

## CHAPTER 17

# Preparation and Supply of Copies

### Notification

Rules made by the High Court under the power conferred by Article 227 of the Constitution of India with the previous approval of the State Government, for regulating the preparation and supply of copies of records of Civil and Criminal Courts by the copying agencies under the control of the District and Sessions Judges and the Judge, Small Cause Court, Amritsar.

### Rules

**1. Short Title**—These rules may be called the Punjab Civil and Criminal Courts Preparation and Supply of Copies of Records Rules, 1965.

**2. Definitions**—In these rules, unless the context otherwise requires—

(a) “copy” means a certified copy of any record prepared in accordance with these rules;

(b) “form” means a form appended to these rules;

(c) “record” means and includes any portion of a record and any document, map, plan or other paper attached to, or forming part, of the record of any suit, appeal, inquiry, trial or other proceeding in any Civil or Criminal Court.

**3. Persons entitle to obtain copies**—A copy of a record shall be granted in the manner prescribed by these rules to any person who, under the law for the time being in force, or under these rules, is entitled to get it. In particular, copies may be granted as follows :—

(1) Any party to a civil or criminal case is entitled at any stage of the suit or complaint to obtain copies of the record of the case including documents exhibited and finally accepted by the Court as evidence :—

*Explanation*—(i) “Complaints” include challans.

(ii) A party to a suit or complaint who has been ordered to file a written statement is not entitled to a copy of the written statement of his opponent until he has first filed his own.

(2) A stranger to a civil or criminal case may, after decree or judgment, obtain copies of the plaint or complaint, written statement, affidavits and petitions filed in the case, as also of the evidence recorded by the Court, and may, for sufficient reasons shown to the satisfaction of the Court, obtain copies of any documents before the final order is passed. He may also obtain copies of any judgment, decree or order, at any time after the same has been passed or made, but he shall not be granted copies of exhibits put in as evidence except with the consent of the person by whom they were produced or under the orders of the Court.

(3) Official letters shall be treated as privileged documents and copies thereof shall not be ordinarily granted. Should it be necessary to grant a copy of a letter, or of an extract of a letter, received by a subordinate from a superior officer reference shall, in every case, be made to the superior officer for permission to grant copy thereof.

**4. Supply of copies free of charge to persons accused or convicted and to public Officers—**Copies shall be supplied free of charge in the following cases:—

(1) If a person convicted in a summons case is in Jail and requires a copy for purposes of appeal or revision he or his agent shall be allowed a copy of the judgment free of charge.

(2) Copies of judgment and other documents required to be supplied to the accused under Section 371 (*see* Section 363 of the new Code) of the Code of Criminal Procedure, 1898, shall be prepared by the Court Stenographer and supplied free of charge to the accused, after having been duly attested by the Reader of the Court, in accordance with the provisions of the said Section. In Courts having no Stenographers, such copies shall be prepared and duly attested by the Copyists and supplied free of charge.

(3) Copies of judgements or orders, or English translations of vernacular judgements or orders, convicting, acquitting or discharging Government servants, including a person subject to military law or a civilian in military employ, of criminal offences, shall be supplied free of charge of the Heads of Departments of Offices concerned.

(4) Copies required for official purposes by Public Officers in Punjab shall be supplied free of cost if the application for the supply of copy is endorsed by the Head of the Department concerned.

**5. Procedure for submission of application for copy—**An application for a copy of any record, including requisition for a free copy may be made personally, or through an agent, or may be sent by post.

*Note—*The authority of the agent need not be a formal power of attorney.

**6. Officers authorised to receive applications—**(1) An application for a copy of any record of District and Sessions Judges' Court shall be received by the Superintendent of that Court.

(2) An application for a copy of any record of Court of Small Causes, Amritsar, shall be received by the Clerk of the Court, provided that the record, a copy whereof is applied for, is in the possession of the Court.

**7. Copy to be supplied with permission of officers concerned—**An application for a copy of a record of the High Court, or of a District and Sessions Court, or of an Office or Court of Commissioner or of the Financial Commissioner made to a lower Court, or office, in which the record may be lying at the time of the application, shall be complied with only with the permission of the Court or officer concerned.

*Note*—In no case shall a record be sent from the headquarters of a districts, to a sub-division or tahsil, or a muffasil Court, for being copied.

**8. Procedure where record is before High Court**—Whenever an application is made for a copy of record in case in which the record is before the High Court, the application shall be forwarded to the High Court for disposal. If the application be made under Section 548 (*see* Section 363 of the New Code) of the Code of Criminal Procedure, 1898, by a prisoner in Jail and is submitted with the grounds of appeal or for revision, the memorandum of appeal for the petition for revision, as the case may be, shall also be forwarded along with the application.

**9. Form for application and Court-fee Stamp to be affixed—**

(1) Every application shall, as far as possible, be in Form C.D.I. and bear a forty paise Court-fee stamp, apart from the Court-fee stamps, if any, to cover the cost of the copy.

*Note*—(i) The applicant shall give full particulars of the record copy whereof is required so that the record may be easily traced, but no application shall be returned unless it fails to give the minimum information required to trace the record.

(ii) The form C.D.I. shall be stocked with the Controller of Printing and Stationery, Punjab, Chandigarh, from where all supplies shall be obtained on indent. These forms shall be supplied by licensed stamps-vendors at a rate of three paise per form. Such discount shall be allowed to the stamp vendors at the time of purchase of forms worth Rs. 5 and above by deduction from the purchase money as may be fixed by the Punjab Government in the Revenue Department from time to time. This commission shall be debited to the head “19—General Administration—E—District Administration—S—Other Establishment”. The receipts on the sale of these forms shall be credited to the head “L.II—C. Misc., Copying Agency Accounts.”

(2) Applications shall not be returned where the Court-fee stamps borne on them are not properly endorsed by the stamp vendors. In such cases the stamp-vendors concerned shall be proceeded against under Section 34 of the Court-fees Act, 1870.

(3) Immediately on receipt of the application the receiving official shall satisfy himself that the applicant is entitled to the copy applied for by him, and shall forthwith effect cancellation of the Court-fee stamps in the manner prescribed in Section 30 of the Court-fees Act, 1870, read with Rules 1 and 2 in Chapter 4-C of the High Court Rules and Orders, Volume IV.

**10. One application for copies of record concerning single cause or matter**—Only one application shall be made for copies of any number of papers concerning a single cause or matter which are in the same record, *e.g.*, if copies are required of four separate papers in one record, only one application is necessary.

**[11. Charges for copies and manner of payment thereof**—The charges for obtaining copies for records which are detailed in the Schedule appended to this chapter, shall be deposited by the applicant in advance. If ordinary copy is to be obtained, advance deposit of Rs. 5/- and if urgent copy is to be obtained, advance deposit of Rs. 10/- should be made by the applicant.

(a) If the applicant desires that the receipt in Form C.D. 10 be posted to him immediately on the receipt of his application, he should also affix to his application extra Court-fee stamps of such amount which are sufficient enough to cover the postal charges.

(b) The applicant may remit the advance deposit money order to the Copying Supervisor.

(c) If the applicant desires that the copy be sent to him by post, he should also affix to his application extra Court-fee stamps of such amount which are sufficient enough to cover the registration and other postal charges.

(d) If the applicant desires that the copy be sent to him per V.P.P. he should also affix to his application extra Court-fee stamps of such amount which are sufficient enough to cover the V.P.P. charges].

**12. Scrutiny of application**—(1) On receipt of an application, the Copying Agent shall scrutinize it as to whether:

(a) The copy applied for can be supplied under these rules;

(b) The application has been duly stamped with forty paise Court-fee stamp and gives the necessary particulars for tracing the record;

(c) The fee, if prepaid has been correctly assessed, in accordance with the scale laid down in Schedule A.

(2) Whenever an application is made for a copy of a civil judgment for the purpose of appeal, the applicant shall be informed that a copy of the decree is also necessary and he shall be supplied with such copy, unless he declines to pay the necessary fees, in which case a certificate, under the signature of the officer-in-charge of the copying department, shall be endorsed on the copy of the judgment supplied to the applicant to the effect that he was duly informed that a copy of the decree was also necessary, and after being so informed, declined to pay fees for the same.

(3) The applicant who applies for a copy of an appellate judgment for the purposes of a second appeal shall be intimated that a copy of the trial Court's judgment is also necessary and the procedure of sub-rule (2) shall, as far as may be, apply to such an application.

**13. Rejection of application**—If an application is rejected or is not in order, or if for any reason it is not possible to prepare the copy asked for, the application may be filed after being kept pending for fifteen days, or returned by registered post if the applicant has paid extra fee for registered post or V.P.P.

*Note*—The Court-fee label of forty paise affixed to the application shall be destroyed by the Copying Agent in the presence of the Copying Supervisor in the manner laid down in Rule 39.

**14. Presiding Officer to be consulted in case of doubt**—If it is clear that the copy can be supplied as a matter of routine and the application is in order, the officer receiving the application shall order the copy to be prepared. If, however, he is doubtful on any point he shall put up the application for the orders of the District and Sessions Judge or the Register of the Small Cause Court, as the case may be.

**15. Duties of Officer receiving application**—If a copy is ordered to be prepared, the officer receiving the application shall:

(a) Endorse or cause to be endorsed thereon the dated and in the case of urgent applications the time of presentation;

(b) Initial the endorsement;

(c) Cancel the Court-fee stamps in the manner prescribed in Rule 33;

(d) Issue receipt of the application in form C.D. 10;

(e) Cause the application to be registered in Form C.D. 2 and the serial number of the register given in red ink on the reverse of the application; and

(f) Cause the application to be made over to the Record Keeper if it relates to a decided case, or to Ahlmad, if it relates to a pending *cause*.

*Note*—The number of copies asked for, if more than one, shall be recorded in the remarks column of the register in Form C.D. 2.

**16. Record Keeper or Ahlmad to make over record on the same or next working day**—It shall be the duty of the Record Keeper of Ahlmad to see that the records are made over to the senior copyist on the day he receives the application or in the morning of the next working day at the latest. The senior copyist shall maintain a register in Form C.D. 7.

**17. Delivery of urgent copies**—If the record, copy whereof is required, is too lengthy to be copied within the fixed time, or if, after sanction of an application for an urgent copy it is found subsequently not possible to supply the copy within the fixed time, the applicant shall be enquired as to whether he agrees to the application being treated as an ordinary application; and, if he so agrees, the difference between the fee paid by him and the fee which would have been payable if the application had been for an ordinary copy shall be refunded. If he still desires to have his application treated as urgent and given priority over ordinary applications, he shall forego all claims to the refund.

**18. Instructions regarding preparation of copies**—Every copy, made under these rules, shall:

(a) If in English, be invariably prepared on a typewriter;

(b) If in vernacular be written in good legible hand, in case it cannot be prepared on a typewriter;

(c) Be written with ink of a good quality;

(d) Be prepared on Government water-marked paper, except in cases in which copies are allowed on printed forms;

(e) Have a margin of one-fourth of the sheet on the left;

(f) Be written on both sides of the paper in such a manner that the margin on turning over the page is on the right hand side;

(g) Have a space between the lines equal to the second space of a typewriting machine;

(h) Have marginal reference to the paging of the original;

(i) Be duplicate if more than one copy of the same record is ordered to be prepared at the same time;

(j) Have, as far as may be, the following number of words and lines on each page—

(i) Typewritten—360 words in 35 lines;

(ii) English writing—240 words in 22 lines; and

(iii) Vernacular writing—250 words in 22 lines.

**19. Heading to be prefixed to copies**—To every copy, made under these rules, shall be prefixed a heading containing the following particulars:

(a) the Court or office by which the case was decided, giving the name and powers of the presiding officer and, in an appeal case, the name and official designation of the officer whose order was appealed against, and the date of that order;

(b) the date of the institution of the suit, proceeding or appeal, as the case may be;

(c) the name, parentage, trade or occupation, and place of residence with tahsil and district of the parties; and

(e) the subject matter of the case.

**20. Certain copies to be prepared on forms prescribed for original documents**—Copies of records which are maintained in a tabular or printed form, shall be supplied on the forms used in the Courts. The following are, among others, documents, copies whereof should be given on such forms:

Decrees,

Notices of ejection,

Criminal charges,

Headings of “opening sheets” in Judicial records.

**21. Copy of copy**—A copy of a copy shall not be supplied unless expressly asked for as such, as, for instance, in order to call question the correctness of the copy granted. The said fact shall be entered in the heading of the copy and marked as the “copy of a copy”.

**22. Stitching of copies in book form**—If a copy covers more than one sheet of paper, the sheets of paper, on which the copy is prepared shall be stitched together in a book form, and shall not be attached one to the end of another so as to form a roll.

**23. Particulars to be endorsed on copy**—After a copy has been prepared but before it is revised and attested, the following particulars shall be endorsed thereon in the language in which the copy is prepared :—

(a) The number of the application in register C.D. 2.

(b) The date of presentation of the application for a copy.

(c) The name of the copyist.

(d) The date on which the copy was completed.

(e) The date on which the copy was examined and attested.

(f) The cause of delay if the copy has been completed after the third day from the date of the application.

(g) The number of words or pages.

(h) (1) The cost of the copy as prescribed in the schedule annexed to these rules;

(2) Urgent fee; . . . . .

(3) Search fee; . . . . .

(4) Registration and postal charges; and . . . . .

(5) V.P.P. Charges . . . . . \_\_\_\_\_

Total recovery . . . . . \_\_\_\_\_

(i) Date of delivery or despatch.

**24. Delay in preparation of copy**—(1) A copy shall ordinarily be ready by the third working day of the receipt of application, but an urgent copy shall be ready before the close of the same day, if possible, provided the application is presented with the urgent fee within the first two hours of the same day. If the application is presented later, the copy shall be furnished, if possible, in the forenoon of the following working day. Any case of delay shall be verified and certified by the Examiner, or Copying Agent, before the copy is attested and delivered.

(2) Any complaint by Copyist or applicant shall be made in writing to the Officer-in-charge who shall take such action thereon as he may deem proper.

#### COMMENTS

Delhi High Court Preparation & Supply of Copies Rules 1972, Rule 15 superseeds Rule 24 of the Punjab High Court Rules of 1965 and hence former not latter governs the matter of supply of copies. *Khushbir Singh v. Ajai Singh*, 1982 Raj. LR. 534.

**25. Applicant to be informed by post if copy is not expected to be ready on appointed day**—The applicant shall be entitled to have his copy furnished to him, as far as possible, on the day appointed for delivery of the copy. If, for any reasons, it is not possible to prepare the copy asked for by the appointed day, the Officer-in-charge shall send an intimation by post to the applicant fixing another day for its delivery so that he does not unnecessarily visit the Agency.

## COMMENTS

Rules 24 and 25 of the Punjab High Court Rules and Orders Vol. IV Chapter 17 are not binding on the subordinate Courts at Delhi including the copying agencies functioning under the subordinate Courts. *Kulwant Kaur v. Jiwan Singh*, ILR (1972) 1 Delhi 75.

**26. Revision and attestation of copies**—Every copy shall be revised and attested by the Superintendent in an agency under the control of a District and Sessions Judge and by the Clerk of Court in the agency under the control of the Judge, Small Cause Court, Amritsar.

**27. Examination, certification and stamping etc., of attested copies**—In the case of applications of attested copies no copy shall be delivered to any person until it has been examined, certified, stamped and paged. The examiner shall see that the provisions of these rules have been complied with in all respects.

**28. Duties of Examiner**—Every Examiner, before he attests any copy in accordance with the manner prescribed by these rules, shall—

(a) personally compare such copy with the original record from which it has been made, with the help of the copyist who prepared it, who shall read out the original;

(b) attest every alteration made in such copy by initialling the same;

(c) examine and initial the endorsement made upon the copy in accordance with these rules;

(d) examine the headings and form of the copy, and see that they are in accordance with the law, rules and directions applicable to such copy;

(e) see that the provisions of Rule 18 have been fully complied with;

(f) see that the Court-fee stamps affixed to copies are punched, cancelled and initialled;

(g) make an entry in register C.D. 5 as to the out-turn of the copyist as required by Rule 48.

**29. Endorsement on copies by Examiner**—(1) When the Examiner is satisfied that a copy is correct in all respects and ready for delivery to the applicant, he shall make thereon the following endorsement:

“Certified to be a true Copy”;

and shall sign and date the endorsement, and also subscribe his official designation below which he shall make the following further endorsement:—

“Authorised by Section 76 of Indian Evidence Act, 1872.” He shall then cause the proper seal to be affixed to the copy.

(2) If the copy more than one sheet of paper, the Examiner shall endorse the word “attest” on every such sheet, and shall enter his initials and the date thereunder. He shall at the same time cancel the Court-fee stamps, if not already done, representing the cost of the copy.



**30. Cancellation of defective copies**—In the event of any copy being found to be unfit for issue by reason, that it:

- (a) has not been legibly and neatly written;
- (b) is not in the prescribed form or on paper of the prescribed quality;
- (c) is so incorrect that revision has rendered it unfit for issue;
- (d) does not conform to these rules; or
- (e) is defective or otherwise open to objection,

the Examiner shall forthwith write the word “cancelled” across the copy; and a fresh copy shall be made without further charge. At the same time he shall submit a separate report against the copyist for his carelessness.

**31. Examiner’s signature to denote that he has satisfied himself about accuracy of copy**—The affixing, by the Examiner, of a signature to copy is a certificate that the official has personally satisfied himself of its accuracy, and that the copy has been personally compared by him, and is suitable for delivery.

**32. Unattested copies of depositions etc.**—The Copying Agent may deliver, unattested by the Examiner, of the record specified in item 9 of the Schedule annexed to these rules.

**33. Register C.D. 6 and guard-file and punching and cancellation of stamps**—(1) The Copying Supervisor shall maintain a register in Form C.D. 6 for payments received by money order or through V.P.P. He shall convert all such payments into Court-fee stamps. Affix them to the application, and then cancel them by punching out the figure-head so as to leave the amount designated on the stamp untouched. The part removed by punching shall be burnt or otherwise destroyed. As an additional precaution, the cancelling officer shall affix his signature and the date across each label, at the time of cancellation, in durable ink.

(2) After complying with the formalities laid down in sub-rule (1) the Copying Supervisor shall hand over the application to the copying Agent by obtaining his receipt in the register maintained in Form C.D. 6.

(3) The money order and V.P.P. coupons shall be pasted in a separate guard file and numbered serially.

**34. Register C.D. 8, search fee, duties of copying agents, etc.**—(1) Copying shall in no circumstances be allowed access to the Record Room and the records shall be made over to the Copying Agent by the Ahlmad or the Record Keeper according as the case is pending or a decided one, and receipts taken in the Register maintained in Form C.D. 8.

(2) The Record Keeper shall recommend on the application itself that a search fee of *fifty paise* should be imposed in every case in which an unreasonable amount of trouble has been caused in finding the original record by the failure of the applicant to give correct particulars, and this fee shall be

recovered as part of the copying fee in Court-fee stamps and affixed to the application concerned. Such Court-fee labels shall also be punched and cancelled as provided in Rule 33.

(3) If it is not possible or desirable to send the file to the Copying Agency, the file-fetcher shall, if possible, be given the particular record only from the file, by obtaining receipt from him.

(4) The Copying Agent shall be responsible—

(i) that no file is taken out of the copying room by any one;

(ii) that all files are locked up in an almirah with the key in his possession before leaving office;

(iii) for the proper and equal distribution of work among the copyists;

(iv) for the proper maintenance of accounts, and preparation of return; and

(v) for the regular and proper delivery of copies.

**35. Despatch or delivery of copies**—Copies when prepared shall be delivered or despatched by the Copying Agent.

**36. Recovery of fee by Copying Agent**—(1) The Copying Agency, before delivering a copy, shall make sure that all fees chargeable according to the Schedule annexed to these rules have been only recovered.

(2) In cases of refusal to pay the Copying fee wholly or partly, either personally or when sent by V.P.P., the Copying Agent shall arrange to recover the same in accordance with the provisions of Rule 53.

(3) The Copying Agent, before any copy is delivered, shall endorse thereon the date of delivery and verify the cancellation of the Court-fee stamps.

**37. Refunds**—(1) In the following cases, the refund of Court-fee stamps [or cash] tendered in the payment of copying fees shall be allowed in cash under orders of the Office-in-charge, provided an application for refund is made [within three months of the refund becoming payable]

(a) when an application for a copy has been rejected;

(b) when an application is withdrawn before a copy has been prepared;

(c) when for any reason it is not possible to prepare the copy asked for;

(d) when an excess payment is made [‘\* \* \* \*’];

(e) under Rule 17; and

(f) when the applicant takes delivery of a copy personally and applies for refund of the V.P.P. or registration charges already deposited under Rule 11(3).

*Note*—The refund shall be subject to the deduction of six paise in a rupee or a fraction of a rupee in the cases mentioned in clauses (a) and (b) above.

(2) Refunds shall be made on Form C.D. 9 by the Copying Supervisor out of his imprest, which shall be recouped by means of a contingent bill on the last working day of the month or earlier, if necessary, as in the case of the permanent advance. The contingent bill shall be classified as debit to head “L.II.H. Misc. Deduct Refund”. The refund vouchers in Form C.D. 9 shall be prepared in all cases in which a refund is actually made either in person or by money order.

(3) The particulars entered in the refund bill shall be verified by the Copying Agent, countersigned by the Copying Supervisor and the pay order passed by the Officer-in-charge.

(4) All the refund order shall be cancelled at the time of recouping the advance. The word “Cancelled” shall be written in red ink, or stamped with a rubber stamp of suitable size across each order, by the Copying Agent, and initialled by the copying Supervisor. The refund vouchers not exceeding Rs. 25 in amount shall be retained.

(5) When the applicant is not present in person, the amount refundable to him shall be remitted by money order, at his expense, but when the balance of any deposit received by money order and converted into Court-fee stamps, amounting to less than twenty paise, remains unclaimed personally for fourteen days, it shall be disallowed.

[(6) Account Register in Form CD-13 and Refund Register in Form CD-14 shall also be maintained.]

**38. Procedure when applicant fails to receive copies on appointed day**—(1) Should the applicant be not present when first called to receive the copy, his copy shall be kept pending delivery for ten days. After ten days the copy with the application shall be filed and the copy shall not be given to him unless a fresh application with a forty paise Court-fee stamp is made.

(2) In the event of failure to put in a fresh application referred to in sub-rule (1) action under Rule 53(2) shall be taken to recover the balance due, if any, against the applicant.

(3) If a copy is required to be despatched by post or V.P.P. it shall be despatched as soon as it is ready.

(4) The copying Agent shall maintain a separate register in Form C.D. 11, in which he shall enter the balance of fees recoverable in each case and refused V.P.Ps. and from which he shall prepare the statement required by Rule 53(2).

**39. Limitation for preservation of sanctioned applications and destruction of cancelled stamps by Stamp Auditor**—Sanctioned applications for copies shall not be destroyed until a stamp auditor has audited the records and registers concerning them or until the expiry of three years, whichever is later. At the end of this period or after the audit, if the audit is not completed within three years, the Officer-in-charge shall have such applications destroyed in his presence and shall certify their destruction in the manner prescribed in Rule 27 of the Punjab Stamp Refund Renewal and Disposal Rules, 1934.

**40. Account of service postage stamps**—Service postage stamps shall be supplied to copying Section and an account shall be kept therefore. The serial number of register C.D. 2 shall also be recorded in the despatch register maintained for this purpose.

**41. Constitution of copying agencies**—While the District and Sessions Judges and the Judge Small Cause Court, Amritsar, shall be responsible for the supply of copies, there shall be an officer-in-charge in each of these agencies, as follows:—

| <i>Agency</i>                                 | <i>Officer-in-charge</i>   |
|---|--|
| (A) All District and Sessions Judges' Courts. | (i) The Additional District and Sessions Judge, or the Superintendent when there is no Additional District and Sessions Judge. |
| (B) Court of Small Causes, Amritsar.          | (ii) The Registrar of the Court.   |

**42. Copying Supervisor and Examiner**—The Superintendent in District and Sessions Judges Court and the Clerk of Court in the Court of Small Causes, Amritsar, shall be the Copying Supervisor and the Examiner in the Copying Agencies of their respective Courts.

**43. Copying Agent**—The Senior Copyist in each agency shall be the Copying Agent and file-fetcher and shall be subject to the control of the Copying Supervisor.

**44. Pay and leave rules applicable**—The Copyists, shall be on the cadre of permanent pensionable establishment, shall be eligible to subscribe to the provident fund, shall receive such pay as may be sanctioned by the State Government from time to time and in the matter of leave shall be governed by the Punjab Revised Leave Rules, 1936. The Punjab Civil Services Rules shall also be applicable to them.

**45. Qualifications for appointment of Copyists**—The Copyists should be qualified for both English and vernacular copying work and will be eligible for appointment to regular permanent pensionable establishment, if otherwise qualified. No person shall in future be appointed as copyist unless he possesses the minimum educational qualifications prescribed for recruitment to a clerical ministerial post in Chapter XVIII-A of High Court Rules and Orders, Volume I.

**46. Number of copyists and their daily out-turn**—(1) The number of copyists, as fixed for each agency shall not be varied except with the sanction of the High Court.

(2) The following minimum daily out-turn is prescribed for each copyists :—

*Words Pages*

Typewritten 7,200 20

Handwritten—

(1) English 3,600 15

(2) Vernacular 3,750 15

*Explanation*—This standard includes the work of comparison of the copies prepared by each copyist with the Examiner.

(3) The Senior Copyist acting as Copying Agent and file-fetcher shall be required to give only half the standard prescribed in sub-rule (2).

(4) The working hours of the staff working in Copying agencies shall be each such as may be fixed by the High Court from time to time for the staff of the Courts subordinate to it.

**47. Employment of copyists on other work for short periods**—If for a short period, *e.g.*, during the month of September, there is not sufficient copying work, copyists shall with the permission of the District and Sessions Judge, or the Judge Small Cause Court, as the case may be, be employed on some other work.

**48. Register of daily out-turn**—A register of daily work done by copyists shall be maintained by each copyist in Form C.D. 5. The register shall be written up daily by the Examiner who shall, at the end of the month, prepare a statement and submit a report on the adequacy or inadequacy of the monthly out-turn, of each copyist to the District and Sessions Judge or the Judge, Small Cause Court, Amritsar, as the case may be.

**49. Character rolls**—Character rolls of the copyists shall be maintained in the same manner as are kept in the case of other Clerks.

**50. Head of account to which pay of copyist shall be charged**—The pay of copyist shall be charged to minor head “Copying Agencies (District and Sessions and Small Cause Court) under the major head “21—Administration of Justice”.

**51. Inspection by District and Sessions Judge or the Judge, Small Cause Court, Amritsar**—The District and Sessions Judge or the Judge, Small Cause Court, Amritsar, as the case may be, shall examine the registers of his copying department once a month—

(a) to see that copies are supplied within the time prescribed in Rule 24 unless for some special reasons extra time was allowed in any particular cause;

(b) to see that Court-fee is correctly affixed to the copies; and

(c) to take necessary measures to enforce compliance of these rules.

**52. Supervision**—The Copying Supervisor shall be in immediate charge of the internal organization of the copying agency and shall be responsible for discipline and control of the copyists and other staff. He shall witness all refunds, and receive cash payments for the purpose of converting them into Court-fee stamps. He shall hold a permanent advance of such amount may be considered sufficient by the District and Sessions Judge or the Judge, Small Cause Court, as the case may be. He shall report to the officer-in-charge or where he himself is the officer-in-charge to the District and Sessions Judge on all complaints and cases of dereliction of duty on the part of any member of the copying agency, Record branch or Court staff. He shall examine registers daily, deal with delays and whenever he proposes to recoup the imprest he shall render an account to the officer-in-charge.

**53. Accounts of income in Register C.D. 3**—(1) A separate income account shall be kept by the Copying Agent in Register C.D. 3 in which each day’s income shall be recorded by the Copying Agent and totalled monthly.

*Explanation*—The daily income means all payments received daily, whether copies for such payments have been made or not.

(2) After the close of each month the Copying Agent shall prepare a statement showing the cases in which the fee or any portion thereof remains to be realised. The statement shall be checked by the Copying Supervisor and submitted to the Collector through the District and Sessions Judge or Judge, Small Cause Court, as the case may be, for recovery of fees as arrears of land revenue.

(3) The Copying Agent shall keep a duplicate copy of the statement referred to in sub-rule (2) with him and shall be responsible for reminding the Collector at regular intervals.

*Note*—Only cases in which a copy was prepared more than 10 days back or in which a copy, sent out by V.P.P. has been refused shall be included in this Statement.

**54. Permanent Advance Register C.D. 4**—The Permanent Advance Register C.D. 4 shall be kept and maintained personally by the Copying Supervisor. This imprest is intended for refunds and contingent expenditure.

**55. Drawing of establishment charges**—The establishment charges shall be drawn on the usual establishment bill forms.

**56. Income and expenditure account**—(1) A separate monthly account of income and expenditure shall be kept in the Court of each District and Sessions Judge and Judge, Small Cause Court, Amritsar, in Form C.D. 12.

(2) A copy of the monthly account referred to in sub-rule (1) shall be submitted to the High Court by the 15th of the following month.

**57. Compilation of statement for the whole State**—(1) The total income of the copying agencies that is the copying fees excluding search fees, if any, shall be credited to the head “XIV—Stamps”.

(2) In order to enable the Accountant-General, Punjab, to afford credit of such receipts to the head “L.II—C. Misc.—Copying Agency Accounts”, the District and Sessions Judge and Judge, Small Cause Court, shall, immediately after the close of the financial year, submit to the High Court a statement of receipts of the copying agencies of their Courts for the year to which it relates.

(3) The High Court shall on receipt of the Statement referred to in sub-rule (2) compile a statement for the whole of Punjab State and send it to the Financial Commissioner, Punjab, who shall specify the amount of discount allowed to stamp vendors and forward the statement to the Accountant-General, Punjab.

(4) The Accountant-General shall credit the net amount (after deducting the discount intimated by the Financial Commissioner) to the head “L.II—C.Misc.—Copying Agency Accounts”.

**58. Copies of translations**—Where a copy is asked for in English or Vernacular but in a language other than that of the original, the copying fee shall be as indicated in Rule 61 whether a translation is already in existence on the file or not. Such applications shall be entered in the ordinary register C.D. 2 in which applications for copies are entered, and shall be distinguished by the letter ‘T’.

**59. Special Translator**—The District and Sessions Judge and the Judge, Small Cause Court, Amritsar, shall, if the work is sufficient, appoint special translator for the work otherwise he shall entrust the work to any clerk (not a copyist) in addition to his own duties, provided that he does the work after office hours.

**60. Procedure when translation is not on record**—Where a translation is already in existence, the translator shall copy such translation and check it. Where a translation is not in existence, the translator shall make a translation, place it on the record, and copy it for the applicant.

**61. Translation charges**—The translation charges payable in Court- fee stamps shall be as follows :—

For first 200 words or under 75 paise

For every additional 100 words or a fraction thereof 40 paise

**62. Translator to be paid half the translation fee**—(1) The translator shall receive half of the fees mentioned in the preceding rule, payments being made in cash out of the imprest of the Copying Supervisor and re-couped as “Refunds”.

(2) The Examiner shall attest the Correctness of the copy in the usual way, but such copies shall be distinctly noted in the heading to be copies of a translation.

Necessary entries shall be made in Registers C.D. 2 and C.D. 3.

**63. Application of Punjab Copying Agency Manual**—In so far as these rules make no provision or make an insufficient provision on any subject and a provision is made on that subject in the Punjab Copying Agencies Manual (1947), as amended from time to time, the provision made in the said Manual shall, with necessary modifications, apply to the extent it is not inconsistent with these rules.

<sup>4</sup>[SCHEDULE  
(See Rule 11)]

(a) *Fee charged/or ordinary Attested Copies*’—On an application for ‘Ordinary Attested Copies’ Rs. 5/- per page irrespective of number of words/lines shall be charged and a uniform extra fee of Rs. 10/- shall be charged as ‘Processing Fee’.

(b) *Fee charged for ‘Urgent Attested Copies*<sup>9</sup>—On an application for ‘Urgent Attested Copies’, i.e.. Copies to take precedence of other copying work, Rs. 5/- per page irrespective of number of words/lines shall be charged and a uniform extra fee of Rs. 25/- shall be charged as ‘Processing Fee’.]

<sup>1</sup>. Substituted *vide* Notification No. 209/DHC/Rules Dated 15-9-1988.

<sup>2</sup>. Words added by Notification No. 23/Rules/DHC dated 9-2-1996.

<sup>3</sup>. Substituted *vide* Notification No. 23/Rules/DHC dated 9-2-1996.

<sup>4</sup>. Words “by mistake” omitted *vide* Notification No. 23/Rules/DHC dated 9-2-1996.

<sup>5</sup>. Added *vide* Notification No. 23/Rules/DHC dated 9-2-1996.

<sup>6</sup>. Substituted *vide* Notification No. 134/Estt./E-6/DHC dated 6-8-2001 (w.e.f. 6-8-2001).