of Registration of Punjab appointed under section 3 of the Registration Act, 1908, if so authorized by him in this behalf;(g)"Department" means the Department of Revenue, Rehabilitation and Disaster Management;(h)"e-Stamp Certificate" means the impression or tamperproof certificate of stamp, electronically generated by the Central Record Keeping Agency, on the paper as provided in rule 27, to denote the payment of stamp duty chargeable under the Act;(i)"Form" means a Form appended to these rules;(j)"Government" means the Government of the State of Punjab;(k)"Grievance Redressal Officer" means the officer as specified in rule 39;(l)"section" means a section of the Act; and(m)"State" means the State of Punjab.(2)The words and expressions used in these rules but not defined shall have the same meanings as assigned to them in the Act and the Registration Act, 1908 and the rules framed under them.

## **Chapter II**

### **Central Record Keeping Agency**

#### **3. Eligibility for appointment as Central Record Keeping Agency.**

- Any Public Financial Institution or Nationalized or Scheduled Bank controlled by the Reserve Bank of India or Body Corporate or Organization or any Company engaged in providing depository services appointed by the Government of India and recognized by the Government of Punjab or any Body Corporate where not less than fifty one percent of equity capital is held by any of the aforesaid entities, either solely or in consortium, shall be eligible for appointment as Central Record Keeping Agency.

#### **4. Term of appointment.**

- The term of appointment of the Central Record Keeping Agency shall be valid for five years or such period, as may be decided by the Appointing Authority.

#### **5. Agreement and Undertaking-cum-Indemnity Bond.**

(1)The Central Record Keeping Agency shall execute an Agreement with the Chief Controlling Authority or his duly authorized officer in Form 1.(2)The terms and conditions of the Agreement may be modified by mutual consent of both the parties.(3)The Central Record Keeping Agency shall execute an Undertaking-cum-Indemnity Bond in favour of the Government in Form 2.

#### **6. Renewal of appointment.**

(1)The appointment of Central Record Keeping Agency may be renewed by the Appointing Authority on the recommendations of the Chief Controlling Authority. The application for renewal of appointment shall be made to the Appointing Authority by the Central Record Keeping Agency

within a period of three months before the expiry of the term of appointment.(2)The Chief Controlling Authority or Appointing Authority before making inquiry or taking decision on the application for renewal may call for any information or record from the concerned offices of Central Record Keeping Agency or Authorised Collection Centre for the purpose of renewal of appointment.(3)The Appointing Authority, if satisfied may renew the appointment and a fresh Agreement and Undertaking-cum-Indemnity Bond shall be executed as provided in rule 5.

## **7. Termination of appointment of Central Record Keeping Agency.**

(1)The appointment of the Central Record Keeping Agency shall be terminated by the Appointing Authority before the stipulated period, on the ground(s) of any breach of any of the obligations or terms of Agreement or provisions of these rules or the Act or the financial irregularity or for any other sufficient reason, as the case may be.(2)The appointment under sub-rule (1), shall not be terminated until,-(a)the Central Record Keeping Agency has been given one month's notice specifying the grounds for such termination; and(b)the Central Record Keeping Agency has been given a reasonable opportunity of being heard.(3)The Appointing Authority, if it is of the opinion that the provisions of the Act and the rules framed there under have been violated, after following the procedure under sub-rule (2), may also impose a penalty in accordance with the provisions of Chapter VII of the Act and Chapter-V of these rules, as the case may be.(4)On termination of appointment under this rule, the Central Record Keeping Agency shall transfer all the data generated during the period of appointment to the Government. After the termination of the appointment of the Central Record Keeping Agency, it shall not use or cause to be used the data generated during the period of appointment for its business or any other purpose whatsoever.

## **8. Duties of Central Record Keeping Agency.**

- The Central Record Keeping Agency shall be responsible for,-(a)providing hardware for hosting e-stamping application in the data centre and software infrastructure, in consultation with the Chief Controlling Authority, including its connectivity with the main server, in the offices of the Inspector General of Registration, the District Registrars, the Sub-Registrars and the Authorised Collection Centers, i.e. point of contact for payment of stamp duty and at other designated places or offices in the State, as specified by the Chief Controlling Authority;(b)providing suitable and adequate training for operation and the use of the system to the manpower and the personnel of the department as appointed by the Chief Controlling Authority;(c)facilitating in selection of the Authorised Collection Centre for collection of stamp duty and issuing e-Stamp Certificate;(d)coordination between the Central Server of Central Record Keeping Agency, the Authorised Collection Centre (banks, etc.) and the offices of the Inspector General of Registration, the District Registrars, the Sub-Registrars or any other office or place in the State, as specified by the Chief Controlling Authority;(e)collecting stamp duty and remitting it to the prescribed Head of Account of the State in accordance with the provisions of Chapter - IV of these rules;(f)preparing and providing various reports as required under these rules and as directed by the Chief Controlling Authority from time to time;(g)the Central Record Keeping Agency shall not provide, transfer or share any hardware, software and any other technology or details with respect to the e-stamping project undertaken by it in the State to anybody without written permission of the Chief Controlling

Authority, except the duly appointed Authorized Collection Centers;(h)the Central Record Keeping Agency shall deploy the e-Stamping application after getting the security audit (vulnerability assessment and penetration testing) of the same conducted by an empanelled agency of CERT-IN. The security audit shall also be required whenever there is any change in the e-Stamping application software subsequently; and(i)the Central Record Keeping Agency shall maintain the logs of all the activities on the server dedicated for e-Stamping and shall also follow the security guidelines of CERT-IN on regular basis. All the system logs shall properly stored and archived for regular analysis, troubleshooting and for the purpose of recovery and investigation of data.

## **9. Commission or discount to be paid to the Central Record Keeping Agency.**

(1)The Central Record Keeping Agency shall be entitled to such agreed percentage of commission or discount on the amount of stamp duty collected through e-Stamping mechanism at the rate of ..... percentage plus taxes, cess etc as applicable.(2)Further the commission or discount to the Central Record Keeping Agency shall also be subject to the conditions of rule 19 of these rules.

## **10. Specification of software to be used by the Central Record Keeping Agency.**

(1)The Central Record Keeping Agency, in consultation with the Chief Controlling Authority shall design and use such software for indicating the following minimum details of the e-Stamp Certificate,-(a)distinguished serial number or unique identification number (UIN) for each e-Stamp Certificate;(b)date and time of issue of the e-Stamp Certificate;(c)code and location of the Authorised Collection Centre from where 'e-Stamp Certificate' is issued;(d)unique reference number;(e)amount of stamp duty paid through the e-Stamp Certificate in words and figures;(f)name of the purchaser or authorized person obtaining the e-Stamp Certificate;(g)names of the first party;(h)name of the second party (if involved);(i)brief description of the instrument on which the stamp duty is intended to be paid;(j)brief description of the property which is subject matter of the instrument, if any;(k)any other distinguishing mark of the e-Stamp Certificate, e.g., bar code or security code with micro print and digital optical water mark; and(l)the e-Stamp Certificate shall be as per the format given as Appendix-A to these rules.(2)The Central Record Keeping Agency in addition to sub-rule (1), shall also make the following provisions:- (a)user-id of the official issuing the e-Stamp Certificate;(b)signature and seal on the e-Stamp Certificate of issuing officer or the authorized signatory of the Central Record Keeping Agency or the Authorized Collection Centre;(c)signature of the purchaser or authorized person obtaining the e-Stamp Certificate;(d)web based facility to access the e-Stamp Certificate;(e)passwords and codes for locking of the e-Stamp Certificate by the District Registrars, the Sub-Registrars or any other authorized officer appointed by the Chief Controlling Authority to prevent the reuse of any e-Stamp Certificate;(f)the option for purchase of additional e-Stamp Certificate under old certificate number available;(g)facility to cancel the 'spoiled' or 'unused' or 'not required for use' e-Stamp Certificate;(h)passwords and codes to the authorized officials of the department to search and view any e-Stamp Certificate and to access Management Information System (MIS) and Decision Support System Reports (DSSR);(i)details of the issued e-Stamp Certificate on the e-Stamping Server (e-SS) maintained by the Central Record Keeping Agency;(j)availability of different transaction details and reports

relating to e-Stamping as provided in rule 43 on the website of the Central Record Keeping Agency, which shall be accessible only to the officers authorized by the Chief Controlling Authority; and(k)any other function as specified in writing by the Chief Controlling Authority.

## **Chapter III**

### **Authorized Collection Centers**

#### **11. Appointment of Authorized Collection Centers.**

- The Central Record Keeping Agency shall appoint the Authorized Collection Centers with the prior approval of the Chief Controlling Authority to act as an intermediary between the Central Record Keeping Agency and the Stamp Duty Payer for collection of stamp duty and for issuing e-Stamp Certificate. The service charges or commission or fee etc. payable to the Authorized Collection Centers shall be decided between the Central Record Keeping Agency and the Authorized Collection Centers at their own level as per their agreed terms.

#### **12. Eligibility for appointment of Authorized Collection Center.**

- Any Nationalized Bank or Scheduled Bank controlled by the Reserve Bank of India or the Financial Institutions or Undertaking controlled by the Central Government or the State Government or Post Offices or offices or branches of the Central Record Keeping Agency or such other Agencies or persons, as approved by the Chief Controlling Authority shall be eligible for appointment as the Authorized Collection Centre.

#### **13. Termination of agency of Authorised Collection Centre.**

- The Chief Controlling Authority, may at any time, for reasons to be recorded in writing, direct the Central Record Keeping Agency for terminating the agency of any Authorized Collection Centre and upon such directions, the Central Record Keeping Agency shall terminate the agency of such Authorized Collection Centre.

#### **14. Collection of stamp duty by the Central Record Keeping Agency and the Authorized Collection Centers.**

(1)All the offices or branches of the Central Record Keeping Agency or Authorized Collection Centers shall collect the amount of stamp duty from the Stamp Duty Payer, at the districts or the places, as specified by the Chief Controlling Authority, as the case may be.(2)All the branches of the Central Record Keeping Agency and the Authorized Collection Centers shall access the main server through internet by using a distinguished identification code and a confidential password allotted by the Central Record Keeping Agency. The password shall be kept strictly confidential and the concerned Authorized Collection Centers shall change it immediately after its allotment to maintain the confidentiality.(3)Minimum value of e-Stamp Certificate (i) the e-Stamp Certificate may be issued

only for amount exceeding Rs 9,999/- (Rs. Nine thousand nine hundred ninety nine only) or such other minimum amount, as specified by the Appointing Authority from time to time;(ii)the limit referred to in clause (i) of sub-rule 3 shall not apply to issue of e-Stamp Certificate for payment of additional stamp duty under rule 29.

### **15. Stationery Charges for Issuing e-Stamp Certificate.**

- The Authorized Collection Centers shall charge a fee for stationery, etc., from the purchaser of e-Stamp Certificate as per the following slab:-

Amount of Stamp Duty in Rupees	Stationery Charges
(1) Upto Rs. 100/-	Rs. 3/- per e-Stamp Certificate.
(2) More than Rs. 100/- and upto Rs. 1000/-	Rs. 5/- per e-Stamp Certificate.
(3) More than Rs. 1000/-	Rs.10/- per e-Stamp Certificate.

### **16. Infrastructure.**

- The Authorised Collection Centers shall be equipped with the required computer systems, printers, internet connectivity and other related infrastructure which are necessary to implement the e-Stamping system as specified by the Central Record Keeping Agency in consultation with the Chief Controlling Authority. The configuration of the computer system and connectivity shall meet the specifications of the Central Record Keeping Agency, which may be subject to change with prior intimation to the Chief Controlling Authority.

### **17. Cost of infrastructure.**

- The cost of providing equipment and infrastructure referred to in rule 16 shall be borne by the concerned Authorised Collection Centers.

### **18. Hardware and infrastructure in the offices of the department.**

- The Government shall provide necessary hardware and infrastructure at the offices of the Inspector General of Registration, the District Registrars, the Sub-Registrars and such other offices as authorised in this behalf, which would include a Personal Computer, Printer, Bar Code Scanner, Internet Connection as required for implementing the e-Stamping system.

## **Chapter IV**

## **Remittance of the Stamp Duty to Government Account**

### **19. Procedure for remitting the amount of stamp duty to Government account.**

- The Central Record Keeping Agency shall be responsible to reconcile and remit the consolidated amount of stamp duty, collected by its own offices and branches or through Authorised Collection Centers, in the head of account "0030-Stamps and Registration" or any other notified head of account of the State in the following manner:- (a) the Central Record Keeping Agency shall remit the consolidated amount of stamp duty, so collected through e-stamping system, to the aforesaid Head of Account, after deducting the agreed commission or discount, not later than the closure of the business hours of the next working day from the date of such collection; (b) the method of remittance of the amount of stamp duty by the Central Record Keeping Agency to the head account of the State shall be through Electronic Clearing System (ECS) or Online Banking Fund Transfer or Challan or otherwise, as may be directed in writing by the Chief Controlling Authority; and (c) the Central Record Keeping Agency shall maintain the daily account of such remittances in the Register as specified in Form-3.

## Chapter V

### Penalty for Omissions and Violations

#### 20. Penalty for delay in remittance to Government account.

- In case, the Central Record Keeping Agency fails to remit the amount of stamp duty so collected in the State head of account, within the period as stipulated in clause (a) of rule 19, the Central Record Keeping Agency shall be liable to pay penalty for delay according to the following scale:-

Period of Delay	Penalty
(1) When amount of stamp duty so collected is remitted on third day or after from the date of collection	Entire amount of the commission or discount payable to the central Record keeping Agency
(2) When the amount of stamp duty so collected is remitted after closing of the eight day from the date of collection	Compound penalty of one percent per month of the amount of collected stamp duty shall be imposed. The first day for this purpose shall be day of transaction.

#### 21. Power to relax or remit penalty.

- The Chief Controlling Authority may relax or remit whole or part of the penalty as provided in rule 20, in unavoidable circumstances or any cause arising beyond the reasonable control, including acts of God, acts of civil or military authority, fires, epidemics, wars, terrorist acts, riots, earthquakes, storms, typhoons, floods. In the event of any such delay, the time for the Central Record Keeping Agency to perform their part shall be extended for a period equal to the time lost by reason of the delay.

## **22. The Central Record Keeping Agency responsible to indemnifying the loss to the Government.**

(1) If any act or omission or irregularity or violation on the part of the Central Record Keeping Agency or any of its Authorised Collection Centres has resulted in loss of revenue to the Government, the Central Record Keeping Agency shall indemnify such amount of loss of revenue along with an interest calculated at the rate of 12 percent per annum. (2) The Central Record Keeping Agency shall, however, be given an opportunity of being heard before taking any decision as provided in sub-rule (1).

## **23. Resolution of disputes.**

- In case of any dispute on any issue arising between the parties under these rules, shall be referred to the Financial Commissioner Revenue, Government of Punjab and his decision thereon shall be final.

## **Chapter VI**

## **Procedure for issuing of e-Stamp Certificate**

### **24. Getting of e-Stamp Certificate.**

- Any person paying stamp duty shall approach any of the branch of Central Record Keeping Agency or Authorised Collection Centers and furnish the requisite details in Form-4 along with the payment of stamp duty for getting the e-Stamp Certificate.

### **25. Mode of payment of stamp duty.**

(1) The payment for purchase of e-Stamp Certificate shall be made by means of Cash, Pay Order, Bank Draft, Electronic Clearing System, Real Time Gross Settlement or by any other mode of transferring the fund as authorized by the Chief Controlling Authority. (2) The Authorized Collection Centre shall issue e-Stamp Certificate for the amount received as provided in sub-rule (1). (3) The Authorized Collection Centre or the Central Record Keeping Agency shall keep a daily account of issued e-Stamp Certificates in a Register to be maintained by them in Form-5 and take the signature of purchaser or the authorized person, as the case may be, on the relevant column of the Register.

### **26. Conditions and Method for issuing the e-Stamp Certificate.**

(1) The Central Record Keeping Agency and the Authorised Collection Centre shall ensure that the person, who has been authorised to issue the e-Stamp Certificate, is employee or authorised person of their agency or institution and having suitable credentials. (2) The Authorised Official of the Authorized Collection Centre or the Central Record Keeping Agency, as the case may be, shall on the payment made under rule 25, enter the requisite information and details in the computer system, as



provided by the applicant in the application Form-4, get the correctness of such entered details verified by the applicant, download the e-Stamp Certificate, take out its print, sign with date and affix the official seal at the bottom on the right side of the e-Stamp Certificate and issue the same to the applicant after taking their signature on the left side of the e-Stamp Certificate as proof of verification.(3)The non-washable permanent black ink or such other appropriate colour and shade, as may be determined by the Chief Controlling Authority shall be used for issuing the e-Stamp Certificate. The print of every e-Stamp Certificate shall be bright, clear and distinct and shall not be overlapped. The signature and seal, showing name and designation of the issuing officer and name of the issuing branch shall preferably be made in black ink.

## **27. Size of paper and printed area of e-Stamp Certificate.**

- The e-Stamp Certificate, as provided in clause (1) of sub-rule (1) of rule 10, shall be printed or generated on A4 or Legal Size Paper with appropriate margins or such other size or margin paper, as may be determined by the Chief Controlling Authority.

## **28. Details of e-Stamp Certificate on website.**

- The details of every issued e-Stamp Certificate shall be made available on the e-Stamping Server (e-SS) maintained by the Central Record Keeping Agency and shall be accessible to any person authorized by the Chief Controlling Authority in this behalf, including the Inspector General of Registration, the District Registrar and the Sub-Registrar, holding a valid code or password, which shall be provided by the Central Record Keeping Agency.

## **29. Payment of additional stamp duty.**

- If a person for any reason, who has e-Stamp Certificate of certain denomination issued for a document, needs to pay an additional stamp duty on the same document, they shall make an application in the Form-4 alongwith additional stamp duty to the Authorized Collection Centre, in accordance with the provisions of the rule 25.

## **30. Procedure for issuing of additional e-Stamp Certificate.**

(1)The Authorized Collection Centre or the Central Record Keeping Agency shall issue additional e-Stamp Certificate on separate sheet of paper in accordance with the provision of rules 26 and 27.(2)The party to an instrument may, at his discretion, use impressed Non-Judicial Stamp Paper(s), Challan, Adhesive Stamp along with the e-Stamp Certificate to pay stamp duty payable on such instrument under the Act. The use of one type of stamp shall not exclude the use of other type of stamps in the same instrument.

### **31. Use of e-Stamp Certificate.**

(1) Every instrument written upon stamped and impressed paper with an e-Stamp Certificate, shall be written in such manner that the e-Stamp Certificate may appear on the top face of the instrument and a portion of the instrument written / signature of the parties below the printed area of e-Stamp Certificate, so that the e-Stamp Certificate may not be used for or applied to any other instrument. (2) No second instrument chargeable with duty shall be written upon using the e-Stamp Certificate, upon which an instrument chargeable with duty has already been written. (3) Every instrument written in contravention of sub-rules (1) and (2), shall be deemed to be unstamped and the same shall be dealt with as per the provisions of rule 34 of these rules.

### **32. The distinguished Unique Identification Number (UIN) of the e-Stamp Certificate.**

- The distinguished Unique Identification Number of the e-Stamp Certificate shall be written or typed at the top right corner of each page of the instrument.

### **33. Verification and locking the details of 'e'-Stamp Certificate.**

(1) The Registering Officer, before registering any instrument shall verify the correctness or authenticity of the e-Stamp Certificate by accessing the relevant website of the Central Record Keeping Agency and entering the Unique Identification Number (UIN) or with the help of using the Bar Code Scanner. The Registering Officer, after such verification, shall further proceed to register the document and after registering the document shall lock the said e-Stamp Certificate by using the code and password provided by the Central Record Keeping Agency to prevent re-use of such e-Stamp Certificate. (2) The e-Stamp Certificate required to be used for optional registerable document or any other purpose may preferably be got verified or authenticated and locked from the District Registrar or the Sub-Registrar or any other officer as authorized by the Chief Controlling Authority. (3) It shall be the responsibility of the District Registrar or the Sub-Registrar and such other officer as authorized by the Chief Controlling Authority to verify the authenticity or correctness of any e-Stamp Certificate.

## **Chapter VII**

### **Refund or Allowances for e-Stamp Certificate**

#### **34. Procedure for Refund or Allowances of 'spoiled' or 'misused' or 'not required for use', e-Stamp Certificate.**

(1) The application for refund or allowances of 'spoiled' or 'misused' or 'not required for use', e-Stamp Certificate shall be made to the Collector within the stipulated period in accordance with Chapter V of the Act. The application shall be accompanied with the original 'spoiled' or 'misused' or 'not required for use', e-Stamp Certificate. (2) The Collector after verification, by accessing the

relevant website of the Central Record Keeping Agency, shall cancel and lock the verified e-Stamp Certificate, endorse the fact of cancellation and shall mark "Cancelled" on the original e-Stamp Certificate with their signature and seal and refund the amount in accordance with Chapter V of the Act for such e-Stamp Certificate.(3)The Collector shall maintain a record of cancelled e-Stamp Certificates in its office and original cancelled e-Stamp Certificate shall be kept for office record in a guard file. The report of the same shall be sent to the Chief Controlling Authority in the first week of every month.(4)The refund, if allowed under sub-rule (2), shall be made by the Collector by means of refund voucher or cheque drawn in favour of the person, in whose name the e-Stamp Certificate was issued.

## **Chapter VIII**

### **Inspections, Audit and Appraisal of the performance of the system**

#### **35. Inspections.**

(1)The Registrar or any authorized officer of his office, not below the rank of the District Revenue Officer and the Stamp Auditors, appointed under the Act, shall inspect all or any of the branch(s) or office(s) of the Central Record Keeping Agency and Authorized Collection Centers located within their jurisdiction, at least twice in a year.(2)The Chief Controlling Authority may, however, at any time on receipt of a complaint or suo-motu, direct any officer of the Department to inspect any branch or office of the Central Record Keeping Agency or Authorized Collection Centre and shall ask the officer so directed to submit a report.(3)The Accountant General, Punjab may also conduct regular annual audit of the receipts and remittances made by the Central Record Keeping Agency.(4)The Chief Controlling Authority or its duly authorized officer shall have the powers to inspect the relevant records of any branch(s) or office(s) of the Central Record Keeping Agency situated within the State or outside the State including the branch(s) of the Authorized Collection Centers located within the State, who are looking after the work of e-Stamping system relating to the State, at any time convenient to them, without assigning any notice.

#### **36. Providing of information.**

- The officer-in-charge of the Central Record Keeping Agency and the Authorized Collection Centre shall provide information to the Inspecting Officer on soft or hard copy of any electronic or digital record with regard to the collection and remittance of stamp duty relating to any period and the concerned Central Record Keeping Agency or Authorized Collection Centre shall be bound to provide such information.

#### **37. Inspection report.**

- The Inspecting Officer shall within the period of two weeks from the date of inspection, submit his inspection report to the Chief Controlling Authority.

### **38. Chief Controlling Authority to take appropriate action.**

- The Chief Controlling Authority on receipt of such inspection report may take appropriate action including imposition of penalty in accordance with Chapter V of these rules and may terminate the appointment of Central Record Keeping Agency or the Authorised Collection Centre, if so warranted, after giving an opportunity of being heard.

## **Chapter IX**

### **Arbitration and Public Grievance Redressal System**

#### **39. Grievance Redressal Officers.**

- The District Registrar or the District Revenue Officer shall be the 'Grievance Redressal Officers' for conducting an inquiry into the complaint received against the misconduct or irregularities of the Central Record Keeping Agency or its Authorised Collection Centers or any other official in the implementation of the e-Stamping system.

#### **40. Complaint to Grievance Redressal Officer.**

- Any person who has any grievance against the services of the Central Record Keeping Agency or any of its Authorised Collection Centre or any other official relating to the implementation of these rules, may make a complaint to the concerned Grievance Redressal Officer.

#### **41. Opportunity of being heard.**

- The Grievance Redressal Officer shall conduct an inquiry with regard to the complaints received as provided in rule 40, by giving an opportunity of being heard to the parties concerned and submit the enquiry report to the Chief Controlling Authority with full facts and finding.

#### **42. Action on enquiry reports.**

- The Chief Controlling Authority shall take appropriate action on enquiry report against the Central Record Keeping Agency or Authorized Collection Centre or shall make suitable recommendation to the employer of the concerned official for taking appropriate action.

## **Chapter X**

### **Management Information System / Decision Support System**

### **43. Central Record Keeping Agency to furnish reports to the Department.**

(1) All the details of stamp duty collected through this system and remitted to the Government account shall be recorded on day-to-day basis by the Central Record Keeping Agency and it shall furnish the following information and reports to the Chief Controlling Authority and to any other authorized officer:-(i) Audit Reports; (ii) Payment Reports; (iii) Additional Stamp Duty Certificate Reports; (iv) Locked e-Stamp Certificate Report; (v) Remittance Reports; (vi) Cancelled e-Stamp Certificates Report; and (vii) any other Report or Information as may be required by Chief Controlling Authority from time to time. (2) The extract or reports of Management Information System or Decision Support System as provided in sub rule (1), shall be provided by the Central Record Keeping Agency from the data captured on e-Stamping Server via internet.

## **Chapter XI**

### **Scope, extent and use of e-Stamp Certificate**

#### **44. Scope for use of e-Stamp Certificate.**

- The e-Stamp Certificate shall be used, in addition to Non-Judicial Stamp Paper, Challan and Adhesive Stamp, for all kinds of instruments on which stamp duty is payable under the Act and these rules. Form - 1 [See rule 5(1)] Agreement This Agreement is made on this ..... day of ..... Between the Governor of Punjab through the Financial Commissioner Revenue, Government of Punjab, Department of Revenue, Rehabilitation and Disaster Management having his office at Civil Secretariat, Chandigarh 160001, which expression shall include his successors, assignees and administrators (hereinafter referred to as the First Party And ..... (Name of Central Record Keeping Agency) having its registered office at (Address) through Shri ..... who is duly authorized by the said agency, which expression shall include its successors, assignees and administrators (hereinafter referred to as the Second Party). Whereas, the Second Party has been appointed vide State Government Notification No. .... dated ..... for the Computerized Stamp Duty Administration System (C-SDAS) (firstly in ..... Districts on pilot basis and thereafter in the rest of the State) to denote the payment of stamp duty to the Government of Punjab and issuing the e-Stamp Certificates through its own branches or offices and through the Authorised Collection Centers (hereinafter called as ACCs) against a payment of commission or discount @ ..... percent of the amount of stamp duty so collected through e-Stamping mechanism; And Whereas, the Second Party has agreed to work as a Central Record Keeping Agency within the State of Punjab and to develop a system for the collection of stamp duty on behalf of the Government of Punjab from ultimate purchaser of e-Stamp Certificate. Now, therefore, the parties execute this Agreement on the following terms and conditions:-

#### **1. Appointment of Second Party as CRA - 1.1 The State hereby appoints Second Party as its exclusive authorized Central Record Keeping Agency (CRA) to undertake the following activities:-**

(i) That the Second Party agrees to create need based software infrastructure, in consultation with the First Party, including its connectivity with the main server, in the offices of the Inspector General of Registration, the District Registrars, the Sub-Registrars and the Authorised Collection Centers, and at other designated places or offices in the State, as specified by the Chief Controlling Authority; (ii) That the Second Party shall facilitate in selection of Authorised Collection Centre for collection of stamp duty and issuing e-Stamp Certificate. (iii) That the Second Party shall act as a co-ordinator between the Central Server, Authorised Collection Centers (hereinafter referred as ACCs) and the offices of the Inspector General of Registration, the District Registrars, the Sub-Registrars or any other office or place in the State, as specified by the Chief Controlling Authority; (iv) That the Second Party shall collect stamp duty on behalf of First Party and generate e-Stamp Certificates through the computer system; and (v) That the Second Party shall be bound to remit the consolidated amount of stamp duty collected by its branches or by its Authorised Collection Centers to relevant Head of Account of the State Government, in accordance with the Punjab e-Stamp Rules, 2014 (hereinafter called the Rules).

1.2 That the terms and conditions of this Agreement may be altered or supplemented by the Parties depending upon the circumstances which may warrant any such change for the smooth operations of the stamp duty payments or collections and the exigencies of business.

**2. Territory - That the territory covered under this Agreement shall be initially in Districts on pilot basis and thereafter covered in the entire State of Punjab.**

**3. Appointment of Approved Agencies/authorised Collection Centres (ACCs)**  
**- 3.1 Any Nationalized Bank or the Scheduled Bank controlled by the Reserve Bank of India or the Financial Institutions or Undertaking controlled by Central or State Government or Post Offices or offices or branches of the Central Record Keeping Agency or such other Agencies or persons as approved by the Chief Controlling Authority shall be eligible for appointment as Authorized Collection Centre.**

3.2 The Second Party shall not change the location or increase the number of ACCs without prior written permission of the First Party. 3.3 The First Party shall have the power to inspect the relevant records of the Second Party or its ACCs without assigning any notice. 3.4 All the offices of Central Record Keeping Agency in the State on need base shall also do the collection of stamp duty for which no separate approval shall be necessary from the Government. 3.5 The Authorised Collection Centers shall be equipped with the required computer systems, printers, internet connectivity and other related infrastructure which are necessary to implement the e-Stamping system as specified by the Central Record Keeping Agency in consultation with the Chief Controlling Authority. The configuration of the computer system and connectivity shall meet the specifications of the Central Record Keeping Agency and which may be subject to change with prior intimation to the Chief Controlling Authority. 3.6 The cost of providing equipment and infrastructure referred hereinabove shall be borne by the concerned Authorised Collection Centers. 3.7 All the branches of Central Record Keeping Agency and Authorized Collection Centers shall access the main server through internet by

using a distinguished identification code and a confidential password allotted by Central Record Keeping Agency. The password shall be kept strictly confidential and the concerned Authorized Collection Centers shall change it immediately after its allotment to maintain the confidentiality. 3.8 The ACCs will enter the requisite information and details in the system and download a e-Stamp Certificate with the Unique Identification Number (UIN), which shall be attached to the document. The details of the stamp certificate shall be available on the e-Stamping Server (e-SS).

**4. Fees - 4.1 That the Second Party shall not charge commission or discount exceeding the agreed rate of percent of the amount of stamp duty collected through e-Stamping mechanism. The said commission shall be exclusive of taxes, if any, and shall be the net commission receivable by the second party. The Second Party shall deduct such commission from the collected amount of stamp duty and shall remit the balance amount into the State Government Account.**

4.2 That the Authorized Collection Centers shall charge a fee for stationery, etc., from the purchaser of e-Stamp Certificate as per the following slab:-

Amount of Stamp Duty in Rupees	Stationery Charges
(1) Upto Rs. 100/-	Rs. 3/- per e-Stamp Certificate.
(2) More than Rs. 100/- and upto Rs. 1000/-	Rs. 5/- per e-Stamp Certificate.
(3) More than Rs. 1000/-	Rs.10/- per e-Stamp Certificate.

**5. Mode of Payment to the State Government - 5.1 That the Second Party shall be bound to remit the consolidated amount of stamp duty collected by its branches or by its Authorised Collection Centers to relevant 1-lead of Account of the State Government, "0030-Stamps and Registration" or any other notified Head of Account of the State in the manner prescribed hereunder:-**

(a) the CRA shall remit the consolidated amount of stamp duty, so collected through e-Stamping system, to the aforesaid Head of Account, after deducting the agreed commission or discount, not later than the closure of the business hours of the next working day from the date of such collection. If the following day of T + 1 is a holiday, the stamp duty amount shall be remitted on next working day after holiday; (b) the method of remittance of the amount of stamp duty by the CRA to the Head of Account of the State shall be through Electronic Clearing System (ECS) or online Banking Fund Transfer or Challan or otherwise, as may be directed in writing by the Chief Controlling Authority; and (c) the remittances referred to in this rule shall be made to the Government Treasury or the Authorised Bank(s) and the CRA shall maintain the daily account of such remittances. 5.2 That the cut off time for the stamp duty collected shall be till 12.00 midnight of the transaction date.

**6. Compatibility With The Registration System - 6.1 The office of the Sub-Registrar and the Inspector General of Registration and such other persons as the State may authorize, shall have an access to the server through internet server. Proper internet connectivity shall be set up by such offices.**

6.2 The Registering Officer before registering any instrument shall verify the correctness or authenticity of the e-Stamp Certificate by accessing the relevant website of the Central Record Keeping Agency and entering the Unique Identification Number (UIN) or with the help of using the Bar Code Scanner. The Registering Officer, after such verification, shall further proceed to register the document and after registering the document shall lock the said e-Stamp Certificate by using the code and password provided by the Central Record Keeping Agency to prevent re-use of such e-Stamp Certificate.

**7. Hardware Requirements - The Government shall provide necessary hardware and infrastructure at the offices of the Inspector General of Registration, the District Registrars, the Sub-Registrars and such other offices as authorised in this behalf, which would include a Personal Computer, Printer, Bar Code Scanner, Internet Connection as required for implementing the e-stamping system. The configuration of the computer system and connectivity shall meet the specifications of Central Record Keeping Agency and which may be subject to change with prior intimation to the Chief Controlling Authority.**

**8. General Obligations - 8.1 The terms and conditions of this agreement may be altered or supplemented by the Parties depending upon the circumstances which may warrant any such change for the smooth operations of the stamp duty payments or collections.**

8.2 The Second Party shall ensure that service of Computerized Stamp Duty Administration System (C-SDAS), shall be operational and accessible to any person during banking hours from Monday to Saturday (excluding Public and Bank Holiday). 8.3 The Second Party shall ensure that the system shall have the logging capacity for at least four hundred users at a time. 8.4 The Second Party shall not provide, transfer or share any hardware, software and any other technology or details with respect to the e-Stamping project undertaken by it in the State to anybody without written permission of the First Party, except the duly appointed ACCs. That the Second Party shall be liable to compensate any loss caused to the State of Punjab due to violations of any terms and conditions of this Agreement or any of the provisions of the rules. 8.5 The Second Party shall Prepare and provide such reports, as may be desired by the First Party from time to time.



**9. Training of the Personnel at the Registrar's Offices and Departments of the State - 9.1 The Second Party shall provide suitable and adequate training for operation and the use of the system to the manpower and the personnel of the department as nominated by the Chief Controlling Authority.**

9.2 The training provided at the premises of the State by Central Record Keeping Agency shall be free of cost for the first time to the candidates suggested by the First Party, which may be upto ten or such other mutually agreed greater number of officials. 9.3 The Second Party may assume that the trainees have the required skills and knowledge pre-requisites to follow the training on the Application. 9.4 The training for operation and the use of the system, to the identified manpower or personnel's of the Department shall be provided by the Second Party at the place decided by the First Party. Further the First Party shall be responsible for arranging and providing all the necessary facilities, equipment and premises required for conducting the training at their own cost, after the initial Training. T.A., D.A and other payable allowance for the trainees of the Department shall be borne by the Government. 9.5 That at periodic intervals to be mutually decided by the parties, the refresher courses on any up-gradation, modification to the system shall be provided by the Second Party.

**10. Term of Appointment of CRA - 10.1 The term of appointment of the Central Record Keeping Agency shall be valid for five years or such period, as may be decided by the Appointing Authority. The period of five years shall be effective from the date of execution of this Agreement.**

10.2 The appointment of Central Record Keeping Agency may be renewed by the Appointing Authority on the recommendations of the Chief Controlling Authority. The application for renewal of appointment shall be made to the Appointing Authority by the Central Record Keeping Agency within a period of three months before the expiry of the running term of appointment. 10.3 The Chief Controlling Authority or Appointing Authority before making inquiry or taking decision on the application for renewal may call for any information or record from the concerned offices of Central Record Keeping Agency or Authorised Collection Centre for the purpose of renewal of appointment. 10.4 The Appointing Authority, if satisfied may renew the appointment on a fresh Agreement and on an Undertaking-cum-Indemnity Bond.

**11. Termination of Appointment of CRA - 11.1 The appointment of the Central Record Keeping Agency shall be terminated by the Appointing Authority before the stipulated period, on the ground(s) of any breach of any of the obligations or terms of Agreement or provisions of the Punjab e-Stamp Rules, 2014 or financial irregularity or for any other sufficient reason, as the case may be.**

11.2 The appointment shall not be terminated until, -(a) the Central Record Keeping Agency has been

given one month's notice specifying the grounds for such termination; and (b) the Central Record Keeping Agency has been given a reasonable opportunity of being heard.<sup>11.3</sup> On termination of appointment under this rule, the Central Record Keeping Agency shall transfer all the data generated during the period of appointment to the Government. After the termination of the appointment of the Central Record Keeping Agency, it shall not use or cause to be used the data generated during the period of appointment for its business or any other purpose whatsoever.

**12. Exclusivity - The appointment of CRA for the State shall be exclusive and State shall not appoint any other CRA for e-Stamping during the period of this Agreement.**

**13. First Right Of Refusal - In the event, the State decides/avails the services/facilities of e-Stamping, after the five years tenure, for part or whole of the State from any other domestic or international agency, Central Record Keeping Agency shall have the first right of refusal in respect of offering e-Stamping and related services to the State.**

**14. The Governments Responsibility - The Government of Punjab shall be responsible for providing on timely basis all information, decision making and approvals under its control and resources required at offices of the Sub-Registrar, which may be reasonably required from time to time for the performance of this Agreement. The Government acknowledges that any delay by it to provide such information, decision-making and approvals may result in delays in implementing the Agreement.**

**15. Force Majeure - 15.1 Notwithstanding anything contained in this Agreement, neither Party shall be responsible for the failure or delay in performing the obligations hereunder arising from any cause beyond the reasonable control, including acts of God, acts of Civil or military authority, fires, epidemics, wars, terrorist acts, riots, earthquakes, storms, typhoons, floods and such other circumstances beyond the control of the Parties. In the event of any delay, the time for the Second Party to perform their part shall be extended for a period equal to the time lost by reason of such delay. Further, if the contingency cannot be removed permanently or by extending the period beyond two months, the Agreement, upon notice, served by the First Party, the Second Party shall be relieved from the contractual obligations by terminating the Agreement, except to the rights to which they may be entitled to a settlement and final accounting.**

15.2 Actions on the part of Government or other authority, which interfere with a Party's ability to meet its obligations under this Agreement including embargoes, prohibitions or similar actions. 15.3 Any order from a competent court either temporarily or permanently preventing either Party from performing its obligations/discharging its responsibilities. 15.4 Any other circumstances beyond the Control of Central Record Keeping Agency and which, in the absence of this clause, shall operate to frustrate this Agreement.

**16. Dispute Resolution - In the event of any dispute or difference or controversy or claim arising between the parties in connection with or under this Agreement, shall as far as possible, be settled amicably and failing which all such disputes shall be referred to The Financial Commissioner Revenue, Government of Punjab, Department of Revenue, Rehabilitation and Disaster Management and his decision thereon shall be final.**

In Witness Whereof the Parties hereto have hereunto set and subscribed their respective hands and seal, the day and year herein above written.

For and on behalf of Governor of Punjab through the Financial Commissioner Revenue, Government of Punjab, Department of Revenue Rehabilitation and Disaster Management	For and on behalf of..... (Name of Central Record keeping Agency) through..... (Name and Designation)
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First Party

Second Party

Witness:-

Witness:-

1.....

1.....

2.....

2.....

Place: Chandigarh

Dated:

Form - 2 [See rule 5(3)] (To be executed by the Central Record Keeping Agency on non-judicial stamp of Rs. 100/-) Undertaking-cum-Indemnity Bond This Undertaking is made and executed at Chandigarh on this ..... day of ....., 20..... by ....., acting as (official designation in the Central Record Keeping Agency) and Authorised Signatory for and on behalf of (name of Central Record Keeping Agency) having its Registered office at ..... (hereinafter referred to as the First Party, which expression shall unless repugnant to the context or meaning thereof shall mean and include their representatives, assigns, heirs, etc.) In Favour of Government of Punjab (hereinafter referred to as the Second Party). The First Party and the Second Party are together referred to as the Parties. Whereas, the First Party has been appointed by the Government of Punjab vide notification No. .... dated ....., to act as "Central Record Keeping Agency" and has thus been authorised by the Government for the Computerized Stamp Duty Administration System to denote the payment of stamp duty to the Government of Punjab and issuing the e-Stamp Certificates through its own branches or offices or through the Authorised Collection Centers. And Whereas, the First Party has agreed to fulfill all the terms and conditions as provided in the agreement executed by the parties on dated ..... and also to undertake and keep indemnified the Second Party against all or

any loss suffered by the Second Party due to any mishandling, misconduct, negligence or any irregularity of any kind whatsoever caused by the First Party or its Authorised Collection Centers. And Whereas, the First Party has agreed to the obedience and observance of terms and conditions of the agreement ibid and provisions of the Punjab e-Stamp Rules, 2014 and any other order issued by the Government or the Department under these rules. And Whereas, in order to fulfill the aforesaid requirements the First Party by executing this present Bond, undertakes to indemnify the Second Party as follows, -(i) the First Party has carefully read and understood the Punjab e-Stamp Rules, 2014 and the terms of the Agreement executed on ..... and hereby undertakes that the provisions of the aforesaid Rules and the conditions of the said Agreement shall not be violated at any level; (ii) the First Party hereby undertakes that the Authorised Collection Centers shall not be appointed without the prior approval of the Second Party; (iii) the First Party undertakes that any of its employee(s) or the employee(s) of its Authorised Collection Centers directly or indirectly shall not misuse or cause to be misused the authorization of collection of stamp duty; and (iv) the First Party hereby undertakes to keep the Second Party always indemnified against all or any of the loss or any risk arising out of any mishandling, misconduct, negligence or any irregularity of any kind whatsoever caused by the First Party or its Authorised Collection Centers. In Witness Whereof the First Party Herein has set and Subscribed its Respective Hands and Seals on the above Written Undertaking Bond.

Signed, Sealed And Delivered By  
(With name and address of First Party)

In the presence of :

- (1) Signature :  
Name :  
Address :  
(2) Signature :  
Name :  
Address :

Form 3[See rule 19(c)](To be maintained by the Central Record Keeping Agency) Register regarding the daily Stamp Duty collection and remittance to Government Account

Sr No.	Date	Name of CRA	Total No. of e-stamp certificate issued	Amount of Stamp Duty collected	Previous amount of balance for remittance as shown at immediate previous entry in column 10	Total Amount for remittance (5+6)	Amount remitted to Govt. Account	Amount deducted by CRA as discount/ commission of the remitted amount in column no. 8	Total Balance Amount For Remittance (7-8-9)
1	2	3	4	5	6	7	8	9	10

Form - 4[See rules 24, 26(2) and 29](For the use of Stamp Duty Payer)Application For e-Stamp Certificate/Additional e-Stamp Certificate

Application Date : / /20

ACC ACC id

Document Description Article Stamp Duty Amount Indian Rupees only

Property Description/Property Address (not exceeding 100 characters)

Consideration Amount (if any)

Details of the Purchaser/Authorised Person

Name and Address of the First Party with PhoneNo.

Name and Address of the Purchaser/Authorised Person, if any with Phone No.

Stamp Duty Paid by ( ☐ Tick)

1st Party 2nd  
Party

Stamp Duty Payment Details

Mode of Payment Cash Cheque DD Pay-Order NEFT RTGS A/c to A/c Transfer

Cheque/DD/Pay-Order/NEFT/RTGS/Account Cash

Detail

Deposit

Bank Name

Branch Cheque/DD/PO/UTR/REF/Account Deno  
Name No. Pieces

1000  
x

500 x

100 x

50 x

20 x

10 x

Rupees (in words) :

others

**Total**

1. Please submit the duly filed and signed form along with stamp duty amount at the e-Stamping counter 2. Stamp Duty amount should be rounded off to the nearest Rupee. 3. The correctness of Article type and Stamp Duty amount cannot be confirmed at the e-Stamping counter 4. Once the e-Stamp is generated no modifications / changes are possible, so carefully check the preview of the e-Stamp and only then sign the preview 5. Cancellation charges are applicable as levied by the State Government 6. While generating Additional e-Stamp certificated details of the base certificate cannot be changed.

I have read and understood the above instruction and the above information furnished by me is true to the best of my knowledge thus the (i) e-Stamp Certificate of above amount may please be issued/ or (ii) additional e-Stamp Certificate of the above amount in continuation of previous Certificate No..... date ..... may please be issued

Date: Signature of the Purchase / Authorised Person:

(For Office use only)

To be filled by USER To be filled by SUPERVISOR

SUBIN Certificate Number IN

Acknowledgement of e-Stamp Certificate to be kept by the ACCs

The e-Stamp..... has been received by Sh./ Smt./ ..... today on .....

Signature of the Purchaser / Authorised Person : .....  
.....

Central Record Keeping Agency e-Stamping Receipt (To be filled in by the client)

Name of Stamp Duty Purchaser / Authorised Person Date of Application / /20

Consideration Amount (if any) Mode of payment Cash Cheque DD Pay-Order

Stamp Duty Amount NEFT RTGS A/c to A/c Transfer

Cheque/DD/PO/UTR/REF/Account No. / /20

Bank Name Branch Name

Counter Signature of ACCs with Seal

Note. Once the e-Stamp has been generated payment cannot be cancelled or refunded by Central Record Keeping or the ACC. The refund allowance for 'spoiled' or 'misused' or 'not' required for use e-Stamp Certificate can be made by the Collector of the District in accordance with Chapter - VII of Punjab e-Stamp Rules, 2014. Form 5 [See rule 25(3)] (To be maintained by the ACC or CRA) Register regarding daily posting of application for issued e-Stamp Certificates

Sr. No.	Name and address of the Purchaser/ Authorised Person	Date	Amount of Stamp duty paid by way of Cash/ DD/PO/ Any other authorised mode	e-Stamp Certificate No and date	Signature of the Purchaser or Authorised Person
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