

CHAPTER 19

Correspondence

Part

A

GENERAL DIRECTIONS

1. Correspondence with High Court—All communications to and correspondence with the High Court should be in English, and should be addressed to the Registrar of the Punjab High Court at Chandigarh.

2. Ditto—The orders contained in Punjab Government consolidated Circular No. 5 regarding the routine and procedure to be observed in the submission of correspondence, should be carefully observed by all officers of the Judicial Department. The directions relating to correspondence with the Punjab Civil Secretariat are to be followed, *mutatis mutandis*, in corresponding with the High Court. Judicial officers are not allowed to correspond direct with the Judges on matters affecting leave, transfer, etc., or other such official questions.

3. Letters—(a) Every letter should have at the commencement its number, the name (when possible) as well as the office of both the writer and the officer addressed, and the place from which it is written, and its date. This rule applies as well to copies as to original documents.

(b) Every letter should refer to the last preceding letter, if any, on the subject and also give, either as a heading or on the margin, a brief description of the subject; the subject in respect of a judicial case pertaining to the Court which is being addressed, will be the title of the case (*i.e.*, the class, number and year of the case and the parties' names). This will also be done when reminders are issued to facilitate the quick tracing of cases.

(c) *Use of service stamps for personal reference not allowed*—Rule 2.42 of the Punjab Financial Rules, Volume 1, enjoins that all references by Government servants on personal matters, such as, leave, leave salary, pay increments, funds, subscriptions, house-rent, posting etc., must be submitted in covers stamped with ordinary postage stamps and not with service postage stamps. When, however, references are forwarded officially by a superior Officer the letter should be treated like any other official communication.

(d) *Representations by Government servants for settlement of claims etc.*—In cases of complaints of delays and unnecessary cuts by Accountant-General Punjab, Income Tax Department, P.W.D. and other Government offices, Government servants are at liberty to make a representation to the higher executive authorities of their departments for expeditious settlement of their claim and seeking redress of their legitimate grievances.

(Punjab Government Letter No. 2013-P-56/55959, dated the 7th July, 1956).

4. Margin size and filing—Correspondence should ordinarily be conducted on the 3/4 margin system. The docket size should ordinarily be used. For the filing of correspondence the *flat file* system will be found to be the most convenient (the size of a halfsheet of foolscap).

5. Loss or damage—A report should be made to the High Court through the District and Sessions Judge whenever any judicial records or file or correspondence is found to have been seriously damaged, tampered with, destroyed lost or mislaid. Every effort should be made to replace missing or damaged papers from all available sources.

6. (i) Chalan—When several papers or records are transmitted under one cover, a list or invoice (*chalan*) in duplicate, should accompany the parcel. In the case of judicial records each of which has an index to the papers contained in it, the files only need be entered in the chalan but in this chalan the No. and date of the requisition and the class and No. of the case in the Court by which each record is requisitioned, must be given for the convenience of that Court which may not otherwise know the purpose for which the records have been transmitted.

(ii) *Verification of chalan*—The receiving officer should, on receipt, verify the list or invoice with the papers received and return one copy thereof after entering the date of receipt thereon and signing it. If any paper or record entered in the list of invoice has not come to hand, the fact should be noted on each copy of the list or invoice and the despatching office informed of the fact by letter also, as soon as possible.

(iii) *Checking of judicial records, received with chalan*—In the case of judicial records the receiving officer will, after despatching a copy of the list or invoice, subject each record to examination in order to satisfy himself that the papers thereon correspond with those entered in the index; that the papers are not in a seriously damaged state; and that the court-fees are complete and in good condition. If any document or court-fee is missing or damaged, or appears to have been tampered with, intimation of the fact, should be sent, as soon as possible, to the office of despatch. Unless objection is taken within one week of receipt, responsibility will ordinarily be taken to have been transferred to the receiving office (*see also* Chapter 16, "Records", Part B, regarding the transmission of Judicial Records).

7. Destruction of correspondence—The destruction of judicial records is governed by the rules in that behalf contained in Chapter 16 "Records" Part F. As regards ordinary official correspondence, routine, and ephemeral correspondence may be destroyed after one year, under the supervision of the head of the office, a note in red ink (under the signature of the head of the office) being made of the fact in the column of remarks of the register.

8. High Court Circulars and correction slips to Rules and Orders—All High Court Circulars should be placed, as received, on a file. All correction slips relating to the Rules and Orders should be duly noted and the Volumes kept up-to-date.

9. Correspondence with places abroad—Special directions regarding judicial communications intended for places outside India will be found in High Court Rules and Orders, Volume I, Chapter 10, Volume III, Chapter 9-C and 16 and Volume IV, Chapter 7-F and 8-C.

10. Precepts of High Court—Further instructions regarding compliance with the precepts of the High Court will be found in Chapter 20.

11. Other references—Instructions regarding the submission of building references will be found in Chapter 22, “Judicial buildings”, and with regard to submission of the annual budget in Chapter 21, 'Budget'. Attention is also drawn to Chapter 7-C, paragraph 4 and Chapter 7-E, paragraph 8 on the subject of correspondence.

12. All letters received from mercantile bodies, firms, private individuals, etc., not under Government, should be replied to unless they are in reply to communications from the High Court or office itself and call for no further action. If there is likely to be any delay in disposing of such letters, an *ad-interim* acknowledgement should be sent as soon as possible. The acknowledgement should ordinarily issue in the form below.

I to acknowledge the receipt of your letter No. dated the

A reply will follow.

(Punjab Government Letter No. 3937 P.G. 41/58974, dated 12th November, 1941).

Part		B
VERNACULAR	CORRESPONDENCE	CONNECTED
WITH JUDICIAL MATTERS		

1. When correspondence in vernacular advisable—The rule regarding correspondence being ordinarily conducted in English is not intended to require the use of the English language when the vernacular language is obviously the most expeditious and convenient vehicle of communication.

2. For instance, if a Judicial Officer requires further information on some subject from a subordinate in an adjoining district, he should so word and engross his enquiry in the Vernacular that the same sheet of paper which he sends may be forwarded to such subordinate, through the agency of, but without troubling, the Deputy Commissioner or District Judge of that District; and be returned, in the same way, with the information endorsed on it, but leaving no trace of itself but the receipt in the letter despatch book.

3. Correspondence regarding arrest and transmission of offenders—Similarly, whenever offenders have to be arrested or transmitted, a vernacular papers is the most convenient medium, so that there may be no mistake in the name and residence of the party, but the same paper which is sent will be received back with the proper endorsement.

4. Public notices and proclamations—In like manner, when offenders have to be proclaimed or public notice given of any fact, the proclamations or notices should be prepared by the officer who has occasion for them in the jail press or elsewhere; he should use a proper selection in determining the places where the notices are to be published, and will then forward them by a vernacular docket to District Officers, Officers-in-charge of Sub-Divisions or Tahsildars, as the case may be, taking care not to entail on the office receiving the notice any more trouble than is involved in executing the order, and in endorsing the fact on the docket, and returning it.

5. English figures—English figures alone shall be used in all official papers prepared and registers maintained in the Judicial Department, except in the case of vernacular summonses or notices, or in the vernacular judgments of Judicial Officers, or in vernacular translations of English Judgments.

6. Judicial orders and processes: Signatures and address of the officers—Judicial Officers are reminded that, as a rule, every order passed by them, and every process issued from their Courts under their signatures, should be signed *in full, with the name of their office, or the capacity in which they act, whether as Judge, Magistrate, Deputy Commissioner, etc.* The practice adopted by many officers of endorsing important orders and issuing *robkars* with only the initial letters of their names and these often illegible, causes much inconvenience and it should be avoided.

7. Vernacular correspondence between officers of different ranks—Vernacular correspondence between an officer of superior rank and an officer of lower rank shall be conducted by *parwana* on the part of the former and by *arzi* on that of the latter. A Tahsildar or other officer of superior rank, when corresponding with an officer of equal rank with himself, will make use of the *robkari* form. The use of the word '*tum*' should be avoided; the word '*ap*' being used as far as practicable.

Part

C

THE USE OF RUBBER STAMPS FOR SIGNATURES IN OFFICIAL CORRESPONDENCE

1. Rubber stamps for signatures not allowed—The Honourable Judges have observed the use by a certain District and Sessions Judge of a rubber stamp in place of signatures in correspondence addressed to this office.

2. This procedure in official correspondence, even in matters of a routine nature is objectionable for obvious reasons. Full signatures should always be affixed by the forwarding officer to all correspondence addressed to this Court.

3. When letters may be signed by an official—Should it not be possible for the forwarding officer to sign all letters, they should be signed for him by some responsible official.