

# **Punjab Petition Writers (Revenue) Rules, 1982**

PUNJAB

India

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### **Rule PUNJAB-PETITION-WRITERS-REVENUE-RULES-1982 of 1982**

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Punjab Petition Writers (Revenue) Rules, 1982Published vide Punjab Government Notification No. GSR. 98/PA. 16/87/Section 106-A/82 dated 15th July, 1982Punjab Petition-Writers (Revenue) Rules, 1982 No. GSR. 98/PA. 16/87/Section 106- A/82 dated 15th July, 1982. - With reference to Government of Punjab Department of Revenue notification No. GSR 56/PA. 16/1887/Section 106-A/82 dated 6th May, 1982 and in exercise of the powers conferred by sub-section (3) of section 106-A of the Punjab Tenancy Act, 1887 and all other powers enabling him in this behalf the Financial Commissioner, (Revenue) Punjab is pleased to make the following rules, namely :

#### **1. Short title and commencement.**

(1)These rules may be called the Punjab Petition Writers (Revenue) Rules, 1982.(2)They shall come into force at once.

#### **2. Definitions.**

- In these rules, unless the context otherwise requires:(a)'petition-writer' means a person who writes petitions while practising in a Revenue Court or Revenue Office for the purpose of presenting same to the Revenue Court or Revenue Office;(b)'petition' means a document written for the purpose of being presented to a Revenue Court or Revenue Officer and includes a plaint and memorandum of appeal;(c)'to practise as a petition writer' means to write petitions for hire, and includes the writing of a single petition for hire;(d)'Form' means a Form appended to these rules;(e)'licenses' means a petition writer to whom a license has been granted or renewed under these rules;(f)'Revenue Officer' means the office of a Revenue Officer;(g)'recognised agent' means a person who performs the functions of a recognised agent as described in Order III Rule 2 of the Civil Procedure Code.

### **3. Prohibition to practise as petition-writer without license.**

- No person shall, after the expiry of a period of thirty days from the commencement of these rules, practise as a petition-writer in a Revenue Court or Revenue Office except under and in accordance with the provisions of these rules and the terms and conditions of a licence granted under these rules :Provided that an Advocate, a Pleader or recognized agent shall not for the purpose of writing petitions for being presented to Revenue Court or Revenue Office shall be required to have a licence under these rules.

### **4. Prohibition to receive petitions.**

- No petition shall be received by a Revenue Court or by a Revenue Officer, unless it is written by the person concerned or his recognised agent, or by a legal practitioner or by a petition-writer.

### **5. Number of petition-writers.**

- The Commissioner of a Division shall fix the maximum number of persons, who can practise as petition writers at the headquarters of a sub district Sub-Division or a District.

### **6. Licensing Authority.**

- The Collector of a district shall be the Licensing Authority within his jurisdiction under these rules.

### **7. Eligibility for grant of licence.**

- No person shall be eligible for grant of a license as a petition writer under these rules, if he :(i)has not passed the Matriculation Examination with Punjabi language in Gurmukhi script as one of the subjects or Higher Secondary Examination or any other examination of an equivalent standard;(ii)does not possess good character and conduct;(iii)has not good handwriting to the satisfaction of the Licensing Authority;(iv)is less than eighteen years of age;(v)is in the employment of the Government of any local authority any legal practitioner;(vi)is not of a sound mind;(vii)has been dismissed from the service of Government or of any local authority, and(viii)has been convicted of any offence involving moral turpitude;Provided that a person who has been granted licence under rules framed by the High Court under section 46-A of the Punjab Courts Act, 1918, immediately before the commencement of these rules, shall be granted a licence under these rules on payment of the fee specified in rule 9 without taking into consideration the above matters.

### **8. Application for licence.**

- Every person desiring to obtain a licence under these rules shall make an application to the Licensing Authority in Form 'A' together with proof of fee as specified in rule 9 having been paid in the manner indicated in that rule.

## **9. Fees.**

- The fees for grant and for renewal of a licence shall be ten rupees and five rupees respectively.(2)The fees specified in sub-rule(1) shall be deposited either in the Bank through Treasury Challans or be paid by means of Court fee stamps.

## **10. Grant or refusal of a licence.**

(1)On receipt of an application for the grant of licence, the Licensing Authority may, after taking into consideration the matters referred to in rule 7 either grant or refuse alience.(2)Where the application for a licence is refused, the reasons for such refusal shall be recorded in writing and conveyed to the applicant and the fees paid by the applicant along with the application shall be refunded to him.(3)Where the application for a licence is not refused, the Licensing Authority shall grant the applicant a licence in Form 'B'.

## **11. Period of validity of licence.**

- Every licence granted under rule 10, shall, unless suspended or cancelled earlier be valid upto the 31st day of December of the calendar year in which it is granted and may thereafter be removed for a further period of one year at a time.

## **12. Renewal of licence.**

- Every licensee desiring to get his licence renewed, shall, before the date of expiry of the licence, make an application for renewal to the Licensing Authority in Form 'C' together with the proof of fee specified for renewal in rule 9 having been paid in the manner indicated in that rule.(2)Where the application for renewal is made within the time specified in sub-rule (1) the applicant shall, for the purposes of these rules, be deemed to be a licensee even during the period the application remains pending with the Licensing Authority.(3)[If the application for renewal is not made within a period of three months from the date of expiry of the licence, a penalty of rupees two for each month or part thereof, shall be charged.] [Subrule (3) Substituted vide Punjab, Notification No. G.S.R., 33/P.A. 16/1887/Section 106/A/Amendment (1)96., dated 2nd April, 1996.]

## **13. Licence lost or damaged.**

(1)If the licence of a petition-writer granted to him under these rules is lost or damaged, he may apply to the Licensing Authority for a duplicate license.(2)The application for a duplicate licence shall be made in writing and shall be presented by the applicant in person. The Licensing Authority, is satisfied that the previous licence has been lost or damaged, shall, on payment by the applicant a fee of five rupees, cause a fresh license to be issued in the same form and bearing the same date as the lost or damaged licence, and shall cause the word 'duplicate licence' to be enfaced thereon with the date of issue, and shall sign such enfacement.

#### **14. Conditions on which licence remains in force.**

- A licence granted to a petition-writer under these rules authorises him to practise as a petition-writer, subject to these rules, according to its tenure and it continues in force until : (i) its operation is suspended or cancelled by an order made under rule 26 or the petition-writer enters the service of Government, Local Authority or of a legal practitioner; or (ii) the petition-writer is debarred from practising as petition writer.

#### **15. Shifting of place of business by the licenses.**

- No licensed petition- writer shall shift his place of business except by permission - (i) of the Collector of the district concerned from one sub-division to another sub-division in same District. (ii) of the Commissioner of the division concerned from one district to another district within the same Division ; and (iii) of the Financial Commissioner, Revenue, Punjab, from one Division to another Division.

#### **16. Manner of writing petition by a licensed petition-writer.**

- Every licensed petition-writer in writing a petition shall confine himself to expression in plain and simple language, such as the petitioner can understand, and in concise and proper form the statements and objects of the petitioner shall be referred therein and shall not introduce any argument or quotation from a Law Report or other Law Book, or refer to any decision not brought to his notice by the petitioner.

#### **17. Seal.**

- Every licensed petition-writer shall at his own expense provide himself with a seal, engaged with his name, place of business, licence number and year of grant of licence in the official language of the State and two true impressions of the seal shall be got deposited with the Licensing Authority by him by way of record.

#### **18. Registers of petition writers to be kept.**

- A register in Form 'D' shall be maintained by the Licensing Authority wherein the particulars of all licensed petition-writer of whose licenses have been cancelled for not practising over a period of three years, shall be entered.

#### **19. Declaration to be made on the petition.**

- Every licensed petition- writer shall record at the foot of every petition written by him, a declaration under his signatures that, to the best of his knowledge and belief, the petition expressed the true meaning of the petitioner and that its contents have been fully explained to the petitioner.

## **20. Petition-writer to sign and seal the petition and make certain endorsements.**

- Every licensed petition-writer shall sign and seal with his Official seal every petition written by him and shall enter on it the number which it bears in the register maintained by him in Form 'E' and the amount of fee which has been charged for writing it.

## **21. Employment of other persons to write petitions.**

- A licensed petition- writer shall not dictate a petition to or cause a petition to be written by a person who is not a licensed petition-writer nor shall he employ any person who is not a licensed petition-writer to write petitions for him.

## **22. Not to act as recognised agent.**

- A licensed petition writer shall not act as recognised agent in any case in Revenue Court or Revenue Office except in a case in which he himself a party.

## **23. Not to engage in trade or business.**

- No licensed petition writer shall engage himself in any other trade or business without the previous permission in writing of the Financial Commissioner, Revenue, Punjab.

## **24. Production of licence for inspection.**

(1) Every licensed petition- writer shall, on demand, produce his licence for the inspection of the Licensing Authority or any other Officer authorised by it in this behalf. (2) If the licensed petition-writer refuses to produce his licence at the time of the inspection, the Licensing Authority may by an order, suspend the licence and on such suspension the petition-writer shall practise till the suspension is revoked.

## **25. Fee charges for writing petitions.**

(1) No licensed petition-writer shall charge fees for writing petitions in excess of those shown in the Schedule appended to the rules. (2) A copy of the Schedule referred to in sub-rule (1) shall be exhibited at a conspicuous place at the headquarters of sub-district, every sub-division and district. (3) A copy of the said Schedule shall also be exhibited conspicuously by each petition-writer at the Place where he carries on his business. (4) The petition-writer shall issue a receipt for the amount of fee charged by him for writing the petition.

## **26. Suspension or cancellation of licence.**

- The licence of a petition- writer, who-(i)writes petitions contrary to these rules;(ii)incorporates objectionable matter in the petition;(iii)uses disrespectful, insulting or abusive language during the course of his business;(iv)is found to be incapable or inefficient of discharging the functions;(v)is declared insolvent by a competent court;(vi)is convicted of criminal offence involving moral turpitude;(vii)charges fees in excess of that specified in the Schedule appended to these rules;(viii)is found unfit to practise as a petition-writer by reason of his fraudulent or improper conduct; or(ix)does not comply with the directions given under these rules;shall, in addition to any penalty which may be imposed under these rules, be liable to be suspended or cancelled by the Licensing Authority.

## **27. Surrender of licence.**

- Every licensed petition-writer -(i)whose licence is suspended or cancelled under these rules or,(ii)who enters the service of the Government, a local authority or a legal practitioner;shall forthwith surrender his licence to the Licensing Authority.

## **28. Rules for practice.**

- No licensed petition-writer shall practise -(i)contrary to the terms of his licence;(ii)in any Revenue Court or Revenue Office, in which he has been forbidden to practice;(iii)after his licence has been or should have been surrendered under these rules; or(iv)while his licence is suspended or cancelled or he is debarred from practising in the Revenue Court or Revenue Office.

## **29. Order to re-write a petition.**

- Any Revenue Court or Revenue Officer may order a licensed petition-writer to re-write any petition which contravenes rule 16 or is illegible, obscure, or prolix or contain any irrelevant matter, or misquotation or is, from any other cause in the opinion of such Court or Officer informal or otherwise, objectionable.

## **30. Striking off the name from register.**

- The name of the licensed petition-writer, who does not get his license renewed for a continuous period of three years after the expiry of the duration for which it was originally granted or subsequently renewed shall be struck off the register maintained by the Licensing Authority under rule 18.Provided that the petition-writer whose name has been struck off the register may apply for the grant of a fresh licence in accordance with these rules.

### **31. Name of the petition-writer whose license has been suspended to be posted as a conspicuous place.**

- The name of the petition-writer whose licence is suspended or cancelled shall be posted at a conspicuous place of the concerned Revenue Court and Revenue Office.

### **32. Order prohibiting practice.**

(1)The Presiding Officer of a Revenue Court or a Revenue Office, may for any sufficient reasons to be recorded, in writing, prohibit any petition-writer to practise in his court or office, as the case may be :Provided that if the order of prohibition is made by an authority lower in rank to the Financial Commissioner, Revenue Punjab, a reference in this behalf would be made to him for his orders and his orders in the matter shall be final.(2)Every order of prohibition to practise passed under sub-rule (1) shall be communicated to the concerned Licensing Authority who shall endorse the substance and date of the order so passed on the license under his own signatures.(3)Any other order in addition to order referred to in sub-rule (1) passed under these rules shall be dealt with in the manner indicated in sub- rule (2).

### **33. Cognizance.**

- The Licensing Authority may take cognizance of the breach of these rules either of his own motion or on the report or complaint of the Presiding Officer of the Revenue Court or of the Revenue Office and it may, after such enquiry as is considered necessary by an order impose on the defaulter a penalty of the amount not exceeding fifty rupees :Provided that no order shall be passed against any person without affording a reasonable opportunity of being heard.

### **34. Appeal.**

- Any person aggrieved of any order made by the Licensing Authority under rules 10, 24, 26 or 33 may appeal to the Financial Commissioner, Revenue, Punjab, whose orders, in this behalf, shall be final.

### **35. Review.**

- The Financial Commissioner, Revenue, Punjab, may at any time call for the record of any order passed by the Licensing Authority under these rules and pass such order as he deems fit in this behalf. Form 'A' (See Rule 8) Application form for Licence To The Collector, Subject : Application for the grant of a licence to practise as a petition-writer Sir, As I want to practise as a petition-writer in your court/premises, I request that I may be granted a licence for the same in terms of the provisions of the Punjab Petition-Writers (Revenue) Rules, 1982. I fulfil the requisite qualification laid down for the petition-writers in the Punjab Petition-Writers (Revenue) Rules, 1982. My place of business shall be at \_\_\_\_\_ Yours faithfully, Copies of the requisite certificates are enclosed : Form 'B' (See Rule 10) Form of Licence for A Petition-Writer In the Court of

\_\_\_\_\_ Certified that \_\_\_\_\_ son of \_\_\_\_\_ resident of \_\_\_\_\_ has \_\_\_\_\_ this day been licensed as a petition-writer of the \_\_\_\_\_ and is hereby permitted to practise as such in the manner specified in the Punjab Petition-Writers (Revenue) Rules, 1982 and subject to the provisions of the said rules till the 31st day of December, 19 \_\_\_\_\_. Given under hand and the seal of this Court, this \_\_\_\_\_ ay of \_\_\_\_\_ 19 \_\_\_\_ Collector Form 'C' (See Rule 12) Application form for Renewal of Licence To The Collector, Subject : Application for the renewal of licence Sir, The period of one year for the grant/renewal of my licence expires on \_\_\_\_\_. I, therefore, request that my licence to practise as a petition-writer may kindly be renewed for another one year. I have deposited the requisite fee for renewal of licence in the State Bank of India on \_\_\_\_\_ and a copy of the Challan is attached. I have paid the requisite fee for the renewal of licence by means of court fee/stamps (delete whichever is not applicable). Yours faithfully Name and Address \_\_\_\_\_ Licence No. \_\_\_\_\_ Date \_\_\_\_\_ Form 'D' (See Rule 18) Register of petition-writers to be maintained by the Collector of the district. Pages of Register \_\_\_\_\_ Register No. \_\_\_\_\_ Name of the petition-writer \_\_\_\_\_ Father's name \_\_\_\_\_ Residence \_\_\_\_\_ Date of grant of licence/renewal of licence \_\_\_\_\_ Authority granting licence \_\_\_\_\_ Note 1 : One or more pages to be set apart for each petition-writer. Note 2 : On the rest of page will be entered in chronological order - (i) the date of and authority for the grant of every shifting of place of business under rule 15 of the said rules; (ii) the date of and authority for every shifting of place of business under rule 15 of the said rules; (iii) the date of each annual inspection of licence under rule 24 of the said rules; (iv) the date and nature of every penalty imposed under section 106-A of the Punjab Tenancy Act, 1887; (v) the date and substance of every order passed under the said rules; (vi) a copy of every endorsement made on the licence; and (vii) date on which the name of the petition-writer was struck off due to the petition-writer having left the practice for over three years as provided under rule 30 of the said rules Form 'E' (See Rule 20) Register to be maintained by every licensed petition-writer

1. Serial No. of petition \_\_\_\_\_
2. Date on which petition was written \_\_\_\_\_
3. Name, parentage, caste and residence of the person at whose instance the petition was written \_\_\_\_\_
4. Description of the petition \_\_\_\_\_
5. Brief abstract of contents of the petition \_\_\_\_\_
6. Value of court fee labels affixed to the petition \_\_\_\_\_



**7. Fee charged for writing the petition \_\_\_\_\_****8. Remarks \_\_\_\_\_**

Signature of petition-writer \_\_\_\_\_ Signature or thumb impression of the petitioner  
 \_\_\_\_\_[Schedule] [Substituted vide Notification No. G.S.R. 51/P.A. 16/1887/Section  
 106-A/Amendment (2)/98, dated 3rd July, 1998.](See Rule 25)

| Sr. No.     | Nature of document   | Scale of fee |
|-------------|--|--------------|
| CATEGORY    |  |              |
| Rs.         |  |              |
| I           |  |              |
| 1.          | Application for copy   | 2.00         |
| 2.          | Copy of plaint   | 2.00         |
| 3.          | Application for delivery of possession and restoration                                 | 2.00         |
| 4.          | Application for revision of fine   | 2.00         |
| 5.          | Application for lambardari   | 2.00         |
| 6.          | Application for publicity  | 2.00         |
| 7.          | Application for Chaukidari   | 2.00         |
| 8.          | Affidavit  | 2.00         |
| 9.          | Fard, Talbana and Warrant  | 2.00         |
| 10.         | Index of documents   | 2.00         |
| 11.         | Form of address of plaintiff/defendant or respondent                                   | 2.00         |
| 12.         | List of witnesses  | 2.00         |
| 13.         | Receipt of cash and property   | 2.00         |
| 14.         | Copy of complaint  | 2.00         |
| 15.         | Receipt of possession of immovable property  | 2.00         |
| 16.         | Application for permission to dispose of immovable property of minor                   | 2.00         |
| 17.         | Process fee  | 2.00         |
| CATEGORY II |  |              |
| 18.         | Application for production of witnesses  | 5.00         |
| 19.         | Application for stay of execution proceedings  | 5.00         |
| 20.         | Application for grant of temporary injunction  | 5.00         |
| 21.         | Application for grant of succession certificate or probate or letter of administration | 5.00         |
| 22.         | Application for execution of decrees   | 5.00         |
| 23.         | Application for final decree   | 5.00         |

|              |  |       |
|--------------|--|-------|
| 24.          | Application for amendment of decree  | 5.00  |
| 25.          | Application under the Insolvency Act   | 5.00  |
| 26.          | Application for setting aside ex parte proceedings                           | 5.00  |
| 27.          | Notice   | 5.00  |
| 28.          | Reply of notice  | 5.00  |
| 29.          | Deed of compromise   | 5.00  |
| 30.          | Power of Attorney  | 5.00  |
| 31.          | Application for restoration of suit or appeal dismissed in default           | 5.00  |
| 32.          | Objection petition under Order XXI rule 58 C.P.C.                            | 1.00  |
| 33.          | Application under Order XXI rule 66 C.P.C.                                   | 5.00  |
| 34.          | Application for stay of proceedings for realisation of fine                  | 5.00  |
| 35.          | Application under Indian Lunacy Act, with copies                             | 5.00  |
| 36.          | Security Bond  | 5.00  |
| 37.          | Personal Bond  | 5.00  |
| 38.          | Application for demarcation  | 5.00  |
| 39.          | Application for correction of Khasra girdawari                               | 5.00  |
| 40.          | Notice for ejectment   | 5.00  |
| 41.          | Application for redemption   | 5.00  |
| 42.          | Application for proclamation   | 5.00  |
| 43.          | Application for recovery of rent (Form M)                                    | 5.00  |
| 44.          | Notice for deposit of rent (Form N) Under the Punjab Security                | 5.00  |
| 45.          | Notice to landowner to accept the rent (Form P) of Land Tenures Rules, 1956. | 5.00  |
| CATEGORY III |  |       |
| 46.          | Written statement or replication   | 10.00 |
| 47.          | Application for eviction or fixation of fair rent                            | 10.00 |
| 48.          | Application for transfer of case   | 10.00 |
| 49.          | List of reliance   | 10.00 |
| 50.          | Complaint  | 10.00 |
| 51.          | Revision petition  | 10.00 |
| 52.          | Review petition  | 10.00 |
| 53.          | Application for permission to sue or appeal in                               | 10.00 |

|           |  |  |
|-----------|--|--|
|           | forma pauperiswith list of property  |  |
| 54.       | Application under Hindu Marriage Act or Special Marriage Actwith copies  | 10.00  |
| 55.       | Appeal (revenue)   | 10.00  |
| 56.       | Deed of agreement  | 10.00  |
| 57.       | Application for deposit of rent  | 10.00  |
|           | CATEGORY IV  |  |
| 58.       | Suit application/plaint  | 15.00  |
| 59.       | Partition suit   | 15.00  |
| 60.       | Application for purchase of land (Form Q)  |  |
| 61.62.63. | Application for ejectment (Form L)Application for dispossession of tenant by small landowner (Form K)Suit for recovery of rent | Under PunjabSecurity of LandTenure Rules,1956. 15.003.00 |
|           | CATEGORY V   |  |
| 64.       | Miscellaneous application not included in the foregoing items  | 5.00   |