

No. Rev. 1-3 (Stamp) 6/80-Loose
Government of Himachal Pradesh.
Revenue Department (Stamp-Cell)

From

The Addl. Chief Secy.(Revenue) to the
Government of Himachal Pradesh.

To

The Inspector General of Registration,
S.D.A Complex. Kasumpti,
Shimla-9

Dated: Shimla-2

2021

Subject: Permission for Digital e-Stamping essential service, for remote
Loan execution for Non-registrable instruments.

Sir,

I am directed to refer to the letter No. S-33013/04/2019 ST-1 DoR dated 30-06-2020 received from Under Secretary to the Government of India (State Taxes) Ministry of Finance, Department of Revenue (State Taxes Section), D.O No.6/2/2019-Bo.II dated 11-08-2020 of Secretary, Ministry of Finance, Govt. of India addressed to Chief Secretaries of all States/UTs and letter No NESL/DDE/20-21/075 dated 14-07-2020 of Managing Director and CEO National e-Governance Services Limited addressed to the Principal Secretary (Finance & Planning) to the Govt. of HP, on the subject cited above, wherein it was requested that necessary permission be accorded to SHCIL/NESL to permit Digital e-Stamping as valid mode of payment of stamp duty for Non-registrable instruments to be executed for financial credit contracts by banks to individuals and MSME's.

The matter was examined in department with active consultation of Law Department in light of the Himachal Pradesh e-Stamping Rule 2011, Indian Stamp Act, 1899 and Indian Registration Act, 1908. On perusal of the proposal, and comments received from Inspector General of Registration it is gathered that digital e-Stamping is proposed for only Non-registrable instruments for processing the loan cases through digital document execution system in Banks and Financial Institutions.

National e-Governance Services Ltd. Information Utility (IU) is mandated to serve as a repository of legal evidence for financial credit contracts and has set up a secured digital documents execution (DDE) Platform that operates on a remote basis which would assist the Banking Sector by daily pushing out several thousands loan documents to MSME's or individuals, without any physical signatures or paper work between Banks & their Customers. Such a digital workflow is based on integration using API's between NeSL & other Govt. agencies for E-sign for execution of documents & digital e-Stamping through Stockholding Corporation (SHCIL) or e-GRAS of the State.

In order to implement the digital-e-Stamping for the Non-registrable instruments, to be executed in loan cases processed through digital document execution system, Law Department had advised to amend the H.P e-Stamping Rules 2011, by making provision for digital e-Stamping. The rules were accordingly, amended vide HP. Govt. Revenue deptt. Notification No.Rev.1-3(Stamp)6/80 dated 18-01-2021, by inserting Rule 24.A as enabling provision for digital e-Stamping.

The SHCIL is the Central Record Keeping Agency for computerized stamp duty administrative system (C-SDAS) in the State of HP. appointed under Rule-4 of the HP, e-Stamping Rules-2011. NeSL has fully integrated its I.T System with that of Stockholding. SHCIL will process the digital e-Stamping for execution of Non-registrable instruments used in loan cases processed through digital document execution system in Banks & Financial Institutions in accordance with the provision of Rule 24.A of HP. e-Stamping Rules-2011.

In the backdrop of above stated facts and legal position, the HP. Government, with a view to boost ease of doing business and as per advise of the Ministry of Finance, Govt. of India, has decided to permit NeSL to utilize the service of M/s SHCIL & SHCIL/NeSL/ platform for the issue of e-Stamping in digital form in respect of any of the instruments enlisted under

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Section 17(2) & Section 18 (1) (if not-opted for registration) of the Indian Registration Act, 1908 for Loan Cases processed through Digital document execution system in Banks and Financial Institutions.

You are requested to proceed further in the matter accordingly.

Yours faithfully,

(Anil Chauhan)

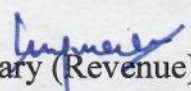
Joint Secretary (Revenue) to the
Government Himachal Pradesh.

Endst. as above:-

Dated Shimla-2, the, 25-02-2021

Copy forwarded to:-

- (1) The Chief Secretary to the Govt. of Himachal Pradesh.
- (2) The Addl. Chief Secretary (Finance) to the Govt. of Himachal Pradesh.
- (3) The Principal Secretary (Law) to the Govt. of Himachal Pradesh.
- ✓(4) The National e-Governance Services Ltd. Delhi. Mumbai - 400001.
- (5) The Manager SHCIL Shimla.


Joint Secretary (Revenue) to the
Government Himachal Pradesh