

The Bihar Court Fee (Sale of Stamps By Franking Machine) Rules, 2008

BIHAR

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Rule

THE-BIHAR-COURT-FEE-SALE-OF-STAMPS-BY-FRANKING-MACHINE of 2008

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The Bihar Court Fee (Sale of Stamps By Franking Machine) Rules, 2008Published vide Notification No. S.O. No. 3 Mu. Niyamvali-15/2008 (Part)-2882, dated 12 November, 2008, published in Bihar Gazette (Extraordinary) dated 14.11.2008Last Updated 15th January, 2020S.O. No.-3 Mu. Niyamavali-15/2008 (Part)-2882, Notifications, 12 November, 2008 - In exercise of the power conferred under Section 27 and Section 34 of the Court Fees Act, 1870 (No.-VII of 1870), the Governor of Bihar makes the following rules to regulate the payment of court fees through Franking Machine in the Courts and offices of the State.Chapter-I

1. Name, extent and commencement.

(1)This Rule shall be called the Bihar Court Fee (Sale of Stamps by Franking Machine) Rules, 2008.(2)It shall extend to the whole of the State of Bihar.(3)It shall come into force from the date of notification.Authorisation for use of Franking MachinesChapter-II

2.

For payment of court fees in the High Court and other courts and offices of the State the court fee & other fee Stamps shall be sold by Franking Machines by the Post Offices.[Provided that for sale of court fee stamps by Franking Machine through BISCORE/ DISCORE the authorization shall be issued on a written request from Secretary of BISCORE of the Concerned district.] [Added by Notification No. 3/Mu. Franking Sale- 35/2009-2527, dated 25.8.2010.]

3.

Authority for sale of stamps by Franking Machines in the Court premises and offices shall be issued in Form No.-I appended to this Rule by the Secretary, Department of Registration, Excise and Prohibition on written request of the Chief Post Master General, Bihar or Director Postal Services (Headquarter & Marketing), Bihar Circle or by the Officer authorized by the Chief Post Master General.

4.

(a) For the use of Franking Machine prescribed fee for authorization shall be paid to the State Government by the Department of Post [or the Secretary, District Score (DISCORE)] [Added by Notification No. 3/Mu. Franking Sale- 35/2009-2527, dated 25.8.2010.]. (b) Authorization fee for each machine shall be Rs. 500/- (Rupees Five hundred). [Provided that the authorization fee for each machine for the District Score (DISCORE) shall be Rs. 100/- (Rupees one hundred).] [Added by Notification No. 3/Mu. Franking Sale- 35/2009-2527, dated 25.8.2010.]. (c) Every year before the 31st March, the authorization shall be renewed. The fee for renewal of each machine shall be Rs. 100/- (Rupees One hundred). [Provided that no fee shall be payable for renewal by the District Score (DISCORE).] [Added by Notification No. 3/Mu. Franking Sale- 35/2009-2527, dated 25.8.2010.]. (d) The authorization of Franking shall be deemed to be renewed on deposit of renewal fee of Rs. 100/- by the end of February each year by the Chief Post Master General, Bihar or any Officer authorized by him.

5.

For entry of amount in the Franking Machines and to seal the machine, the seniormost Post Master of the Post Office attached with the Courts & offices shall be authorized by the Chief Post Master General, Bihar or the Director, Postal Services (Headquarter and Marketing) Bihar Circle. A list of such authorized Post Masters shall be sent to the Inspector General of Registration by the Office of the Chief Post Master General, Bihar.

6.

At the end of every month a Court-wise and office-wise statement of Franking Machines installed in Courts & offices shall be sent by the office of the Chief Post Master General to the Inspector General of Registration.

7. Entry of amount.

(1) No pre-entry of an amount in the Franking Machine shall be made for sale of court fee stamps by Franking Machine by the Post Offices. (2) Entry of amount in the Franking Machine shall be made through PIN Mailers like a mobile phone. (3) PIN Mailers shall be kept in the office of the District Sub-Registrar under the personal custody of the District Sub-Registrar. (4) For filling and refilling of

amount in the machine the Department of Post shall issue a cheque. After receiving cheque from the authorized Post Master, the authorized Officer/the concerned District Sub-Registrar shall issue a PIN Mailer of that amount.(5)For sale of court fee stamps the Franking Machine shall be sealed for a maximum amount of one lakh rupees (Rs. 1 lakh) only once in a day by the Post Master of that Post Office authorized for this purpose by the Chief Post Master General or the Director Postal Services (Headquarter and Marketing) Bihar Circle:Provided that in a special circumstance on requirement of an excess amount, further amount of one lakh may be entered and sealed once more.

8. Maintenance of Account.

(1)An account register of PIN Mailers shall be maintained by the District Sub-Registrar in Form No.-II appended to this Rule.The Register shall also be maintained in computer in electronic form.(2)A register in Form No.-III appended to this Rule shall be maintained by the user Post Master of the Franking Machine in which a statement of amount sold each day shall be entered. At the closure of each day a printout of sold amount alongwith detail of amount of Commission shall be handed over to the Chief Officer of the Post Officer.[Provided that in case of sale of stamps by the District Score (DISCORE) a detail of amount of sale on each day shall be maintained by the District Sub-Registrar or the Sub-Registrar in Form No.-III (a) appended to this rule.] [Added by Notification No. 3/Mu. Franking Sale- 35/2009-2527, dated 25.8.2010.](3)A daily statement of sale of total amount shall be sent to the concerned District Sub-Registrar. After the end of each fortnight a fortnightly statement shall also be sent to the concerned District Sub-Registrar.(4)Amount of authorization fee, amount of renewal fee and the amount of cheque for payment of PIN Mailer shall be paid under "Major Head-2030-Stamp and Registration-Sub Major Head-01-Stamp Judicial-Minor Head-102-Sale of Stamps-0001-Total Receipt".(5)A statement of amount obtained from sale of judicial stamps deposited in the account of the State Government shall be sent to the Inspector General of Registration at the end of every week.[Provided that after each 15 (fifteen) days, after deducting the amount of commission, a statement of balance of amount received from sale of judicial stamps on each day shall be sent by the Secretary, District Score (DISCORE) to the Inspector General of Registration.] [Added by Notification No. 3/Mu. Franking Sale- 35/2009-2527, dated 25.8.2010.](6)[- A 6% (six percent) commission shall be payable to the District Score (DISCORE) on sale of court fee stamps by Franking Machine.] [Added by Notification No. 3/Mu. Franking Sale- 35/2009-2527, dated 25.8.2010.]

9. Miscellaneous.

(1)Aggregate amount of all kinds of court fee chargeable for a petition including court fee payable for an affidavit may be paid by one impression by the Franking Machine.(2)Impression of amount for payment of court fee shall be generally impressed on the first page of the petition or the document.(3)After receiving the amount from the parties, the impression of the payment of court fee of that amount shall be made on the petition or the document.(4)Under this Rules, Secretary, Department of Registration, Excise and Prohibition may issue instructions regarding the procedure of sale of court fee stamps and collection of court fee by the Post Offices through Franking Machine.(5)With the implementation of sale of court fee stamps for the payment of court fees through Franking Machines, the system of sale of court fee stamps by private licenced vendors shall

be totally stopped. Form No. I Government of Bihar, Department of Registration, Excise & Prohibition (Registration) Authorization for Payment of Court fees by sale of judicial stamp through Franking Machine [See Rule 3] Authorization No. Date: Sri/Smt.:
..... Designation..... Address authorized to sell
judicial stamps for payment of stamp duty on documents/instruments through Franking Machine
under the provision of the Court Fees Act, 1870 (As amended by Bihar Finance Act, 2006).

2. This authorization shall be valid for the period from the date of issue up to (date) and in case of not being renewed before this authorization shall expire automatically from

3. The Franking Machine supplied by (Name of manufacturing company) and of the following descriptions shall be used by Sri/Smt.

- (i) Name and address of the manufacturing company:
- (ii) Name and address of the supplier :
Phone number/FAX :
- (iii) Brand of the machine :
- (iv) Model of the machine :
- (v) Manufacturing No. and year of the machine:
- (vi) No. of meters if any :
- (vii) Range of Franking:
- (viii) Maximum amount to be loaded at one time:
- (ix) Particulars of user's die :

4. This authorization is given under the conditions set forth in the Bihar Court Fees (Sale of Judicial Stamps by Franking Machine) Rules, 2008 and the authorized user Sri/Smt. Designation Address shall be bound to abide properly by the provisions of the said Rule and the guidelines, issued by the Government from time to time in the connection.

Signature of the Authorizing Authority Date : Name :
..... Designation : Form No. II Account Register
of PIN Mailer [See Rule 7 (1)] District Sub-Registrar :

Date	Number of PIN Mailer and amount in hand	Number of issued PIN Mailer and amount	Name of User Post Office	Name of authorized Post Master
Number	Amount	Number	Amount	

(1)	(2)	(3)	(4)	(5)	(6) (7)
Total No.	Total Rupees		
No. of cheques received against PIN Mailer	Total No. to No. of Delivered PIN mailer	Amount	Signature of receiving Post Master	Balance No. of PIN Mailer and amount in hand	Signature of District Sub-Registrar with date
Number	Amount				
(8)	(9)	(10)	(11)	(12)	(13)
Total No. of cheques...	Total No.	Total Rs. ...		Total No.	Total Rs. ...

Form No. III Daily sale register of judicial stamps through Franking Machine [See Rule-8 (2)] Name of Post Office : Address : Name of Authorised Post Master :

Date	Number and amount of PIN Mailer	No. of Franking Machine	Total sale amount	Total amount of commission	Balance Number of PIN Mailer and amount at the closure of the day	Signature of authorized Post Master
Number	Amount					
(1)	(2)	(3)	(4)	(5)	(6)	(7)
						(8) (9)

[Form No. III (A)] [Added by Notification No. 3/Mu. Franking Sale- 35/2009-2527, dated 25.8.2010.] Daily sale register of judicial stamps through Franking Machine [See Rule 8 (3)] Name of the court : Place : Name of Authorised Officer :

Date	Number and amount of PIN Mailer	No. of Franking Machine	Total sale amount	Total amount of commission	Balance Number of PIN Mailer and amount at the closure of the day	Signature of authorized Officer
Number	Amount					
(1)	(2)	(3)	(4)	(5)	(6)	(7)
						(8) (9)