

No. 352/XXXVI(3)/2018/64(1)/2018

Dated Dehradun, October 16, 2018

NOTIFICATIONMiscellaneous

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of 'The Court Fees (Uttarakhand Amendment) Act, 2018' (Adhiniyam Sankhya: 29 of 2018).

As passed by the Uttarakhand Legislative Assembly and assented by the Governor on 11 October, 2018.

THE COURT FEES (UTTARAKHAND AMENDMENT) ACT, 2018
(Uttarakhand Act No. 29 of 2018)

AN

ACT

Further to amend the Court Fees Act, 1870 (Act No. 7 of 1870) in context of the State of Uttarakhand.

Be it enacted by the State Legislative Assembly in the Sixty ninth year of the Republic of India as follows:-

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| Short Title,
extent and
Commencement | 1. | (1) This Act may be called the Court Fees (Uttarakhand Amendment) Act, 2018.
(2) It extends to the whole of the State of Uttarakhand.
(3) It shall come into force at once. |
| Insertion of new
Section 1 B | 2. | In the Court Fees Act, 1870 (as applicable in State of Uttarakhand) (hereinafter referred to as "the Principal Act"), a new Section 1B shall be inserted after Section 1 A, namely:
"1 B Definition of 'e- Payment' - In this Act, 'e - Payment' means any transaction of payment for goods and services through any electronic medium." |
| Amendment of
Section 13 | 3. | In Section 13 of the Principal Act, after the words "from the collector", the words "or by way of e - Payment" shall be inserted." |

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| Amendment of Section 14 | 4. In Section 14 of the Principal Act, after the words "from the collector" the words "or by way of e- Payment" shall be inserted. |
| Amendment of Section 15 | 5. In Section 15 of the Principal Act, after the words "from the Collector" , the words "or by way of e - Payment" shall be inserted. |
| Amendment of Section 16 | 6. In Section 16 of the Principal Act, after the words "from the Collector" , the words "or by way of e - Payment," shall be inserted. |
| Amendment of Section 25 | 7. In Section 25 of the Principal Act, after the words "by Stamps", the words "or by way of e - Payment" shall be inserted. |
| Amendment of Section 26 | 8. In Principal Act, Section 26 shall be renumbered as Sub Section (1) thereof, and after Sub Section (1) as so renumbered, the following Sub Section (2) shall be inserted, namely:-
<p>"(2) For the purposes of Sub Section(1) and Section 25, "Stamp" means any mark, seal or endorsement by any agency or person duly authorised by the appropriate Government, and includes an adhesive or impressed stamp, for the purposes of Court fee chargeable under this Act.</p> <p>Explanation - "Impressed Stamp" includes impression by a franking machine or any other machine, or a unique number generated by e-stamping or similar software, as the appropriate Government may, by notification in the official Gazette, Specify."</p> |
| Amendment of Section 30 | 9. In Section 30 of the Principal Act, a proviso shall be inserted, namely:-
<p>" Provided that where Court fees is paid by e - Payment, the officer competent to cancel Stamp or e-payment shall verify the genuineness of the payment and after satisfying himself that the court fee is paid, shall lock the entry in the Computer and make an endorsement under his signature on the document that the Court fee is paid and the entry is locked."</p> |

By Order,

ALOK KUMAR VERMA,
Principal Secretary.

कारण और उद्देश्य

न्यायालय शुल्क अधिनियम, 1870 में उत्तराखण्ड राज्य के परिप्रेक्ष्य में वर्तमान परिस्थितियों में मा0 उत्तराखण्ड उच्च न्यायालय, नैनीताल एवं राज्य के समस्त अधीनस्थ न्यायालयों में ई-भुगतान एवं ई-स्टाम्पिंग के माध्यम से न्यायालय शुल्क जमा कराने की सुविधा प्रदान किया जाना अपरिहार्य है।

2- प्रस्तावित विधेयक उपरोक्त उद्देश्यों की पूर्ति करता है।