

The Rajasthan Revenue Courts Manual, 1956

RAJASTHAN

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Rule THE-RAJASTHAN-REVENUE-COURTS-MANUAL-1956 of 1956

- Published on 2 March 1986
- Commenced on 2 March 1986
- [This is the version of this document from 2 March 1986.]
- [Note: The original publication document is not available and this content could not be verified.]

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Chapter I Preliminary

1. Office hours.

- The hours of working in the Revenue Courts shall be as ordered by the Government from time to time.

2. Attendance Register.

- The Reader or the Superintendent of every court, shall maintain an attendance register of the staff and shall put it every day before the Presiding Officer "in case of Tehsildars, Assistant Collectors and Sub-divisional Officers for signatures within half an hour of the Office time. In case of other Officers it shall be put up by the Superintendent every week before the Presiding Officer for signatures".

3. Table of jurisdiction.

- In every court room there shall be hung up in a conspicuous place a notice setting forth, in a tabular form, the territorial and pecuniary jurisdiction as notified by the Government from time to time of the court. The Superintendent, or the Reader shall be responsible for the maintenance of this up-to-date table of jurisdiction.

4. Time of receipt of petitions.

- Applications and petitions shall be taken at regular hours to be fixed by each court with the approval of the Collector and the Collector and the Commissioner shall fix an hour for the receipt of petitions in their own courts. Notice, of the hours fixed shall be pasted on the Notice Board of each Court. In the absence of any such notice, application and petitions shall be presented at the commencement of the sitting of the court and half an hour before the rising of the court, provided that an application or petition presented after such hour may be received on any day other than gazetted holiday on the ground of limitation or other urgent reasons.

5. Noting of time on certain applications.

- Presiding Officers when accepting application and petitions after the court hours shall note on it the time of its presentation.

6. Orders other than routine ones should be recorded on order sheet.

- No orders except routine orders are to be recorded on the applications themselves. All other orders are to be recorded on the order sheet. All petitions shall, if possible, be disposed of by an order passed in the court as soon as they are prescribed.

7. Petition on behalf of Court of Wards etc.

- In the case of a petition presented on behalf of the Court of Wards, the Government estates or an estate managed by the Officer of the Government and in all suits by or against the Government. State Railways. Court of Wards, Municipal or other local bodies. Trustees of Trusts, if any party desires a certificate of court fee and stamps filed in the court by it mid furnishes the particulars of the same the court shall issue a certificate upon the particulars furnished after verification from the record.

8. Cases not to be heard on holidays.

- Without the consent of the parties, and in the absence of urgent necessity no case shall be heard on a general holiday :Provided that on a general holiday the court shall not refuse to do any act or to make any order urgently required which may. with propriety, be done or made out of court.

8A. [[Inserted by Notification dated 25-3-1991. Published in Rajpatra part IV(ga), dated 11-4-1991, page 17.]

If a case is fixed for ,a day on which the court does not sit on account of its being later found or declared to be a holiday, the case will be taken up on the next day on which the court sits.]

9. Cause list.

- A cause list shall be prepared in every court either by the presiding officer personally or under his direct personal supervision, every fortnight, or at such shorter intervals as may be convenient, showing (a) the date fixed for the hearing of each case, (b) the number and description of the case, (c) the names of the parties, (d) the purpose for which the date has been fixed and (e) the place at which the case will be heard or if the case will be heard in camp, the place at which it will probably be heard. Note.-A course which has much to commend it is the setting a part of certain days in the week exclusively for judicial work. Officers must decide themselves whether to adopt this arrangement or not, but they will do well to remember that there are obvious advantages in fixing and notifying certain days on which the public will have a reasonable certainty of finding them in a position to take up cases at regular hours.

10. Cause list to be affixed in court house.

- The cause list shall be affixed in some conspicuous place in the court house.

11. Cause list to be maintained in headquarters when court held away from headquarters.

- Whenever the court is held away from headquarters arrangements shall be made for the maintenance of the cause list at headquarters.

12. Hearing of cases in camp.

- If on the day appointed for the hearing of case in camp the court is not sitting at the place specified in fresh date and place shall be fixed for hearing the case or the case shall be adjourned.

13. Date and place should be stated in summons when parties summoned in camp.

- When parties are summoned to appear in camp the place as well as the date shall always be stated in the summons.

Chapter II

(A) Suits and appeals in general

14. Paper for pleadings, applications and petitions.

- All pleadings, applications and petitions of whatsoever nature and also Powers of Attorney and certificates of pleaders or Revenue Agents filed in Revenue Courts shall be written in a legible hand or type-written on Government water-marked paper only one side of the paper being used and a

quarter margin together one inch of space at the top and bottom each being left for binding :Provided that when saleable forms have been prescribed for any purpose they shall be used, if available:Provided also that when Government water-marked is not available, courts may accept pleadings or petitions on stout durable foolscaps size paper.

15. Names and parentage etc. of parties to be written legibly.

- In every pleading or petition, the names, parentage and residence of parties shall be written in bold and clear hand writing.

16. Heading of pleadings and applications.

- The names of parties shall bear consecutive numbers and a separate line shall be allotted to the name and description of each person.

17. Separate applications for distinct subject matter.

- Separate applications shall be made in regard to distinct subject matters. No application containing argumentative matter, for example quotations and discussion of the effect of Section of Acts or of certain rulings of the High Court or the Board, shall be placed on record. They shall be returned to the applicants without any order except an endorsement that the application is returned.

18. Form of applications.

- Every application, petition, process, notice, order, proceedings in or relating to a suit from the institution to the final execution shall bear on the right hand top on first page-(i)the name of the court in which the suit or application was instituted:(ii)the subject matter of the suit or application:(iii)the names of the parties to the suit.

19. Opposite party to be given copies of written statements etc.

- The party filing any of the following papers in a case shall file a written acknowledgment from the opposite party or his counsel of having received a copy thereof and also of the affidavit if any accompanying such paper and on default the court shall cause a copy to be furnished immediately or served as soon as possible on such opposite party or his counsel at the cost of the party filing the paper :-(i)a written statement,(ii)an objection to the execution of a decree, or order.(iii)an application for amendments of any pleading,(iv)an application for appointment of a receiver or a Commissioner,(v)an application for amendment of a decree,(vi)an application for remitting or setting aside an award and an objection to an award, and(vii)an application for the grant of a temporary injunction:Provided that the Presiding Officer if he is of the opinion that a copy of any other paper should be supplied to the opposite party may pass such orders about copy being furnished to the opposite party as he deems fit.

20. Amendment in pleadings how made.

- An application for amendment made under Order 1 Rule 10. Order 6 Rule 17. Order 22 Civil Procedure Code shall also contain all consequential amendments.

21. Rejection of application.

- The Presiding Officer shall reject the application if it is not in accordance with the law or these rules.

22. Amendment when a party dies pendent lite.

- When a party dies pendent lite a note to that effect shall be added against the name of the party and necessary consequential amendment in the body of the petition or pleading shall be made as prayed in rule 20.

23. Numbering on substitution.

- When the heirs of a party are substituted for him they shall be entered and numbered as follows. If the serial number of the deceased party was, say 3, his heirs will be numbered as 3/1, 3/2 and so on. If any party numbered as 3/1 dies his heirs will be numbered as 3/1/1, 3/1/2 and so on.

24. Return of Vakalatnama with plaint.

- When returning a plaint for presentation to a proper court, the court may order the plaintiff to file a copy of the plaint to be put on record in place of the plaint. When a plaint is returned to a pleader or a recognised Agent of the plaintiffs, the authority executed in his favour shall also be returned to him.

25. Return of plaints and petitions.

- No application which has been filed in a court shall be returned for presentation to a proper court.

26. Written statements.

- Written statement shall be as brief as the nature of the case admits. They should not be argumentative but should be confirmed as much as possible to a single narrative of the fact which the party presenting the written statement believes to be material to the case and which he believed he will be able to prove. Division and numbering of paragraphs of a written statement. - Every written statement where necessary be divided into paragraphs numbered consecutively and each paragraph must contain, as nearly as may be, a separate allegation.

27. Written statements when not accepted.

- No written statement which does not fulfill these conditions should be accepted but the court should proceed in accordance with the rule 16 of the Order 6 of the Code of Civil procedure.(B)-Appeals and applications

28. General Heading of Memorandum of appeal or applications.

- Every Memorandum of appeal or application for revision or review shall be in the language of the Court fairly and legibly written or type-written provided with quarter margin on one side only on the Government water-marked paper and shall bear the general heading "In the Court of....." and shall have written immediately below the heading the following:-

- | | |
|---|---|
| (a) In the case of a Memorandum of appeal or application for review | The description such as first appeal, second appeal or application for review as the case may be followed by the Section and Act or by the Rule under which it is filed and words "No....of (year)....and |
| (b) In the case of other applications. | Revenue Miscellaneous case No for year section Act or Rule under which it is fixed: |

Provided that the Court may, when considered necessary, permit any other paper of foolscap size or both the sides to be used for the purpose.

29. Contents of Memorandum of appeal or application for review or revision.

- Every memorandum of appeal or application for review shall state-(a)the name and address of the appellant or applicant and whether he was plaintiff or defendant, applicant or opposite party in the court of first instance,(b)the name and address of each person whom it is proposed to join as respondents or opposite party in the court of first instance,(c)the name of the court by which and the name of the Presiding Officer by whom the decree or order objected to was made,(d)the number and description of the case.(e)the date when such order or decree was made,(f)the grounds of objections on such order,(g)the precise relief sought: and(h)value for the purpose of jurisdiction and court fees.

30. Documents to accompany Memorandum of Appeal, Revision application.

- Every memorandum of appeal shall be accompanied by-(a)a copy of the decree or order against which the appeal or application is directed,(b)a copy of the judgment upon which such decree or order is founded.(c)a copy of the judgment of the court of the first instance whether the appeal or application is directed against an appellate order or decree, and(d)in the case of memorandum of appeal, which is filed after the expiry of the period of limitation, an application supported by the affidavit for extension of the period of limitation.

31. Memorandum of appeal or objections or application to be accompanied by copies thereof.

- Every memorandum of appeal or application for review shall be accompanied by as many typed copies thereof as there may be parties to be served. It shall be deemed to be sufficient compliance with this rule if the person presenting the memorandum of application gives a written undertaking to supply the necessary copies within three days of its admission.

32. Penalty for non-compliance.

- If the requisite copies are not supplied within such time or within such further time as on sufficient cause shown may be allowed by the Court the memorandum shall be rejected. No order shall issue from the Board on such memorandum or an application until the required copies have been supplied.

33. Affidavits to accompany certain applications.

- The following applications shall be accompanied by an affidavit setting out in the form of a narrative the material facts and the circumstances including names and dates where necessary on which the applicant relies, namely :-

1. An application for review made on ground of discovery of new and important matter or evidence or any other sufficient reason:

2. An application for stay of execution proceedings:

3. An application for vacating of an order for stay:

4. An application for the attachment before judgment or an injunction:

5. An application for appointment or discharge of a receiver:

6. An application for the re-admission or restoration of an appeal or application dismissed in default of appearance or for the setting aside an ex parte order or decree:

7. An application for substitution of parties or for a note to be made in the record when the legal representative of the party is on the record or when a party has died without leaving any legal representatives:

8. An application for transfer of a case:

9. Applications for appointment of a guardian ad-litem or next friend:

10. Application by way of complaint against a legal practitioner or Revenue Agent:

11. Application under Section 5 of the Limitation Act:

12. Any other application stating all facts on the basis of which an order is sought or any other application which is required by any rules or law or to be supported by an affidavit. The court may call for an affidavit in any other matter coming before it or him.

34. Prayer for an order of interlocutory nature.

- A prayer for stay execution or proceedings or for the vacating of an order staying execution or for admitting evidence or for any other order of an interlocutory nature shall not be contained in the memorandum of appeal or the application for review to which it relates but shall be made by a separate application.

35. General Heading of applications in a pending case.

- Every application made in case pending in a Court shall have written on immediately below the heading the following, namely :-Revenue Miscellaneous application No. of..... (subject and particulars of the pending case).

36. Full description of the parties.

- Every person presenting an application or arrayed as an opposite party therein shall be described with such particulars as will ensure his clear indication such as his full name, his father's name, his rank or decree in life occupation or trade and his true place of residence with correct residential address.

37. Application to be divided into paragraphs.

- Every application containing a statement of facts shall be divided into paragraphs which shall be numbered consecutively and each paragraph shall, as nearly as may be, confined to a distinct portion of the subject.

38. Certain grounds of appeal to be certified.

- If one of the grounds of appeal be that there is no evidence or admission on the record to support the decree that fact shall be mentioned in the memorandum which shall also state the material finding or findings in support of which there is no evidence or admission on the record. Such ground shall not be allowed to be urged unless the advocate for the appellant has certified under his hand before the hearing of the appeal that he has examined the record and that the ground is well founded.

39. Affidavit in reply.

- Any person opposing the grant of an application or showing cause against an order may bring before the Court any facts or circumstances not contained in the application or affidavit of the other party by an affidavit containing in the form of a narrative the material facts and circumstances on which he relies.

40. Affidavit in review application.

- The affidavit accompanying an application for review on the ground of the discovery of new and important matter or evidence shall be made by the applicant himself stating in clear terms what such new or important matter or evidence is, the effect or purport thereof, how the same after exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made and how and when he came to know of it or became able to produce it.

41. Affidavit in an application for stay.

- The affidavit accompanying an application for stay of execution of or proceedings under a decree or order shall contain such of the following particulars as may be material to such application, namely :-(a)the date of the decree or order.(b)the particulars and natures of the suit to which the proceedings relate and the court to which the stay order is to be communicated,(c)the date of the order for sale, if any,(d)the grounds upon which the stay is sought, and(e)where stay is sought under Rule 5 (i) of the Order XLI of the Code, the facts necessary to satisfy the Court as to the matters mentioned in sub-Rule (3) of that.

42. Advocates Certificate as to sufficiency of Court fee.

- Where an application for stay of execution of or proceedings under, a decree is presented through an advocate, attorney, vakil, pleader or Revenue Agent, before the admission of the appeal in which the application is made, it shall also bear a certificate of such Advocate stating that to the best of his knowledge and belief the full court fee payable on the memorandum of appeal has been paid.

43. Affidavit in application for re-admission or the setting aside of an ex-parte decree.

- The affidavit accompanying an application for the readmission an appeal or application dismissed for default was made, and whether or not the party concerned had previous to such dismissal engaged an Advocate to conduct such appeal or application. If an Advocate had been so engaged the affidavit shall further state, on the personal knowledge of the deponent and not merely on his Information and belief, the name of such advocate, the date when he was engaged, the amount of fee agreed to be paid and whether full fee had been paid to him before the date of such dismissal. These provisions shall, with necessary adaptation and modifications. apply to an affidavit accompanying an application for the setting aside of an ex-parte decree or order.

44. Affidavit in application for substitution.

- The affidavit accompanying an application to bring on record the legal representatives of a deceased party shall state the precise date of the death of the party concerned.

45. Affidavit in application for appointment of a guardian or next friend.

- The affidavit accompanying an application for the appointment of a guardian ad litem or next friend of a minor shall state-(a)whether or not the minor has a guardian appointed under the Guardian and Wards Act or under any other Act and if so. his name and address,(b)the name and address of the father of the natural guardian of the minor,(c)the name and address of the person in whose care the minor is living,(d)how the person sought to be appointed guardian or next friend is related to the minor.(e)that the person sought to be appointed guardian or next friend has interest in the matters of controversy in the case adverse to that of the minor and that he is a fit person to be so appointed, and(f)whether the minor is less than ten years of age. The above provisions shall apply with necessary adaptations and modifications to an affidavit accompanying an application for appointment of a guardian ad litem and next friend of a person of unsound mind.

46. Defective application or Memorandum of Appeal of objection may not be received.

- No application or memorandum of appeal or objection shall be received if it is not in the proper Form or it is not accompanied by the necessary documents: Provided that the Court may receive it and for sufficient cause shown, grant such time as it may consider proper for supplying such documents or removing such defects: and Provided further that nothing done under the first proviso shall have the effect of extending the period of limitation in the case of a memorandum of appeal where the copy of the judgment or decree or formal order is not filed within the prescribed time. If the required documents are not supplied or the defects are not removed within the time allowed by the Court the application or memorandum of appeal shall be rejected.

47. Certain copies not to be returned.

- No copy of a judgment, decree or formal order accompanying a memorandum of appeal or application for review shall be returned unless such memorandum or application itself is ordered to be returned.(C)-Presentation

48. Application or petition to have name and signature.

- Every plaint, memorandum, application or petition shall at the time of presentation bear the name and also full signatures or the thumb mark of the person actually presenting the same together with the date of presentation.

49. Persons from whom applications may be received.

- Except an application for copy, no application or petition and no pleading required or authorised by law to be made by party in a court shall be received from any person other than the party himself, his advocate pleader or his recognised agent or a revenue agent.

50. Registered Clerks.

- Registered clerks can present such applications as they may be authorised to present under the rules.

51. Applications received by post.

- Every plaint, memorandum of application, appeal or petition, not being an application for copy, shall be returned to the sender with a note that it should be presented according to law:Provided that necessary postage stamps have been received with such application or petition: otherwise it shall be filed in the file book.

52. Institution of proceedings in court.

- Every proceeding may be instituted in any revenue court by presenting the plaint, application or appeal before the presiding officer of the court having jurisdiction in the matter.

53. Institution in case of absence of the presiding officer.

- During the absence of the Presiding Officer from his headquarters, such plaint, application or appeal may be presented to the officer incharge of such office or to such other officer as may be appointed in this behalf:Provided that where a date has been fixed for hearing of a case an application relating to any matter connected with the conduct of the case or any proceeding in connection therewith, shall not be presented to any authority other than the court itself.

54. Particulars to be noted on presentation application etc.

- When any plaint, memorandum or application or any pleading has been presented there shall be entered on its back by the officer mentioned in paragraphs 52 and 53 :-(i)the date of presentation.(ii)the name of the presenter, and(iii)the court fee paid.

55. Examination of plaint or application when received.

- When a plaint or application is received and before the defendant is summoned, the Reader or the Ahalmad shall carefully examine and report the following points :-(1)Whether it is properly stamped.(2)Whether the facts stated if approved or admitted disclose a cause of action,(3)Whether the suit appears from the statement in the plaint to be barred by any Rule of law.(4)Whether the plaint is so drawn up as to dispose of finally the matter in dispute and prevent further litigation,(5)Whether the parties are all on the record and properly arranged,(6)Whether the plaint contains superfluous matter or is otherwise prolix, and(7)Whether the provisions of order 7 of the Code of Civil Procedure have been duly observed.(D)-Appearance

56. Appearance to be through recognised Agents.

- Any appearance or act in any Revenue Court required or authorised by any law to be made or done by a party in such a court may, except when otherwise expressly provided by any law for the time being in force, be made or done by the party in person or by his recognised agent or by a legal practitioner or a Revenue agent appearing or acting as the case may be on his behalf:Provided that such appearance shall if the court so directs be made by the party in person.

57. No party to be ordered in person unless residing within certain limits.

- No party shall be ordered to appear in person unless he resides-(a)within the local limits of the jurisdiction of the court.(b)without such limits but at a place less than 50 miles or where there is a railway or other public conveyance for 5/6ths of the distance between the place where he resides and the place where the court is situated, a less than 300 miles distance from the court house.

58. Personal attendance not to be insisted on.

- The personal appearance of plaintiff or defendant should not be insisted on when there is reason to believe that he is not personally acquainted with the material facts.

59. Personal attendance of the parties.

(a)Where the court sees reason to require personal appearance of the defendant, the summons shall order him to appear in person in the court on the date therein specified.(b)Where the court sees reason to require the personal appearance of the plaintiff on the same day, it shall make an order for such an appearance.

60. Legal practitioner acting for any one should file a Vakalatnama.

- No legal practitioner shall act for any person in a court, unless he has been appointed for the purpose by such person by Vakalatnama signed by such person or by his recognised agent or by some other person duly authorised by or under a power of attorney to make such appointment: Provided that a legal practitioner when unable personally to attend to a case in which he is briefed may hand over the brief to another legal practitioner without the later filing a Vakalatnama or Mukhtarnama and the fees to whomsoever paid, shall, if duly certified, be taxable costs. Note: - A legal practitioner shall not be deemed to act if he only pleads, in the later case he should file a memorandum of appearance as required under Rule 4(5) of Order 111 of Schedule I to the Code of Civil Procedure, 1908.

60A. [Government pleader not required to file Vakalatnama. - No Government Pleader shall be required to present any document empowering him to act. but such pleader shall file a memorandum of appearance as required under Rule 4(5) of Order III of Schedule I to the Code of Civil Procedure, 1908.

Explanation-For the purposes of this Rule 'Government Pleader' shall have the meaning assigned to it by Order 27 Rule 8B of the Code of Civil Procedure. 1908] [Whole of the Rule 60A was newly added by Notification No. F 203/dudi/BR/ML.SC/75 d. 27-7-1976. vide GSR 59. Published in Rajasthan Gazette Part 4-C clause 19-8-1976. page 245=1976 RSCS 617.],

61. Registered clerks of practicing lawyers.

- Revenue Courts shall allow the registered clerks of lawyers practicing before them-(1)to present-(a) applications signed by their employer for-(i)copies:(ii)return of documents:(iii)repayment of deposits:(iv)inspection of records:(b)all applications similarly signed of a routine nature:(2)to take delivery of copies:(3)to tender money:(4)to identify persons verifying affidavit:(5)to take notes from cause lists:(6)to present appeals on behalf of employers: and(7)to present plaints on behalf of employers: Provided that these clerks shall not be allowed to inspect records.

61A. [The provision of Chapter 15 of Part I shall be applicable mutatis mutandis regarding Advocates' Clerks.

61B.

-In case of several courts, the clerks to be registered in the senior most Court.-When several Revenue Courts are located at the same place, the clerk need only be registered in the senior most court whose register shall be circulated to all the subordinate Revenue Courts every quarter for their information.] [Notification dated 2-8-1989, Published in Rajpatra part IV(ga). dated 24-8-1989. page 202:](E)Documents

62. Translation to be filed with certain documents.

- Every document produced by a party or his witness not written in Hindi or in English shall be accompanied by a correct translation of the document in Hindi written in the Devnagari script. The translation shall bear a certificate of the party's lawyer to the effect that the translation is correct. If the party is not represented by a lawyer, the court shall have the translation certified by any person appointed by it in this behalf at the cost of the party concerned.

63. Opposite party to record admission or denial on documents.

- A party desiring to produce any document in court shall, before producing it in court, obtain admission or denial recorded on the back of the document by the opposite party's lawyer. If the opposite party is not represented by a lawyer, the court shall get admission or denial recorded by the party in its presence and may, for the purpose, examine the party.

64. List to accompany all documents whenever filed.

- The document to be produced in a case shall be entered in a list to be filed in the court and no document whensoever produced, shall be received unless so entered. The list as well as the document shall be immediately entered in the general index.

65. Statement about erasures and admissions.

- Whenever any private document, other than a registered document or certificate copy, containing erasures, additions or inter lineations is produced by a party to a case it shall be accompanied by a statement clearly describing each such erasure addition or inter lineation, and signed by such party. Reference to such statement shall be made in the list with which the paper is filed.

66. Small documents and those of historic value.

- Small documents when filed in a court shall be filed pasted on a paper equal to the size of the record, and the margin of the paper equal to the size of the record, and the margin of the paper should be stitched to the file so that no part of the document is concealed by the stitching. If a document contains writing both on the front and the back it should be kept in a separate cover which should be stitched to the file at the proper place leaving the main document untouched. Note:-Care should be exercised in dealing with documents of historic or antiquarian value, and every possible endeavour should be made to prevent their being defaced by endorsement or exhibit marks or by having the seal of court impressed on them. Instructions from higher authority should be sought if necessary.

67. Affidavit to accompany an application for production of a public record.

- When a party requires the production of a public record, the application shall, unless the court otherwise directs, be accompanied by an affidavit showing how the party requiring the record has satisfied himself that it is material to the suit and why a certified copy of the document cannot be produced or will not serve the purpose.

68. Documents for production of which sanction of department is necessary.

- When a court decides that in the interests of justice it is necessary that it should have before it a document which can not be produced without the sanction of the head of the department concerned, it shall in its order asking for such document set out as clearly as possible: (a) the facts for the proof of which the production of the document is sought: (b) the exact portion or portions of the document required as evidence of the facts sought to be proved. The court summoning the document shall fix a date for its production, which should not be less than three weeks from the date of summons.

69. Production of documents in the custody of Police.

- A summon for the production of documents in the custody of the Police should be addressed to the Superintendent of Police concerned and not to the Inspector General.

70. Production of Municipal and District Board's record.

- When duly authenticated and certified copies of documents in the possession of Municipal and District Boards are admissible in evidence, the court shall not send for the original records unless, after perusal of copies filed, the court is satisfied that the production of the original is absolutely necessary.

71. Post Office record not to be unnecessarily disclosed.

- When any journal or other record of a post office is produced in court, the court shall not permit any portion of such journal or record to be disclosed, other than the portion or portions which seem to the court necessary for the determination of the case then before it.

72. Settlement records.

- When a court requires the production of any settlement record in which the Settlement Officer acted in a judicial capacity, it shall be summoned in the manner provided by Order XIII. Rule 10. In other cases the procedure prescribed in Order XVI, Rule 6 shall be followed.

73. Summons to produce settlement record.

- The summons to produce such documents shall be issued to the Collector or the Settlement Officer having custody of the record, who may send the document by messenger or registered post.

74. Payment of postage fee etc.

- The payment of postage and registration fees or of travelling and other expenses for messengers, incurred in the transmission of, or requisitions for records, shall be paid ordinarily by the party at whose instance the expense is incurred.

75. Covers of documents received by registered post to be retained.

- When a document of any kind connected with a judicial case is received under a registered cover, the cover shall not be destroyed, but shall be attached to the file of the proceedings in the case to which the document refers.

75A. [- When in a suit, appeal or application, any party has filed an application for the grant of temporary injunction or appointment of receiver before any revenue court or officer, the same shall be registered as a miscellaneous case and the parties who want to rely upon any document in support of such application shall produce such documents in original or certified copy thereof to be kept on the file of the miscellaneous case and no appellate or revisional court would consider any document the original or certified copy of which has not been produced and filed in such case as aforesaid.] [Inserted by Notification dated 2-3-1986. Published in Rajpatra part IV(ga). dated 10-4 1986. page 4:]

76. Documents produced how to be dealt with.

- All documents produced must be received by the court and must be dealt with in one or other of the following ways, viz:-(a)returned.(b)placed on the record, or(c)impounded.

77. Duty of court upon production of document.

- The court shall inspect and consider all documents as soon as possible after issues are framed and before evidence is produced, as shall-(a)where they are held by the court under Order XIII, Rule 3 to be irrelevant or otherwise, inadmissible, forthwith reject them:(b)where not rejected under Order XIII, Rule 3 and held to be irrelevant and admissible in evidence, admit them in evidence mark them as provided in Order XIII. Rule 4. and note facts in the record:(c)if a document, which is admitted in evidence and marked under the provisions of the preceding sub-rule requires to be

proved by oral evidence to prove it and the party producing it does not produce any oral evidence to prove it the document at the conclusion of the party's evidence shall be marked by the court in the following manner:- "No oral evidence in proof of document"

78. Admission of genuineness not to be confused with admission of truth of contents.

- When a certified copy of any private document is produced in a court, inquiry shall be made from the opposite party whether he admits that it is true and correct copy of the document which he also admits or whether it is a true and correct copy of the document which he denies, or whether it is a true and correct copy of the document, the genuineness of which he admits without admitting the truth of its contents, whether he denies the correctness of the copy as well as of the document itself.

79. Proper expression about admission of documents.

- Admission of a document by a party shall be indicated by the endorsement "Admitted by the plaintiff" or "Admitted by the defendant". Admission of a document in evidence by the court shall be indicated by the endorsement "Admitted in evidence". If any question is raised as to the correctness of a copy and the correctness of it is admitted the endorsement shall be "Correctness of copy admitted".

80. Endorsement on documents in suits compromised or dismissed for default.

- Document filed in the suits which are dismissed for default or compromised shall be endorsed with the particulars mentioned in Order XIII. Rule 4(i). Marking of documents-(1) Documents produced by a plaintiff and duly admitted in evidence shall be marked with a number, and documents produced by a defendant shall be marked with a number and the letter A. or where there are more than one set of defendants, by the letter A for the first set of defendants, by the letter B for the second and so on. Where a document is produced by order of the court and is not produced by any party, the serial number shall be prefaced by the words, "Court Exhibit" or an abbreviation of the same.(2) Where a document is produced by a witness at the instance of a party, the number of the witness shall be endorsed thereon e.g., Ex 1/PW 1. if it is produced by the plaintiff's first witness, and Ex A./D.W.I. if it is produced by the defendant's first witness.(3) The party at whose instance a document is produced by a witness shall deposit the cost of the preparation of a certified copy of that document before it is placed on the record. The office shall then prepare a certified copy and keep it with the original document. If the witness wants to take back his document after evidence relating to the document has been led. it shall be returned to him unless there are special reasons for keeping the original on the record :Provided that a certified copy shall not be necessary where the document is written in a language other than Hindi or English, and a translation has been filed.(4) Every exhibit mark shall be initiated and dated by the Presiding Officer.

81. Marking of documents of same nature.

- Where a number of documents of the same nature are admitted, as for example, a series of receipts for rent, or a series of entries of the same account book the whole series should bear one figure or capital letter a small figure or letter in brackets being added to distinguish each paper of the series.

82. Return of certain documents.

- A document which is rejected as irrelevant or otherwise inadmissible under Order XIII, Rule 8. be returned to the person producing it or to his pleader, and such person or pleader shall give a receipt for the same. A pleader is bound to take back a document when ordered by the court to do so.

83. Retention of impounded and certain other documents.

- Documents impounded shall be dealt with in accordance with Order XIII. Rule 8. and the word 'impounded' should be noted in red ink across appropriate columns of the list of documents filed.

84. Marking of documents on refusal by party and his pleaders.

- Should either party or his pleader entitled to receive a document, under rules, be absent or for good cause unwilling to receive it. it shall be marked "not part of the record", as note of the same being made in appropriate column of the list of documents filed.

85. Care of impounded documents.

- No document which the court has ordered to be impounded or which is required by law to be tiled and preserved shall be allowed to pass out of the custody of the court, and no document produced for the purpose of comparison of signature, writing or seal shall be returned within the periods specified in Order XIII. Rule 9 (i).

86. Time for the return of documents.

- With reference to Order XIII, Rule (1) (b), an interval of four months shall ordinarily be allowed to intervene from the date of decree before the documents whether original or copies, filed in a case are returned to the parties who produced them.

87. Cost of proving documents.

- When a party has, without good reason, refused to admit the genuineness of a document, the court may order it to bear the costs incurred in proving it, irrespective of the result of the suit or proceeding.

88. Return of documents.

- A general notice shall be pasted in a conspicuous part of every court house, giving warning that all documents filed in any suit or proceeding which may legally be returned, must be withdrawn as soon as the decree or order made in the suit or proceeding has become final or after four months of the decree or order, whichever, is longer, and that if they are not so withdrawn, they will remain at the risk of the person concerned.

89. Books of business.

- If a document be an entry in a letter book a Shop Book, or other account in correct use of an entry in a public record produced from a public office or by public officer, a copy of the entry, certified in the manner required by law, shall be substituted on the record before the book, account or record is returned and the necessary endorsement should be made thereon, as required by Order XIII, Rule 5.

90. Issues to be framed the same day the written statements are filed.

- Issues shall be framed so far as possible the same day the written statements are filed.

91. Properties issues.

- Each issue shall be single, material and certain in its quality. It should not be vague and unnecessarily wide.

92. Issues of facts and law.

- Issues of law and fact should be separately framed. Mixed issues of law and fact should be carefully avoided. Each issue should be clearly marked as one of 'fact' or 'law and the party on whom lies the burden of proof should be stated. Issues of law shall be framed in a general form and shall be discussed as an abstract question of law quite apart from the facts of a particular case in which such issues arise.

93. Language to be used in framing issues.

- The fixing an issue of fact the most precise, accurate, and specific language should be used regarding time, place, persons, things and circumstances when ever material. In fixing an issue of law the language shall be accurate, technical, and precise so that the issue may be capable of being understood and answered, without further explanation by one learned in the law. It is not necessary to frame issues which do not affect the final order in the suit. Illustration-The issues plaintiffs title superior to defendant is incapable of being understood or answered, but the issue 'under the Hindu Law of Inheritance does a brother exclude a brother's son' refer directly to the law in question and is not open to this objection.(F)-Commissions

94. Prohibition of Commissions fees to Government Officers.

- The acceptance by Revenue Officers or Ministerial Officers of courts of fees for executing commissions is prohibited.

95. Commission not to be issued to Collector or any Officer sub

- No commission shall issue to a Collector or to any officer subordinate to a Collector unless the consent of the Collector has been obtained previously. Readers. Nazirs. Copyists. Ahalinads, Pleaders. Clerks and Petition-writers shall not be employed as Commissioners.

96. [List of Commissioners. - Every Collector shall maintain a list of legal practitioners and retired Officers authorised to execute commission for each place where any Revenue Court or Courts is/are located. The retired officers to be included in the list should have experience of working as Presiding Officers of Revenue or Civil Courts. The list may be divided into three parts, namely for examination of witnesses, for accounts and for all other purposes] [Substituted by Notification dated 3-12-1993. Published in Rajpatra part IV(ga), Extraordinary, dated 8-12-1993. page 147(1).].

97. Commissions for survey and accounts.

- Care shall be taken to include in the list of commissioners for survey and accounts only those who are conversant with such work.

98. List of Commissioners to be maintained by the District Office.

- The list of Commissioners shall be maintained in the office of the Collector at the headquarters and of the Senior most Revenue Officer at other places, and all commissions, issued shall be entered in it. Commissions shall be issued in strict order of rotation in respect of each part unless there are reasons to the contrary.

99. Commission not to be issued to any other person and revision of the list.

- No commission shall be issued any person whose name is not entered in these lists except for several reasons. The lists shall be revised once a year.

100. [Commission to be issued to whom. - A Commission for the examination of a witness (including one for the administration of a special oath) shall ordinarily be issued to a person included in the list referred to in rule 96:

Provided that commission shall not be issued for the examination of the plaintiff or the defendant] [Substituted by Notification dated 3-12-1993. Published in Rajpatra part IV(ga), Extraordinary, dated 8-12-1993. page 147(1).].

101. [Commission for local investigation and for cases requiring special and technical knowledge. - A commission for making a local investigation necessitating the taking of evidence shall ordinarily be issued to a person included in the list referred to in rule 96 and in cases requiring some special and technical knowledge to a person possessing the necessary special and technical knowledge] [Substituted by Notification dated 3-12-1993. Published in Rajpatra part IV(ga), Extraordinary, dated 8-12-1993. page 147(1).].

102. Commission to examine accounts.

- A commission to examine accounts may be issued to any person (including a legal practitioner) who is a competent Accountant.

103. Fee for the issue of a Commission.

- The court shall ordinarily require the party asking for the issue of a commission to deposit a fee to be fixed by the court before the issue of the commission. The fee shall be fixed with due regard to the circumstances of the case. But in no case it shall be excessive.

104. Additional expenses and protracted investigation.

- In the base of protracted investigation, which extends beyond the time originally calculated, the court may suspend the commission until a further sum sufficient to cover the additional expenses is paid into court.

105. [Remuneration to examine a witness. - For the remuneration of a Commissioner to examine a witness, the Court shall require the party on whose behalf the witness is to be examined to pay a fee of rupees 20/- for each witness] [Substituted by Notification dated 3-12-1993. Published in Rajpatra part IV(ga), Extraordinary, dated 8-12-1993. page 147(1).].

106. Additional remuneration when commission can not be executed.

- Where a Commission cannot be executed for reasons beyond the control of the Commissioner, the court may order payment of such fees as may appear to be reasonable having regard to the time spent by the Commissioner.

107. Particulars to be given in the order for local investigation.

- When issuing a commission for making a local investigation under Order XXVI, Rule 9. the court shall define the points on which the Commissioner has to report. No point which can conveniently be made out to be substantiated by the parties by evidence at the trial shall be referred to the Commissioner.

108. Time for execution of Commission.

- A reasonable time shall be fixed for execution of every commission and the court shall see that it is executed within such time unless the court for sufficient reason extends the time.

109. Payment in advance of expenses for issue of commission.

(1) Whenever a commission is issued to any court, the court issuing the same shall require the party applying for issue to pay into court before issue:-(a) where such witness is to be examined by a court, the travelling and other expenses likely to be incurred by the witness: (b) in other cases such additional sum also as it may consider necessary for the employment of a legal practitioner by the court to which the commission is issued. (2) The court issuing the commission may require the party concerned to deposit such further document as the court to which the commission is sent may lawfully require. (3) Moneys thus deposited shall be entered in the Register of petty receipts and repayments. A Commissioner shall in his report always give reason or date on which he bases his opinion.

110. Commissioner's responsibility.

- A Commissioner shall not issue copy of any map or report prepared by him or of evidence taken by him or of any portion thereof, to any party.

111. Local inspection by Presiding Officer.

- When a Presiding Officer of a court considers it necessary to make local inspection, it shall invariably during the inspection or as soon as is convenient thereafter record a note to be placed on the file, the purpose of the inspection and all facts perceived or impression received in the course thereof which are likely to affect its decision in the case. This note shall as far as possible be prepared in the presence of parties or their counsel. Where this is not possible the parties or their counsel shall be informed of it. (G)-Adjournments

112. Date once fixed to be adhered to.

- A date for hearing, once fixed, shall, so far as practicable, be strictly adhered to. and no adjournment shall be granted except for good cause. In no case, when one of the parties is ready to proceed, should an adjournment be granted at the request of the opposite party, except on condition

that a sum. commensurate with the costs which in the opinion of the court, the party ready to proceed has incurred on the date of the adjournment. be paid as and when directed by the court. The amount of costs for witnesses so paid shall not be taxed in the decree. In all cases when an adjournment, is granted, the Presiding Officer shall record his reasons.

113. Carelessness or negligence not to be a good cause for adjournment.

- The fact, that a party is through carelessness or negligence not ready to go on with a suit, is not in itself good cause for adjournment.

114. No adjournment for obtaining copies of document etc. to be granted.

- The rules regarding the filing of documents and exhibits should be strictly observed, and parties have no right to ask for adjournments in order to obtain copies of documents, if by the exercise of diligence they could have procured them in time.

115. Calling a report from an Officer, no ground for adjournment.

- A hearing should not be adjourned to call for a written report from an officer of the court, unless such report be absolutely necessary and cannot be obtained the same day.

116. Priority in cases to which Soldiers, Sailors or Airmen are parties.

- No case in which witnesses are present shall be allowed to stand out of its place in the list except for special reasons to be recorded by the Presiding Officer under his hand :Provided that, every court shall bring to a hearing without regard to the order in which they may have been filed, all suits in which an officer, soldier, sailor or airman or person who may have obtained leave of absence from the Army. Navy or Air Force, may be a party, and shall decide such suits as speedily as may be convenient and consistent with the due administration of justice

117. Priority to cases which are holding up other cases.

- Suits, appeals, or applications for the decision of which other cases have been held up shall be given priority, and they shall on no account be adjourned except for good reason.

118. Priority to cases (Un-contested).

- A Presiding Officer before beginning his work for the day shall go through the cause list and ordinarily dispose of all un-contested work first, and then begin the contested work.

119. Fixing of dates.

- The first date of hearing in a case shall not ordinarily be fixed more than two months ahead. But in a case in which the Government, the Court of Wards, or any Railway Administration is a party, the date for the first hearing shall be fixed for a day not less than two months after the institution of the suit: and if necessary, the date of hearing may be changed if counsel can show that instructions have not been received or that sufficient time for instructions and necessary inquiries have not been allowed.

120. Fixing of dates for final hearing.

- Before fixing a date for final hearing the Presiding Officer, shall after consulting pleaders for both sides, if necessary make a reasonable estimate as to the time required for the disposal of each particular case.

121. Party's fault in non-service of summons on witnesses.

- In all cases the court shall require a party applying for an adjournment, on the ground that a summons has not been duly served to show that he applied, where it was possible to so apply, for the issue of the summons in time to enable the service to be effected and that he performed every other act required for the issue and service thereof.

122. Duty of parties to procure service of summon on witness.

- When a date more than one month ahead is fixed for the examination of witnesses, the parties shall make repeated efforts to procure service of summons on their witnesses. It shall be their duty in the absence of any special order of the court to apply for the issue of summons within ten days of the order fixing the date for examination of witnesses and to make subsequent applications within seven days of the return to the court of a summons which has not been duly served.

123. Procedure when summons returned unserved for wrong or insufficient address of a witness.

- Where a summons has been returned unserved by reason of a wrong or insufficient address of the witness the court may, before adjourning the case for issue of a fresh summons, require the party applying for the same to satisfy the court, by affidavit or otherwise, that such party was not in a position to know the correct address at the date when he applied for issue of the former summons, and also that the evidence of the witness is really material.

124. Witnesses in attendance to be examined

- On the day fixed for recording the evidence of witnesses, the evidence of all witnesses in attendance shall, so far as it possible, be recorded. That some witnesses have not attended is no

reason for not recording the evidence of those in attendance. If the examination of all the witnesses is not concluded on the same day, it shall be proceeded with, if possible from day to day. (H)-Judgment and Decree

125. Mode of recording judgments.

- To each judgment shall be prefixed a heading specifying the number of the case and the names of all the parties.

126. Judgment or final order not to be written on order-sheet.

- No court shall write a judgment or final order on the order-sheet, or any paper already on the file, such as pleadings, applications, objections, etc.

127. Judgment to be written or dictated and signed and attested by the Presiding Officer.

- A judgment may be written or type written or dictated but every pages of the record of a judgment, not in the handwriting of the Presiding Officer shall be attested by the Presiding Officer's signatures.

128. Provision of law in certain judgment.

- When complaints are rejected or returned, and in cases disposed of without decree, as also in case in which decrees are passed without contest, the Presiding Officer shall put on record the section, order and rule of the relevant law under which the judgment or order is passed.

129. Reference in judgments to parties and witnesses.

- A reference to a party or a witness shall be name and number, and not merely by number like PW 1 or Defendant 1. Judgments shall contain words in full and not in abbreviated forms except where the abbreviations are well recognised and are in common use, such as a.m. p.m. e.g.

130. Presiding Officer may take record out of courts.

- Presiding Officers may take record for perusal or writing judgment to their residence but only under proper entries made in a register kept for the purpose by the Reader or other clerks having custody of the record at the time. Records thus taken out of office must be returned as soon as possible.

131. Judgment not to be delayed.

- A judgment shall be delivered within a reasonable time after the close of the case which shall not ordinarily exceed one month.

132. Completed cases to be decided by the officer before proceeding on transfer.

- When a Presiding Officer is transferred he shall write out judgments in all cases ripe for decision. When he cannot do so. he shall take the record to his new Station and there finish the judgment and after finishing the judgment then return the record to his successor who shall pronounce them. If owing to the bulk of the record or other important reasons, it be not considered desirable that he should take it with him. the judgment must be written before the transfer takes place.

133. Decree to be self contained.

- Every decree and other shall be drawn up in such a manner that in order to the understanding find execution thereof, if may not be necessary to refer to any other document or paper whatever, which is not made part of the decree or order.

134. Prescribed forms of decrees.

- In all cases in which the form of a decree has been prescribed as far as possible, in the form so prescribed.

135. Taxing of Diet money of witnesses.

- In taxing costs the diet money of only such witnesses as are actually examined shall be included unless the court direct otherwise

136. Drawing up to decrees.

- The decree or formal order shall be drawn up within three days of the date of judgment and shall bear that date after the decree has been examined; it shall be signed by the Presiding Officer and the date of such signature entered by him immediately beneath the signature.

137. Contents of decrees (original).

- The Presiding Officer shall see that the decree or formal order drawn up specifies clearly the relief granted or other determination of the case and contains definite particulars of the claim

138. Contents of appellate decrees.

- When an appellate court modifies or reverses the decree of the trial court, the appellate decree shall specify the relief actually granted as the result of such modification or reversal. The Presiding Officer shall satisfy himself before signing the decree that the relief thus specified has been embodied in the decree.

139. A copy of appellate judgment to be sent to the officer against whose order or decree the appeal was preferred.

- A copy of an appellate judgment sent to the lower courts shall, after noting the result in the appropriate register, be put up for perusal to the officer against whose order or decree the appeal was preferred. Such officer shall return the copy within a fortnight.

140. Judgments of the court of first instance.

(a) In writing a judgment of the court shall in the opening paragraph, state the names of the parties if they can be conveniently given and the section and the Act under which the case has been filed. It shall then state briefly the case as put forward by each of the parties and shall give necessary particulars in respect of the subject matter of the case especially the number and size of holdings in dispute and the names of persons, the status, rent and period of occupation as entered in the Patwari's record. (b) The court shall thereafter mention the points for determination, or issues, if any have been framed. (c) In cases in which issue have been framed, the Court shall give its finding or decision with reasons thereof upon each separate issue unless the finding upon any one or more of the issues is sufficient for the decision of the case. (d) After the issues have been decided the court shall pass final orders in respect of the case as a whole showing whether it has been dismissed or decreed and mentioning specially the relief to which the plaintiff is entitled. Note:- Bare lists of documentary evidence and summaries of oral evidence, or the arguments of counsel should not be given in the body of judgment. Where those are required they should be given as an appendix to the judgment. (e) All judgments whether of courts of first instance or of appellate courts shall be divided into suitable paragraphs which should be numbered serially. All judicial orders must be self-contained and all important orders must be in the handwriting of the Presiding Officer or typewritten and signature by him. Note:- Thus while a Sub-Divisional Officer may, while passing orders in cases for correction of patwari records, utilise the evidence recorded before the Tehsildar, the final order passed by him must not treat any portion of the Tehsildar's report as a part of his own order either expressly or by implication. All orders and judgments whether they are entered on the order sheet or elsewhere and all decrees shall bear the bill date i.e. the year as well as the month and date.

141. Judgments of appellate courts.

- The judgment of an appellate court should after giving a general narrative of the case state the particular points raised before the court in appeal. It should then contain the appellate court's findings on each point separately after considering (1) the views of the lower courts; (2) the arguments of the counsel appearing before the appellate court and (3) the evidence on record. The judgment should then state in clear terms whether the appeal is dismissed or allowed and where the decree appealed from is reversed or varied it should also state clearly the relief which is to be given to the appellant. Note: Bare and long summaries of the arguments of counsel and depositions of witnesses should not be given in the body of the judgment. A court of first appeal must subject the evidence on record regarding the points raised before it in appeal to a fresh examination

independently of the appraisal of the evidence by the trial court and its judgment must show that it has done so.

142. Orders involving change in Patwari's papers.

- In any case in which the effect of the order or decree passed involves a change in the partwari's records the court shall draw up a separate order in the prescribed form giving full details of the entries to be made and entries to be expunged and direct the Tehsildar to have the new entries recorded in the patwari's papers. This order shall be forwarded to the Tehsildar in duplicate, the duplicate copy being prepared with a carbon paper. The same rule applies to all appellate courts who when transmitting to the lower court a copy of the order passed in appeal, shall attach thereto the order on the prescribed form to which effect is intended to be given provided that when the appellate court merely cancels without altering the order passed by the lower court, it shall be sufficient to give the number and the date of the order of the lower court which is cancelled. This order in the prescribed form shall be forwarded to the Tehsildar by the Ahalinad of the original court in duplicate, for necessary action as regards the records. An entry to the effect that the form duly filled in has been despatched to the Tehsildar or lower court, as the case may be, shall be made by the Ahalmad or other officer of the court or the order sheet and the file will not be consigned to the record room till a copy of this form has been returned by the Tehsildar with a note that the order contained therein has been communicated to the Office Kanungo (Land Records Inspector) concerned and that he has pasted a copy of the order for necessary action in his Order Book .

143. Cost to be included in decrees.

- When in a suit, appeal, or other proceeding, a party is only partly successful, and costs are ordered to be paid in proportion to the success of the party in such suit, appeal or other proceeding, the amount of all taxable costs shall be proportionately reduced. All decrees shall include the amount of past interest allowed by the court. In all decrees passed by Revenue Courts, a fee equal to one- eighth of the amount of process fees under realised articles 1 and 2 of the table of fees given in rule (305 of Part II) of the Revenue Court Manual, shall be entered as the fee chargeable by one party against another for costs of drawing the summonses/notices. In all decrees of Revenue courts the following shall be taxed as costs for drawing up a plaint, written statement or a re-joinder in case it has been written by a petition writer:-I. Where the valuation of a suit does not exceed Rs. 50-annas 4.II. Where the valuation of a suit exceeds Rs. 50 but not exceed Rs. 250-annas 8.III. Where the valuation of a suit exceeds Rs. 250-Rs. 1.IV. Every other suit where it is not possible to estimate at a money value the subject matter in dispute-annas 8.

Chapter III

(A) (A)-Summons and other process (General)

144. Parties to fill summons.

- A party shall file with the plaint, memorandum of appeal or an application requiring the issue of a summons/notice, a printed summons/notice form in duplicate in the Dev Nagri Script, duly filled up except in respect of the date of appearance/hearing and date of issue of the summons/notice. The court may also direct a party in any proceeding to file a summons or notice filled up as above to be served on the opposite party :Provided that the Presiding Officer may in his discretion direct that such forms in general or any particular such form be filled up entirely in the office of the court.

145. Dates to be filed by Office.

- In summonses and notices the date of appearance/hearing and the date of issue shall be filled up by the office of the court and Presiding Office or the Reader, to whom such authority may have been delegated, shall sign the summons/notice and also put the date of signature.

146. Form to be legibly written and signed by parties.

- The forms shall not be accepted unless filled up in a bold, clear and legible handwriting. The parties, their recognised agent or pleader shall sign the form in the left bottom corner, and will be responsible for the accuracy of the information entered in the forms.

147. Process to contain name of the issuing courts.

- In every process or order, issued or made, the names of the court and the officer issuing or making it. and of the place and the district where the court locates, shall be legibly written at the top

148. Signing of process

- In all cases all Presiding Officers and Readers shall sign their names distinctly and legibly. No such signature shall be made by means of a stamp.

149. Form of process.

- Where there are printed forms available for any process, such form shall invariably be used. Where there is a prescribed form but no printed copies are available a process shall be written in the prescribed form. In cases where there is no prescribed form, a form prescribed for analogous cases, if possible shall be modified to meet the requirements of the particular case.

150. When translation to accompany process sent to other courts.

- Where a process is sent to the court of a State where Hindi language is not in ordinary official use, a translation, certified by the transmitting court to be correct, into English may be substituted.

151. Cost of printed saleable forms to be taxed in decrees.

- Cost of printed saleable forms filed by the parties shall be taxed in all decrees.

152. Contents of Process.

- Before issuing a process, the issuing officer shall satisfy himself that such description of the person for whom the process is intended or in respect of whom or whose person or property it is issued, is entered herein as will enable the process-server without risk of mistake to identify such person or property The name, father's name, occupation, district, Mohalla. (if any village or town shall be set forth in the process. Where such description does not appear in the application of the person moving the court to issue the process or in the record, the court shall pass necessary orders.

153. Time to be allowed in processes to Government Department.

- In all processes issued in any suit or proceeding to which the Government, Court of Wards or a Railway Administration be a party, care shall be taken, that a reasonable time is allowed for communication between the authorities competent to give instructions to the counsel or agent authorised to represent them in court.

154. Payment of process fees and other expenses.

- Except in so far as is otherwise provided by any rule or specially ordered by a court, no process shall be drawn up or issued for service or execution, as the case may be, until the fee chargeable under these rules has been paid in court-fee stamps.

155. Process fees for notice in execution cases.

- The process fee for issue of notice either under rule 16 or rule 22 of Order XXI shall be paid when the application for execution is presented. After service of notice, if the court directs execution to issue, the fee for attachment or arrest, as the case may be. shall be paid promptly and if the judgment-debtor's property is after the attachment, ordered, to be sold, the necessary sale fees shall be deposited.

156. Process fee deposited in previous execution not to be used in later execution.

- When an applicant for execution of a decree has been disposed of and a fresh application is made, the process fee deposited in connection with the previous execution and not spent shall not be utilized for issue of a fresh process.

157. Postage for sending processes.

- No charge for postage for transmission of process from one court to another shall be levied from the parties, postal charges paid by means of service postage stamps by the Court forwarding or making return.

158. Endorsement on process sent to other courts.

- When a court sends a process for service or execution to any court beyond its jurisdiction, it shall endorse on the process a certificate that the fee chargeable under the rules has been levied.

159. Service of process from other courts.

- When a process bearing certificate that the proper fee has been levied, is received by a court from another court in India, the court shall cause it to be served without further charge.

160. Particulars in record of courts returning summons.

- The courts to which the summons has been sent under order V and 21, shall retransmit to the court by which it was issued together with-(i)the Nazir's return and the affidavit for examination on oath of the serving officer.(ii)the record of further inquiry, if any. by such court:(iii)where the service has been effected by affixation under Order V. rule 17, declaration by such court, whether the service is sufficient or not.

161. Process for service by foreign countries.

- A process meant for service in foreign or common wealth shall be sent through the Board of Revenue to the Ministry of External Affairs and Common Wealth Relations Government of India.

162. Directions for processes to be sent to foreign courts.

- The following directions shall be carefully complied with then any process are to be issued for service in foreign countries (i.e. a State or country outside India):-
(a)They shall be drawn up in proper form and type written. Where printed forms are not used, they shall be written on good durable paper.
(b)They shall be written in English and shall be legible Such summonses etc. shall not be signed by the Reader but by the Presiding Officer of the court issuing them and he shall satisfy himself that the documents are correctly addressed and properly sealed. This matter shall not be left to the parties and the Readers.
(c)The names and addresses of the individuals upon whom a process is to be served shall also be stated in the forwarding letter accompanying the process.
(d)All documents not in English shall be accompanied by their translation in English and in addition where the person upon whom the service is desired is not a British subject.' by a translation into the language of the concerned
(e)The returnable date to be specified in the documents shall be so fixed as to allow sufficient time for execution and return of the documents to India before the date fixed

for the next hearing of the suit. In no case shall the returnable date be less than six months after the date on which the documents are finally despatched to the Board of Revenue.

163. Deposit of expenses in summons to be sent to foreign countries.

- Where a process is issued to any court outside India the court issuing the process shall require the party at whose instance the process is issued to pay in cash (and not in court-fee-stamps). such fee for service as is required by the court to which the process is to be sent and shall transmit the same to such Court, together with, in the case of summons to a witness, reasonable travelling and other expenses.

164. Process to be executed on receipt of expenses.

- A process issued by any such court shall only be served upon receipt of the process-fee chargeable, and of the expenses payable to the witness under Order XVI. rule 2. The process-fee thus received shall be expended in the purchase of court-fee-stamps to be affixed to the process.

164A.

- When any party or his agent presents an application for summoning witnesses, the court shall pass an order directing the clerk concerned to receive payment and return the application to the party concerned with orders that the diet money and other expenses should be paid direct by the party himself to the clerk concerned or his assistant, as the case may be. The clerk concerned shall certify the receipt of the said money together with the number of deposit his register No maintained under paragraph Revenue Manual on the application and return it to the court. On receipt of the clerk concerned report the court shall proceed for with to issue the summons.(B)-Process to soldiers and public officers

165. Summons to Soldiers, Sailors and Airmen.

- A summons to a soldier, sailor or airman, as defendant or as witness, shall be sent for service to his Commanding Officer. In such cases, sufficient time shall be given to admit of arrangements being made for the relief of the person summoned.

166. Summons to public Officers.

- A summons/notice to a public officer as defendant or as witness shall ordinarily be sent for service to the head of the office in which he is employed.

167. Intimation to Head of Office when summons sent to public servant.

- In every case where a court sees fit to issue a summons direct to any public officer as witness, simultaneously with the issue of the summons/notice in the prescribed form shall be sent to the

head of the office in which the person summoned is employed, in order that arrangements may be made for the performance of the duties of such person.

168. Intimation to Head of Office when summons sent to public Officer

- Where a public officer or soldier, sailor or airman has been summoned under Order V. rule 4. to appear in person through the Head of the Office or the Commanding Officer, in the forwarding letter or in a note on the summons, it shall be stated that the summons should be regarded by such Head of the Office or Commanding Officer also as notice to make arrangements for the performance of the duties of such public officer or soldier, sailor or airman during his absence.

169. Public Officer summoned for personal appearance.

- Neither of the preceding two rules shall apply where an officer or a soldier, sailor or airman in the Military. Naval or Air Forces of the Union of India or a Public Officer is summoned as a defendant under Order V, rule 1. In such cases he shall make his own arrangement, if he wishes to appear in court in person.

170. Sufficient notice to be given for enforcement of personal attendance of a public Officer.

- Before the personal attendance of an officer holding a responsible post is enforced, the Presiding Officer shall satisfy himself that his attendance is necessary. If such officer is summoned away from his district, sufficient notice shall be given to him and to his immediate superior to enable arrangements to be made for the discharge of his duties in his absence.

171. Warrant of arrest of public servants or Railway servants.

- No warrant of arrest shall ordinarily be executed against any Government servant until notice of the intended arrest has been given to the Head of his Office. No warrant of arrest shall be executed against any railway servant or any person working in a railway in the service of a contractor till notice of the intended arrest has been given to the proper office of the railway or to the contractor or his representative. (C)-Service of Process

172. Service of summons through Tehsils.

- The service of process issued by Revenue Courts shall ordinarily be done through the Tehsil concerned. The Tehsildar shall make the best arrangement possible for the registration and prompt service of process.

173. Issue of Emergent Processes.

- Emergent processes shall be issued for service on the day they are received, or at the most on the next day.

174. Diaries of process servers.

- Every process server shall keep a diary wherein shall be recorded day by day. the time, period and purpose of his attendance, the duties performed, places visited by him together with the time spent there and stopping place for the night. He will obtain the signatures of the patwari or other respectable person of the places visited in attestation of the entries made by him.

175. Service by special messenger.

- A process may be executed by a special messenger in a case in which the court either suo moto or otherwise records an order that for the convenience of the parties or for some other reason, it is expedient that such process shall be executed by a special messenger. A special fee shall be payable for such 'emergent service'. The court shall, at the time passing the order, declare by whom the fee shall be paid and whether it shall be included in the costs of the suit or be charged to a particular party.

176. Tonga hire for emergent service.

- In addition to the special fee payable for an emergent process, the court may direct payment by the party concerned of requisite railway fare, tonga hire or any other incidental charges.

177. Prompt service of processes.

- The prompt issue and service of all summonses to witnesses shall be arranged having regard to the dates fixed for the attendance of such witnesses.

178. Mode of service of processes.

- The provisions of the Code relating to the sendee of summonses etc. should be carefully complied with Attention is drawn in particular to Order V, rules 16, 17 and 18 and Form No. 11 Appendix B and also Order 111 rule 5. The process server should as far as possible prepare his report on the spot, and attestation of the service should be obtained where-ever possible from two respectable residents of the locality in a town or from landlords, headmen, patwaris or neighbours in a village. Note:-It should be impressed upon the process serves that it is their duty and not of the party concerned unless specially directed by the court in any particular case, to find out the person on whom the process is to be served. It is not necessary for the party to accompany them for identifying that person. They should seek the assistance of the village headman, patwari, chowkidar. etc., to find out the person on whom the process is to be served.

179. Service by publication.

- Recourse to the mode of substituted service by publication in a newspaper shall be had only when sendee by any other method is considered impracticable. A careful discretion shall be exercised in selecting the paper in which the publication is to be made. Such papers only should be chosen as are likely so be read by the person to be served.

Chapter IV

Arrangement, Preservation and Distribution of Records

180. Particulars to be shown on the title page of a record or a part of a record.

- Each record or when such record is divided into parts, each part of such record, shall have a title page (or Sarwaraka) showing the following particulars :-

- 1. Name of Court,**
- 2. Kind case,**
- 3. Title of case.**
- 4. Number and year of case,**
- 5. Date of institution,**
- 6. Date of disposal, and**
- 7. Date of consignment to Record Room.**

181. Keeping of parts of a record.

- When a record is divided into parts whether each part shall be kept in a separate file or whether two or more or all the parts of a record shall be stitched together in one file, shall be determined in each case having regard to the nature of the case and the size which the record is likely to attain.

182. Recording of proceedings, depositions and reports in the Record.

- All proceedings, notes, depositions, memoranda and reports shall be written on foolscap size paper. They shall be so recorded as to leave sufficient margin on each side of the paper, so that any writing may not be covered by the stitching or obliterated by fraying at the edges. The practice of

writing orders, reports Sarishta. or other matters across the top and along the side of a page is forbidden.

183. General Index.

- As each case is instituted, the clerk in charge of the record shall prepare a general index which shall be prefixed to the record of every case, and each paper as it is filed, unless otherwise directed in these rules, shall be entered in the index. The exhibit mark of every document admitted in evidence shall be noted in bold letters and figures on the right hand margin of the index opposite the entry relating to such document.

184. Order sheet.

- An order sheet in the prescribed form shall be maintained as the second paper of the record in every suit or case. With a view to showing the course of a case from first to last, it shall contain-(i) a record of the presence of parties and the names of the recognised agents or pleaders. (ii) a record of each order passed and material event occurring in the case, or (iii) where such order or event is recorded elsewhere in the file, a note referring to such record and giving the subject matter and the date thereof.

185. Contents of Order Sheet.

- The expression 'material event' occurring in the case shall, without prejudice to its generality, be held to include-(a) the finding of a plaint or written statement, (b) the examination of parties under Order X, rule 1 and 2. (c) the recording or amendment of issues, (d) the examination and names of witnesses. (e) the reading of the deposition of a witness examined by Commission, (f) the filing of a commissioner's report and any objection (oral or in writing) thereto, (g) the presence of witnesses when case adjourned, (h) the hearing of arguments. (i) the signing of a decree. (j) the delivery of judgment, (k) the filing of an application for review of judgment or amendment of decree, and (l) an order relating to a deposit, an order for repayment thereof or an order for issue of a repayment order.

186. Entries in order sheet.

- Entries in the order sheet shall be made by the Presiding Officer or by the Reader under the directions of the Presiding Officer and shall bear the signature or initials of the Presiding Officer.

187. Order requiring reasons should not be written on order sheet.

- An order the reasons for which require to be recorded at length shall not be written on the order sheet, but a note of the order and of the date on which it was made shall be entered in it. There shall be separate entry in the order sheet for each distinct order or event. Each separate entry shall bear a serial number and where such entry is a reference to a record appearing elsewhere on the file, its

serial number shall be noted on such record.

188. Information to and signature of parties.

- Orders fixing dates or adjourned dates for hearing or directing anything to be done by the parties or their pleaders whether recorded in the order sheet or elsewhere shall so far as possible, be signed then and there by the parties or their pleaders.

189. Arrangement of Revenue Records.

- The record of a suit shall be arranged in four parts. A. B. C and D :

Part A – shall contain the following papers :-

(a)Index of papers.(b)The order sheet.(c)The plaint or application, together with any Schedule annexed thereto.(d)Any process upon the defendant together with the return of sendee in cases decreed ex parte.(e)Written statements and oral statements of parties.(f)The memorandum of issues.(g)Any award of arbitrators on petition of compromise, if given effect to in the decree, also the report together with the map (if any), of a Commissioner in matters relating to immovable property if referred to or given effect to in the decree, but not any portion of the evidence taken by such Commissioner: also in the case of minors or lunatics any order of the court sanctioning a compromise as beneficial to the minor or lunatics.(h)Any order for administration or for portion or for accounts or inquiry with the direction given and the judgment upon which such order is founded.(i)The judgment or final order.(j)The preliminary decree (if any), and the final decree.(k)The copy of any judgment and decree passed in appeal or revision, and(l)Any other paper, which the Presiding Officer may for reasons to be recorded in writing, order to be placed in Part A.

Part B – shall contain the following papers :-

(a)Index of papers.(b)All oral evidence.(c)All petitions and papers not specified as included in any other part, and(d)Vakalatnamas.

Part C – shall contain the following papers :-

(a)Index of papers.(b)List of documents admitted in evidence on behalf of the plaintiffs.(c)Documents admitted in evidence on behalf of the plaintiffs.(d)List of documents admitted in evidence on behalf of the defendants, and(e)Documents admitted in evidence on behalf of the defendants.

Part D – shall contain the following papers :-

(a)Index of papers.(b)All summons, processes, returns thereto, list of witnesses, petitions relating to the attendance of witnesses or adjournments, proceedings calling for or sending papers or records and affidavits relating to matters mentioned in this sub rule. petitions for grant of copies or for inspection record and papers relating thereto.

190. Arrangement of papers in each part.

- The papers in each part of a record shall be arranged in the order in which they are set forth above. When there are several papers of the same kind they shall be arranged in chronological order except that when a witness has been cross-examined or re-examined at a later stage of the proceedings, such cross-examination or re-examination shall be attached to his original deposition.

191. Record of a Revenue Appeal.

- The record of an appeal case shall be arranged in four parts - A, B, C and D.

Part A – shall contain the following papers :-

(a)and (b) as in an original case.(c)The petition of appeal, together with copies of judgments mid decrees of lower courts.(d)As in an original case.(e)Any cross-objection filed by the respondent.(f)Issues referred for trial by the appellate court with the findings thereon.(g)to (i) as in an original case.

Part B – . C and D shall be arranged in the same manner as an original case.

192. Record of an execution case.

- The record of an execution case shall be arranged in two parts A and B.

Part A – shall contain the following papers

(a)Index of papers.(b)The order sheet.(c)the application for execution together with any schedule annexed thereto and the copy of the decree.(d)Any petition raising any question as to the construction or effect of the decree and any counter petition.(e)The judgment of the court on such question.(f)The copy of any judgment passed in appeal or revision.(g)Return regarding delivery of possession.(h)Acknowledgement of receipt of possession.(i)Court copy of Certificate of sale.(j)Receipt or acknowledgement of satisfaction of decree.(k)Power of attorney where it empowers the Agent or Vakil to receive moneys, and(l)Order of commitment to civil prison and

order of release therefrom, together with the Jail Report of the order

Part B – shall contain the following papers :-

(a) Index of papers, and (b) All papers not contained in Part A.

193. Record of an investigation.

- The record of an investigation into a claim or objection preferred during execution proceedings shall be separately compiled and arranged as the record of an original case.

194. Paper taken out to be replaced with a copy.

- When a document in any record is made an exhibit in another record, and is removed to that record a certified copy of the document shall be retained in the record from which the document is removed and a note of the removal made on the general index or order sheet. The certified copy shall be prepared by the Court Reader or clerk and shall be signed by the presiding officer of the court. After the decision of the appeal or after the expiry of the period of appeal if no appeal has been brought, the document shall be returned to the record of which it originally formed part, its place being taken by the certified copy. Before a record or part of record is deposited in the record room, the record-keeper shall compare the entries in the index and record a certificate in the following form at the foot of the general index I have this day of.....examined the papers in this part and find them to correspond with general index they bear (here state number) court fee stamps of the aggregate value of Rs All orders have been carried out. The file is complete up to the date of this certificate. When a record or part of record has been taken from the record into court and any fresh papers have been added to it. the record-keeper shall, before the record a further certificate in the same form as above, at the foot of any fresh entries in the general index. Such further certificate shall refer to the added papers only

Chapter V Execution

195. Prompt disposal of execution cases.

- Every Presiding Officer shall see that the execution cases are not neglected or needlessly prolong but are disposed of with the same care and regularity as original suits. Sufficient time should be allowed for the execution of all processes, warrants and orders issued which shall be drawn up in the execution department in strict rotation except in special cases under written orders of the Presiding Officer Processes and orders ordered to be given Dasti' to a party or counsel shall be promptly prepared and given out the same day or next day in court through the Reader The Presiding Officer shall see that the order issued by him are carried out and frequent or habitual carelessness, unpunctuality or procrastination in the execution department should be adequately punished. An

order staying execution shall be promptly complied. If execution has taken place, there shall be no restitution in pursuance of the order of stay.

196. Copy of decree need not accompany execution application.

- The application for execution of a decree excepting the first application, need not be accompanied by a copy of the decree sought to be executed. But an application for an order for the sale under Order XXI. Rule 66(3) of the Code, shall invariably be accompanied by a verified statement containing all information the decree holder can ascertain from the Collectors register and all other sources bearing upon the matters specified in sub-rule (2) of Order XXI rule 66.

197. Duty of Reader and Office.

- It shall be the duty of the Reader or Official concerned to receive applications for execution, and before putting up an application for orders, the office shall, by reference to its registers, ascertain and report whether the requirements of Order XXI, rule 11 to 14 applicable to the case have been complied with and the application is within time and jurisdiction. The office report shall state that the application is in order or if it be not in order, shall state the exact defect and how the defect should be remedied. The execution application should, as a rule, be put up before the Presiding Officer on the next working day.

198. Serving endorsement on warrants.

- The Officer executing a warrant of arrest or attachment shall endorse on the warrant the fact of satisfaction of the decree in whole or in part only when the amount is paid to such officer himself or paid to the decree holder in his presence or agent in writing. If the decree holder or his counsel does not appear on the next date fixed for the case, the court shall record the decree satisfied to the extent of the payment made.

199. Mode of certifying.

- A certificate in the form given below may be presented, under Order XXI. rule 2(1) of the Code to the court without any form a written application. Such certificate need not be stamped Should the certificate accompany a formal written application. such application shall be stamped under Court Fees Act. 1870 as adapted to Rajasthan, but the stamp shall not be charged as costs against the judgment debtor. The form of certificate shall be as follows:-

In the Court of Of
.....Plaintiff
Versus
.....Defendant.
Suit No. of 19.....

Certificate by decree holder under Order XXI. rule 2 (1) of the Code of Civil Procedure. 1908.
I.....decree holder, certify to the court payment or adjustment in the following terms of the amount of Rs.in the above suit by.....on the date.Decree holder

200. Posting of proclamations and orders.

- Copies of orders of attachment and proclamation of sale shall be so affixed with paste or gum that they may be maintained in a condition to attract the attention of those for whose information they are intended.

201. Sale by court in execution of decree.

- Where property to be sold in execution of a decree is a garden or land occupied by a house or appurtenant thereto or movable property of any description or is any interest in such garden, land, or movable property, the court shall appoint an official to conduct the sale, unless special reasons render it necessary that other agency, should be employed: in which case reasons shall be set forth in the handwriting of the Presiding Officer in the order of appointment.

202. Contents of sale certificate.

- A certificate issued under Order XXI. Rule 94 shall invariably contain the following particulars:- (a) The addition' (as defined in section 2 of the Registration Act. 1908) of the person who is declared to be the purchaser: (b) particulars sufficient to identify the property as required in section 21 and 22 of the said Act. A sale certificate issued under Order XXI. rule 94 in respect of any sale shall be drawn up upon a stamp paper of the value required by Article 18 of the 1st Schedule of the Stamp Act No. II of 1899 as adapted to Rajasthan under the Stamp Law (Adaptation) Act. 1952 (No. VII of 1952). On each copy of the certificate the amount of stamp duty paid on the original certificate shall be noted. N.B.-Copies prepared in compliance with Section 89(2) of Registration Act. 1908. are by article 24(a) of Schedule I of Stamp Act No. IX of 1899 as adapted by the Rajasthan Stamp Law (Adaptation) Act. 1952 exempt from Stamp duty. All copies of certificates of sale shall be prepared upon durable paper, sufficient margin being left for binding.

Chapter VI

Record Room and Preservation and Distribution of Records

203. Rack for each court.

- A separate part of a rack or one or more separate racks in the record room shall be, as far as possible, assigned to each court, the records of which are consigned in the record room.

204. Arrangement of record.

- Records shall be kept in accordance with the dates of disposal of the cases to which they relate. Records of different kinds of cases e.g. original suits, appeals, shall be kept separately. Records of execution cases shall be kept in the same order in which the records of the corresponding original suits are kept.

205. Transmission of record to the Record Room.

- At the beginning of every month, the complete records of all suits, appeals and miscellaneous cases not relating to suits or other cases decided during the month shall be made up into a bundle, and on or before the twenty fifth day of the month they shall be transmitted to the record room, on such dates and in such manner as the Collector may from time to time by his order direct. Records of miscellaneous cases relating to other suits shall not be sent in the monthly bundle. N.B.-Records of cases in which proceedings are stayed or in which proceedings are held up for any reason shall not be consigned to the record room. Every subordinate court shall on the 28th of every month submit a certificate to the Collector to the effect that all records which should have been transmitted to the record room under the preceding para have been so transferred, or explain the cause of delay if any records have not been transmitted. If a completed record as required for use in the court in which it was completed or if it has been requisitioned by another court, or if for any other reason a completed record is not sent to the record room at the time specified in this rule, there shall be sent to the record keeper, in the monthly bundle, in place of every such record, a copy of the requisition under which it has been detained, or transmitted elsewhere: the record keeper shall deal with this as on original requisition

206. List of contents.

- Each bundle transmitted to the record room shall be accompanied by a list of the records it contains prepared by the official in charge of the records and signed by the Reader of the court. A list shall be placed on the top of the records before the bundle is closed.

207. Packing and transmission.

- Each bundle shall be sewn up and sealed in the presence of the Reader of the Court. In outlying courts at places where there are no record rooms, the bundles of each class shall be sewn up into one large bundle and placed in a strong tin lined box provided with duplicate keys, one of which shall remain in the court transmitting the records and the other in the court to which the record room is attached.

208. Procedure to be followed by Record-keeper

- With the bundle shall be sent an invoice the upper portion of which shall be filled up in the court transmitting the record and shall be signed by the Reader of the court. On receipt of the bundle the

record keeper, after comparing the entries in the invoice with the list accompanying the bundles and with the number of records of each class actually received and shall report the discrepancy for the orders of the Collector.

209. Transmission of Registers and Books.

- The rules for the transmission of record shall apply mutatis mutandis to the transmission of registers and books.

210. Bundles pending examination.

- The bundles of records as received by the record keeper shall, pending his examination under the next the be kept in racks set apart for the purpose.

211. Record-keeper's examination of records received.

- As soon as may be after the bundles have been received, the record-keeper, himself or through his assistant record-keeper. shall compare the papers in each record with the general index and satisfy himself:-

- 1. that the papers in the record correspond with those entered therein,**
- 2. that each file contains the papers properly appertaining to it.**
- 3. that documents in the record bear no blots, erasures or inter lineations, but those noted in the general index,**
- 4. that the paper bear the stamp entered in Col. 6 of the general index.**
- 5. that on each paper the number and aggregate value of the stamps on it have been recorded.**
- 6. that the rules made by the Government for regulating the number of stamps to be used for denoting fees have been complied with.**
- 7. that there is nothing suspicious in appearance of the stamps,**
- 8. that all orders have been duly signed, and**

9. that all necessary receipts are in the record.

212. Record-keeper's certificate of correctness.

- If the record be found to be in order, the Record-Keeper, or the Assistant Record-Keeper as the case may be, shall record a certificate to that effect in the general index. If the record be found to be defective in any respect, he shall in writing report its condition for the orders of the Collector, and the report with all other papers consequent on it shall, after being entered in the general index, be filed with the record. Where the court of which the record has been found defective, is at headquarters, it will be preferable as a rule to send for the clerk at fault and have the necessary corrections carried out in the record room. The record while under correction and the clerk correcting it should always be under the immediate eye of the record-keeper or of an assistant record-keeper.

213. Examination when to be completed.

- The examination of the records of each bundle received in the record room shall be completed within a month from the date of receipt.

214. Lists to be stitched into books.

- As soon as the examination of the records in each bundle is completed, the lists which accompanied the bundle shall be stitched into a file book, and ordinarily at the end of the calendar year, the lists of each class of record shall be separately bound up for each court so as to constitute registers of decided cases. No other register of decided cases shall be kept up in the record room. If any calendar year the number of sheets in any list is so small, the list may be bound up at the end of 2 to 5 calendar years as convenient.

215. Arrangement of record and bundles.

- The records of miscellaneous cases relating to other cases will be put up with the connected cases. The record of miscellaneous cases not relating to other cases shall be in separate bundles.

216. Treatment of miscellaneous relating to pending cases.

- When the order cases to which a miscellaneous case disposed of in any month relates is pending the record of the miscellaneous cases will be put up with that of the other case by the proper officer of the record

217. Arrangement of records and labelling of bundles

- In the bundles the records shall be kept according to their serial number in the list or register of disposed of cases, the bundles shall be arranged so as to secure facility of access to the more recent

records. On such bundles shall be painted, by means of a stencil plate or otherwise the year and month and the class of record: and to each bundle shall be attached a label showing their serial numbers the earliest and latest records, for the time being, belonging to that bundle. The Collector may assign different coloured bastas to the different courts from which records are received.

218. Period of retention of books and registers in Courts before consignment to record room.

- The following registers and books shall be retained for the period specified against each:-

| Description of register or book. | Period of retention in the court. |
|---|---|
| 1. Despatch | One year after completion |
| 2. Register of miscellaneous judicial cases not relating to suits or other cases. | One year after completion |
| 3. Register of receipts of deposits | Three years after the items recorded in the register have been disposed of. |
| 4. Register of petty receipts and repayments. | -do- |
| 5. Register of application for execution of decrees and orders. | -do- |
| 6. Register of Revenue appeals or applications for review. | Fifteen years after completion. |

219. Period of retention of papers.

- The following papers shall be destroyed on the expiration of the periods specified against them computed from 1st January of the year succeeding that to which they relate:-

| No. | Description of the paper | Period of retention |
|-----|---|---------------------|
| 1. | Counterfoils of receipts granted for payment into Board. | One year |
| 2. | Periodical statements, returns, office copies of the same, except annual returns and statements. | -do- |
| 3. | Proceedings of other courts and offices forwarding summons, notices, proclamations and the like. | -do- |
| 4. | Proceedings of lower Courts calling for records asking for information and the like | -do- |
| 5. | Reports from ministerial officers not relating to particular suits or cases. | -do- |
| 6. | Applications for leave or from candidates for employment or any other proceedings, reports or applications not relating to particular suits or cases. | -do- |
| 7. | File Books of applications for search. | -do- |
| 8. | Application for renewal of certificates of pleaders and cancelled certificates. | -do- |

- | | |
|---|--------------------|
| 9. Counterfoils of certificates for refund of payments of courtfees | -do- |
| 10. Treasury Challans for salable forms. | Six account years. |
| 11. Counterfoils of repayment order books. | Twelve years. |

220. Period of retention to book.

- The following books shall be retained for the periods specified against them

| No. | Description of the paper | Period of retention of book |
|-----|---|---|
| 1. | Register showing the classification and value of suitsinstituted. | One year |
| 2. | Memorandum book of dates. | -do- |
| 3. | Register of proceedings taken in execution of order receivedfrom the Board. | -do- |
| 4. | Despatch Register. | -do- |
| 5. | Process Register. | -do- |
| 6. | Process Servers diary. | -do- |
| 7. | Register of sanctioned estimates for maps and plans. | -do- |
| 8. | Register of fines, stamps, duties and penalties levied. | -do- |
| 9. | Peon book or Station Dak Book. | -do- |
| 10. | Register of applications for copies. | -do- |
| 11. | Inspection register. | -do- |
| 12. | List of unexpended petty deposits. | -do- |
| 13. | Travelling Allowance Bill book. | Three years. |
| 14. | Day Book. | -do- |
| 15. | Register of court-fees and process-fees. | -do- |
| 16. | Stock book of printed forms. | -do- |
| 17. | Register of casual leave. | -do- |
| 18. | Out-station dak book or service postage stamps account book. | -do- |
| 19. | Office copies of lists of lapsed deposits and clearanceregister. | Three years of the close of the account year to which theyrelate. |
| 20. | Stationery register. | Three years (after completion). |
| 21. | Register of contingent charges. | Five years. |
| 22. | Acquittance roll books. | Five years (After completion). |
| 23. | Register of original suits disposed of. | Six years. |
| 24. | | -do- |

Register of disposal of applications for executions
of decrees and records.

| | |
|--|---------------|
| 25. Register of requisitions for for records. | —do— |
| 26. Register of appeals from decrees disposed of. | —do— |
| 27. Cash Book. | Twelve years. |
| 28. Register of miscellaneous cases, Judicial. | —do— |
| 29. Register of circulars received | Twenty years |
| 30. Register of returned documents | Thirty years. |
| 31. Register of applications for execution of decrees and orders. | —do— |
| 32. Register of decided cases. | —do— |
| 33. Register of receipts of deposits. | —do— |
| 34. Register of repayments of deposits | —do— |
| 35. Register of letters received. | |
| 36. Register of letter issued. | —do— |
| 37. Register of miscellaneous Judicial cases not relating to another cases. | Fifty years. |
| 38. Register of miscellaneous appeals | —do— |
| 39. Register of pleaders enrolled. | —do— |
| 40. Register of appeals from decrees. | Sixty years |
| 41. File index | Permanently |
| 42. Catalogue | —do— |
| 43. Stock register of furniture. | —do— |
| 44. List of registers cosigned to the record room. | —do— |
| 45. File books of standing orders and circulars. | Permanently |

Provided that no court subordinate to the Collector shall cause any books to be destroyed under this rule, without having first obtained his permission in writing to do so.

Chapter VII

Production, Return and Transmission of Records

221. Prohibition against issue of Records.

- Ordinarily no record shall be issued except on the requisition of a Civil. Criminal or Revenue Court of the Government, of the Board of Revenue, of the Commissioner of the Division, or of the Commissioner Taxation and of the Inspector General of Registration and Stamps Collector and then only on an order of the Presiding Officer. In all other cases, before a record is issued, the orders of the Board of Revenue shall be taken on the subject.

222. Form of requisition.

- Every requisition for a record or portion of a record shall be made in writing. It should be stated specifically in the requisition why certified copies obtained in the usual manner by the parties will not serve the purpose and that proper court fee has been realised.

223. Requisition by Court Suo Motu.

- When a requisition for a record is made by a Court Suo Motu. the fact should be stated in the requisition and no charges levied from any party.

224. Provision governing issue of Record.

- When at the instance of a party, a court requisitions a portion of a record, it shall require the party to file a certified copy of the portion required, and such copy shall be attached to the requisition. The copy or copies will be placed on the record and then the original document or documents shall be sent. When the portion of the record is received back in the court of record room the applicant shall be entitled to have the copy returned to him on application for the same. Where the record is deposited in the same building, it may often be more convenient to send the whole record and not merely the portion requisitioned. In such cases, the whole record and not merely the portion asked for may be sent in answer to the requisition.

225. Record keeper's procedure.

- No requisition for a record or portion of a record shall be complied with except in accordance with an order of the Board of Revenue, the Commissioner, the Collector or of the Presiding Officer of the Court in which the record is. The record-keeper or with the sanction of the Collector or the Presiding Officer, as the case may be. the clerk in charge of the record on receiving such order shall comply with the same, and shall send the record or portion under cover for transmission. The form of requisition received shall be placed in the bundle from which the record was taken.

226. Register of requisitions.

- The record-keeper and the Reader of each court shall keep a register of requisitions for records and make necessary entries therein.

227. Return of records.

- When the record or a portion of a record is no longer required, it shall be promptly returned to the record room or the court from which it was received, as the case may be. the necessary entries on the form of transmission shall be made, and the original form shall be filed in the suit for the purposes of which the record or portion was sent for. and a copy of this form shall be returned with the record or portion. In the remarks column of such copy the Reader of the court returning the record or

portion shall certify whether the record or portion does or does not contain all the papers entered in the general index of the part or portion

228. Procedure on return of record.

- On receipt of the record or portion the record-keeper or Reader shall examine it and have it weighed, if it appears in fact and not open to suspicion, he shall then make it over to the clerk in charge of the records who shall forth with check the paper it contains, and see that they agree with the general index and order sheet, if the record is found correct it shall be so stated by the clerk in the form of acknowledgement. If the record is found to be in any way defective, a report shall be made without delay to the Presiding Officer. If any parcel received by a Reader appears to have been tampered with, he shall have it opened in the presence of an official of the post office or railway in accordance with the rules of those departments. He shall himself check the papers and if any appear to be missing, he shall at once bring the matter to the notice of the Presiding Officer. The Record-keeper or Reader shall then make necessary entries in the register of requisition and shall file the requisitions with the record or portion in its bundle. The copy of the form of transmission, returned with the record or portion shall then be destroyed.

229. Check on delay in return of records

- Once every three months the record-keeper and the Reader of the Courts shall lay the register of requisitions before the Collector or the Presiding Officer for orders as to records or portions which have been issued more than three months and have not been returned.

230. Records of the cases appealed to the Revenue Board.

- Records of cases appealed to the Board of Revenue shall be submitted forthwith on receipt of the precept calling for them: when the subordinate court is unable to comply with the time fixed for the purpose, it shall submit a report stating:

- 1. the number of the Board of Revenue precept.**
- 2. the number of the case in which the precept was issued.**
- 3. the names of the parties to the case.**
- 4. the reason for non-compliance, and**
- 5. the date by which the compliance is likely to be made.**

If the compliance cannot be made by such a date a further report shall then be made.

231. Loss of Record.

- Whenever it is discovered that a record or portion of a record or a document on the file of a record is missing, the loss or theft shall be immediately reported in writing to the Collector in whose district the loss or theft has occurred, and in turn shall report the fact to the Board of Revenue and state the steps taken to try and recover the paper or papers missing.

232. How to send records.

- The following instructions shall be observed in connection with the transmission of records to the Board of Revenue and with the transmission upon requisition of records from one court to another and from a record room to a court and vice versa: (1) Except in the case provided for in paragraph (5) of, this rule, records shall be sent either by parcel post registered or by passenger train. Those sent by parcel post shall be between July and November, securely packed in wax cloth and sealed along the seams at intervals of not more than 4 inches. Those sent by rail shall be carefully placed either in gunny bag similarly sealed or in well secured wooden box. (2) The postage and the registration fee in the case of parcels sent by post shall be fully prepaid by means of postage stamps. Similarly in the case of parcels sent by rail, the freight shall be prepaid. (3) No parcel sent by post shall include papers referring to more than one case. If papers referring to more than one case, are enclosed in a parcel or box sent by rail, a list shall always be placed in the box containing the number of each record or portion thereof and its weight as a separate parcel. (4) All parcels sent by post or by rail be weighed before despatch in the presence of the Reader or Record Keeper as the case may be and the weight noted outside. (5) When the court requiring a record is in the same station as the record room or the transmitting court, the record may be sent by Government messenger but it shall be secured by seals in such a manner as to prevent the record being opened or papers abstracted in transit without the seals being broken or the fastening served. (6) An acknowledgement shall be invariably required from the court to which a parcel containing a record has been sent and in the event of not being received within a reasonable time the matter shall be brought to the notice of the presiding officer, and an inquiry made to ascertain the cause.

233. Application of preceding rules to production return and transmission of registers, books etc.

- The above rules will also apply to the production, return and transmission of registers, books etc.

Chapter VIII

Inspection and Search of Records

234. Separate room for inspection.

- The Officer of each Court, or where there are centralised arrangements for the inspection of records of more than one court located at the same station, the senior most Revenue Officer shall

where possible, allot a room for the inspection of records. Where there is no official appointed exclusively as an Inspection Clerk, he shall appoint the Copyist or one of the Clerks to perform the duties of the Inspection Clerk.

235. Prohibition against giving surreptitious information.

- Ministerial officers and the inferior staff of the Court should be made to understand that no information or copy shall, in any circumstances, be given otherwise than as laid down in the rules and that surreptitious or gratuitous supply of information or copy gratuitous supply of information or copy is strictly forbidden.

236. Application for information.

- Any person desiring to ascertain the serial number and date of institution of any suit or other registered particulars respecting a suit, or any proceedings therein or of any revenue proceedings, shall present or send by post to the court a written application stamped with a court fee label of four annas and giving the best particulars he can as to the year of institution and the names of parties. The Reader shall cause such application to be entered in a register and mark such application with a serial number and direct the officer-in-charge of the relevant register to make a search. The information, if obtainable, shall be given to the applicant in writing, signed by the official-in-charge of the register, within three days from the date of the receipt of the application. The information shall be sent by post, if necessary postal charges have been paid. In case such information cannot be given within three days, the Reader shall forthwith, on the expiration of the said period, report in writing to the Presiding Officer for his orders, the cause of the non-compliance with the application. A printed copy of this Rule in Hindi shall be kept posted on the notice board in the conspicuous place in every court. After disposal the application for search shall be posted in a file-book in serial order. Each such file-book shall be consigned to the record room at the end of each calendar year.

237. Obtaining information by means of written questions.

- It will also be open to a party to obtain information regarding any case by means of written questions. To an application for such information must be affixed for every question asked pertaining to the same case a court fee label of 2 annas, if the case is pending and of 4 annas if the case is decided. Note:-In no circumstances shall the right conferred by this rule be so exercised as to be in substitution of the method of obtaining more detailed information by an inspection of the record or by copies.

238. Power of Presiding Officer to examine records.

- The Presiding Officer of a Court requiring to examine at his private residence a record of a case of his court, may take charge of such record. The official in whose custody such record may be, shall enter in a register to be kept in the office for that purpose, a note describing the record so taken charge of by the officer, the date when the officer took charge of the record, and the date when the

same was returned by the said official.

239. Papers in office not open to inspection.

- The papers other than those of a revenue record shall not be opened to inspection, except under an order in writing of the Presiding Officer made on an office report.

240. Inspection of papers in office.

- No record or paper in the office in the custody of an officer of the Court shall be inspected by any person other than the Presiding Officer of the court, except under an order in writing signed by the officer: provided firstly that the Presiding Officer may, in his discretion, without making a written order in that behalf, permit a party to a suit or his pleader to inspect in the court room the record of a pending case on the day of hearing, and provided secondly that memorandum books of dates of hearing or peshi registers shall be made available for inspection free of charge, without any written application or order.

241. Application for inspection.

- Except in the cases mentioned in the provisos to rule 240 no order for the inspection of a record or of any paper in a record or for the inspection of a book or register shall be made, except upon a written and duly stamped application: provided that no stamp shall be required in case of applications for inspection made on behalf of the Government.

242. Application for inspection by party to a suit.

- Any party' to a suit, appeal or other proceeding in the court, and any such party's advocate, attorney or vakil, who has filed a document in writing as require by Order III. Rule 4 (1) of the Code may apply for an order to inspect the record, or any papers in such suit, appeal or other proceeding.

243. Application for inspection by non party

- Any person, other than a person to whom rule 242 applies, may apply for an order for the inspection of a record or paper in a suit, appeal or other proceeding No such person shall be entitled as of right to obtain an order for inspection, nor shall he, in any case, be allowed to inspect exhibits put in evidence except with the consent in writing of the person by whom they were produced or his successor in interest. Such consent shall invariably be filed with the application for inspection.

244. Form and fees for application.

- Every application for inspection of record shall be in writing and shall set forth :-(a)the name and description of the applicant, and his position, (if any in the suit or proceedings):(b)the following particulars concerning the record of which inspection is desired-(i)Number and year of

case.(ii)Name of court.(iii)Title of case, and(iv)Date of disposal when the case has been disposed of, find date of hearing when the case is pending.(2)The fees for the inspection of records shall be paid in court fee labels in accordance with the following scale viz.-

(i) Ordinary Eight annas

(ii) Urgent One rupee

(3)Inspection on an ordinary application shall be allowed on the day following the date on which the application is made or on a subsequent day mentioned in the order.(4)Inspection of an urgent application, shall, as a rule, be allowed on the same day.

245. Application for inspection by a party.

- Where a party to a case applies that any record, book or register, or set of books or register, be sent for and inspected during the hearing of the case, the applicant shall, on the application being granted, pay into court, a court-fee stamps of the value of one rupee for each such record, book or register or set of books or register. If for any reason, such record, book or register is not sent for inspection, the applicant shall be entitled to a refund of the inspection fee paid under this clause, less one anna in a rupee, provided the applies for such refund within three months from the date of the order granting the application for inspection.

246. Court fee on inspection for registers.

- The application for inspection referred to 111 rules 242 to 245 shall have affixed to it court-fee labels of the aggregate value of eight annas for each and every register or record sought to be inspected.

247. Inspection of records by legal practitioner's clerk forbidden.

- Inspection of record by legal practitioners clerk is not permitted. A registered (or recognised) clerk may be permitted to assist a legal practitioner in his inspection. Such clerk must, however, withdraw from the inspection room as soon as the legal practitioner cases inspecting.

248. Day and hours of inspection.

- Every order for the inspection shall specify' the day on which inspection may be madeInspection on any one application shall be allowed for one day only between 12 noon to 3 P.M. or during morning hours from 8.00 A.M. to 10.30 A.M.

249. Order for inspection.

- Every order for the inspection of a record or paper shall be sent to the Inspection Clerk and will entitle the person named in such order, but not any other person or persons to inspect the record or paper specified in the order between the hours fixed for such purpose by the Presiding Officer on the

date named in the order, but on no other date. If no inspection is made on the date fixed, the application and the stamped paper shall be filed with the record and shall not entitle the applicant to inspect on any other date.

250. Duty of Record-keeper.

- The record-keeper or the officer-in charge of the record shall, on the day mentioned in the order required by the above rule, deliver to the Inspection clerk the record or paper mentioned in the order, and shall receive an acknowledgement from the Inspection Clerk.

251. Duty of Inspection clerk.

- The Inspection Clerk shall, on the day of the inspection and immediately after the inspection has begun, make on the memorandum showing the date on which the order has been complied with and shall, on the same day at any hour to be fixed by the Presiding Officer, return to the official from whom he received it every record or paper and every order. Such official shall forthwith file every order which has been returned to him and shall not again issue for inspection on an order so filed any record or paper. The inspection shall be made in the presence of the Inspection Clerk, who before returning the file shall examine the record and satisfy himself that all papers in the record are as they were before inspection.

252. Inspection clerk, to maintain inspection register.

- The Inspection Clerk shall keep an inspection register in the prescribed form.

253. Use of Pen and Ink during inspection prohibited.

- No person inspecting a record shall be allowed to bring into the room in which the inspection is made any pen or ink. nor to use any pen or ink. nor shall he be allowed to make any mark upon, or in any respect to mutilate, any record or paper which is being inspected. N.B.-The use of a fountain pen is also prohibited. He may, if he so desires, make full copies in pencil of any papers that he is inspecting, (within the time allowed).

Chapter IX

Copies and Copying Department

A-Applications

254. Details necessary in application for copy.

- Every application for a copy shall be on the prescribed form and shall set forth: (1) the name and description of the applicant, and his position (if any) in the suit or proceeding, from the records of

which the copy is asked for:(2)the description of the document of which a copy is required:(3)the following particulars concerning the record from which the copy is sought : -(i)Number and year of case:(ii)Name of court:(iii)Title of case: and(iv)Date of disposal when the case has been disposed of and the date of hearing, when the case is pending:(4)whether or not the application is 'Urgent'.

255. Sending of a copy by post.

- If the applicant desires the copy to be sent by post, he shall also send-(1)a duly stamped and addressed post-card to enable him to be informed of the extra charges to be paid, if any, on his application for the copy, and(2)a duly stamped and addressed envelope for sending the copies.Note-If the extra charges are not paid within 15 days from the date of issue of notice, the application for copy shall be rejected and the addressed envelope shall be used for informing the applicant of the order of rejection of his application.

256. Pleader's clerk may apply for copy.

- An application for copy duly signed by a pleader, may be presented by his registered clerk and the copy may be delivered to such clerk.B-Persons entitled to copies

257. Parties to suit.

- Except as hereinafter provided, any party' to a suit, appeal, motion or proceeding may at any time obtain upon an application, an order for a copy or copies of the record in such suit, appeal, motion or proceeding or of any decree, order pleading, paper, exhibit or document in such record: provided that a party who has been ordered to file a written statement shall not be entitled to inspect or take a copy of written statement filed by another party until he has first filed his own.

258. Stranger to suit.

- A stranger to a suit, appeal, motion, or other proceeding may. after final decree or final order, obtain upon an application an order for a copy or copies of any decree, order, pleading, paper or document in the record, other than an exhibit and may, for sufficient reason shown to the satisfaction of the Presiding Officer, obtain upon application at any time before final decree or final order, an order from the Presiding Officer for a copy or copies of any decree, order, pleading, paper or other document in record other than an exhibit.No order for a copy of an exhibit shall be made on the application of a stranger to the suit, appeal, motion or proceeding in which such exhibit was produced unless along with the application is filed a properly authenticated consent, in writing, of the person who produced such exhibit to the granting of an order for the copy.

259. Government and certain courts.

- Notwithstanding anything contained in these rules, a Presiding Officer may. upon application by or on behalf of the Head of any Department of the Government of India or the Head of any Department

of any State in India or any High Court in India, any authority in India exercising jurisdiction similar to a High Court, any court subordinate to the Rajasthan High Court or Rajasthan Revenue Board any Principal Court in any foreign country in his discretion order a copy or copies to be made and delivered of any record: and such copy or copies may be made free of charges unless they be required for the purpose of a litigant other than the Government.

260. Government Law Officer.

(1) In case in which Government is a party copies of judgments, orders, decrees, and of any other paper required for purpose of conducting the case shall be supplied free of charges to the Government Law Officer. (2) A copy of the whole or any part of a record when required for the purpose of conducting any trial or investigation or appeal on the part of Government In any Revenue Courts, shall ordinarily, on application, be supplied free of charge to a Government Law Officer provided that, the Presiding Officer be of opinion that the demand made is in excess of what is necessary for the purpose stated in the application for such copy or copies, he may refuse to grant free of charges any or all of the copies applied for, and in such case, he shall at once report his refusal, with the reasons therefore to the Collector. (3) A copy of an award or agreement made under the Land Acquisition Act shall, on application, be supplied free of charge to a person claiming under such award or agreement.

261. Procedure on receipt of an application for a copy of record.

- Every Officer receiving an application for a copy of record shall:-(a) endorse or cause to be endorsed thereon the date of presentation. (b) initial the endorsement, (c) cause the court-fee stamp thereon to be cancelled according to law. (d) cause the application to be registered, and endorse thereon the serial number of its entry in the register, and (e) shall enter thereon the date on which copy shall be issued. On the stamped sheets accompany the application shall be entered only the date of the application and the register number. The Head Copyist or Reader shall promptly make proper entries in the register of applications for copies in the prescribed form. The Head Copyist or Reader shall send the applications to the official-in-charge of the record required who will enter each in the appropriate column of the register, his signatures and the date and hour on which he received the application relating to him. The official-in-charge of the record shall without delay send such application, order and stamped paper and the record to the Head Copyist and shall take from the Head copyist or Reader in register in the prescribed form to be kept for the purpose, a receipt of the date and hour when such record was delivered to him: and the Head Copyist or Reader shall enter in the appropriate column of the register the date and hour on which he received the aforesaid record.

262. Duties of Head Copyist.

- As soon as the copy is made, the Head Copyist shall forthwith return the record together with the application and order, to the official from whom he received them and such official shall forthwith place such application and order in Part D' of the record. The Head Copyist shall, at the end of each working day deposit in a locked box or almirah to be kept for that purpose in the record-room. Nazir's room or other secure room allotted by the Presiding Officer all documents under

copying.(1)If an application is rejected, the Head Copyist shall at once return to the applicant the stamped paper which accompanied the application and take his receipt for the same in the register. In case the applicant is a pleader, the unused stamp paper may be returned to his registered clerk.(2)If the applicant be not present the Head Copyist shall inform him by post of the fact and direct him to appear without delay and take back the stamped sheets forwarded by him with his application: provided that he has previously sent a duly stamped addressed envelope. When the applicant requests that the unused folios may be returned to his pleader they may be returned to his pleader or his registered clerk. If the pleader practises at the headquarters station, the unused folios shall be returned to him or his registered clerk and his signature taken. If he practices at any outlying court the unused folios may be returned to the outlying court at applicant's expenses. The correspondence with the outlying court shall be filed with the record of the suit to which the original application for copy be longs.(3)The Head Copyist before returning any stamped sheets shall endorse each sheet with the words 'returned unused to' (being the applicant) and initial them.(4)Stamped sheets so returned may be used by applicant in a subsequent application for copies.(5)If the applicant does not appear within thirty days of the date on which the letter was sent to him under paragraph (2) above or in the case of an applicant who has not sent a duly stamped addressed envelope, within thirty days of the date on which the application was rejected the Head Copyist shall render useless the stamped sheets by folding them down the middle vertically tearing of the right half of each sheet, destroying it and causing the left half on which is entered the date and number to be filed in record along with the application. An entry of the fact of destruction shall be made in the register of copies against the application.C-Copying fees

263. Copies to be made on stamped paper provided by applicant.

- Except for the use of the court, or in a case falling within rule 259, 260 and 266 no copy of any record or any part thereof or of any decree, order, proceeding, paper or other document in any record, shall be made, except on stamped paper provided by the person who has obtained an order for the copy.If necessary stamped paper is not available. Judicial water marked paper provided instead.

264. Scale of copying charges.

- The following shall ordinarily be marked paper with adhesive stamp of the requisite value may be scale of charges for copies.(1)For copies containing 400 words or less :

| | | |
|-------------------|---|-----------------|
| Judgment | Any other paper except book, register, map or plan etc. | |
| Deposition Decree | or any extract thereof for documents mentioned in rule. | |
| Ordinary copy | 100 | 100 100 100 100 |
| Urgent copy | 200 | 200 200 200 200 |

(2)For a copy, ordinary or urgent containing more than 400 words-For 400 words the charge shall be the same as detailed above, and for every subsequent 100 words or less, an extra charge of four annas and eight annas respectively shall be made.(3)In the case of books, registers, maps or plans or extracts thereof no general rule can be laid down. In each a charge shall be fixed by the Presiding

Officer with reference to the quantity, difficulty or intricacy of the work to be done. In cases which an applicant desires to have more than one copy of a paper and typed copies can be given, each copy after the first shall be supplied at half the rates prescribed above.

265. Use of stamped sheet for copy.

(1) Except in the case of an application for a copy of a book, register, map or plan or any extract thereof, every application for a copy for which a charge is to be made, shall be accompanied by sheet or sheets of stamped copying paper equal in value to the scheduled charges for the copy of the document in the preceding rule. If upon any sheet or sheets so supplied, no part of the copy be written, the Head Copyist shall make and sign upon such sheet or upon each of such sheets as the case may be, an endorsement to the following effect filling up the blanks "This sheet was used in application No dated" If the whole of copy can be made upon the sheet or sheets supplied, the remainder shall be written upon foolscap paper of durable texture supplied from the stationery allowance. Each sheet of the copy including every sheet supplied shall be stamped with the stamp of the court and serially numbered by the Head Copyist. (2) If the application is not accompanied by a sheet or sheets of stamped copying paper of the minimum value of Rs. 1/-, it shall not be admitted. (3) If the application is accompanied by a sheet or sheets of not less than the minimum value as stated in the preceding sub-rule, but the copying fees leviable are found to be in excess of the value of the sheet or sheets thus filed, the applicant shall be called upon to make up the deficiency within a time to be fixed for the purpose. If the deficiency is not so made up, the application shall be rejected. (4) The notice to an applicant indicated in sub-rule (3) above may be given by means of a notice-board of the court.

266. Copies of maps plans etc.

- When an application is made for a copy of a book, register, map or plan or any extract thereof, or for a copy of a paper not in the language of the court, a photograph or the like whether forming part of a decree or not, which the regular copying staff cannot prepare or for a copy of a decree which, owing to its length or complexity, cannot reasonably, in the opinion of the Presiding Officer, be prepared by the regular copying staff for the fixed charge in the above rules, an estimate shall be prepared under the orders of the Presiding Officer and when prepared shall be laid before him for sanction. The particulars of the estimate as sanctioned shall be entered in the prescribed form, the signature of the Presiding Officer shall be taken on it and the amount of the estimate as sanctioned shall be communicated to the applicant. Upon payment of such amount being made by the applicant (in copy folios to the value of the sanctioned estimate) the Presiding Officer of the court shall arrange, if possible, for a copy to be made thereof and compared with the original by such special copyist as are forthcoming within his jurisdiction and may, in his opinion be relied upon for the purpose. If no such persons are forthcoming, he may send such document together with a copy of this rule to a court in another district or State where such special copyists are available with a request that such court have the copy made. Any necessary charges incurred over and above the estimated amount shall be borne by the applicant. If payment is not made within a week of the communication of the estimate to the applicant shall be dismissed. The Head Copyist shall enter in the register the sanctioned estimates of copying charges for copies of books, register, maps or plans

or extracts thereof. The special Copyist appointed for such purposes shall be paid his fees from the amount deposited (in cash) by the applicant, from which deposit the cost of material, if any, required for the presentation of the copy of map. plan etc. shall also be defrayed.

267. Signing examination and certification of copies.

- When a copy has been made, it shall be signed by the person who made it: and it shall be examined, corrected, if necessary, and certified to be true copy by the Head Copyist. If the copy was made by the Head Copyist or the Head Copyist is unable to certify, it shall be examined, corrected. if necessary and certified to be a true copy by some other person, selected by the Presiding Officer for that purpose. No copy of a document shall so certified to be a true copy unless it shows correct number of words there and also the value of the stamps if any. in the original document. No copy shall be delivered to an applicant until it has been examined and certified, in the manner stated above, and countersigned by the officer-in-charge.

268. Heading on copies.

- Every copy shall commence with a heading in the following form :- Certified copy of (description of paper copied in title of case) suit/appeal No. (Number) or (Year) in the court of (name of the court) at (place) decided/pending on (date).

269. Endorsement on a copy.

- Every copy shall bear an endorsement showing the following particulars :-(a) the number of the application on the register and the year, (b) the date of the presentation of application, (c) number of words copied, (d) amount of copying fees, (e) name of copyist, (f) date fixed for issues of copy, (g) date on which copy was ready, (h) date of issue of notice to applicant (if issued), and (i) date of delivery/posting.

270. A register of applications for copies disposed of.

- A register of applications for copies disposed of shall be maintained in the prescribed form. All copies issued and all applications disposed of without issue of copies shall be entered in this register.

271. Order of compliance with application.

- Orders made on urgent applications shall have priority over all orders made on ordinary applications. Orders made on applications shall have strict priority amongst themselves according to the date and serial number of the order. Any departure from this rule shall be at once reported to the Presiding Officer with the reasons for such departure and the fact of such departure shall be attested by the Presiding Officer's initials against the entry in register of applications for copies relating to the applications exceptionally treated.

272. Urgent copies.

- A copy for which an order has been made on an urgent application shall be delivered as a rule not later than the working day next after the day on which the order was made.

273. Date for delivery of a copy.

- A definite date not ordinarily exceeding seven days ahead shall be fixed for the delivery of the copy and intimated to the applicant. The copy, as far as possible, shall be delivered on the date so fixed. If for any reason, the copy is not ready for delivery on the date so fixed, the applicant shall be directed to attend on another date, when the copy may be expected to be ready for delivery. If the copy is not ready and the applicant does not appear on the date fixed, notice of the next date fixed for the delivery of copy shall be sent to him by post, if he has deposited the necessary postal charges. If necessary postal charges have not been deposited, it shall be affixed on the notice-board of the court.

274. Delivery of a copy when ready.

- When a copy is ready, and the applicant or his authorised agent is present, the copy shall be given to him. If the applicant or his authorised agent is not present, a notice over the signature of the head of the office shall be affixed to the notice-board notifying that the copy is ready for delivery. If from the date of the fixing notice, the applicant appears within three months, the copy shall be delivered to him. If the applicant does not appear within this period, the copy shall be destroyed under the order of the Presiding Officer, an entry to that effect being made in the remarks column in the register of copying application.

275. Copies prohibited.

- Except for special reasons to be noted by the Presiding Officer upon the back of the application, no copy shall be granted (1) of Official correspondence and reports and (2) of a document which is itself a copy.

276. A copy of a copy may only be granted if the original documents is not traceable.

- A copy of a copy may only be granted, if the original document is not traceable, or is not accessible to the applicant for the purpose of obtaining a copy. Each page of such copy shall bear in red ink the remarks that it is a copy of a copy.

277. Application to subordinate court when record is to go to headquarters.

- If an application for a copy be made in any subordinate court, the Presiding Officer may decline to grant a copy from a record which will, within three days, be required for transmission to a superior court or to the Record Room and in such case the date of the application and the fact and date of

such refusal shall be endorsed upon the application, and shall be signed by the Presiding Officer and the application shall be returned to the applicant with instructions to present it in the court concerned. If an application so returned be subsequently presented in the superior court or the court to which the record room is attached the Reader or the Head Copyist shall endorse thereon the date of the presentation in such court.

278. Difficulty to be referred to the Presiding Officer.

- In case any difficulty arises in complying with an order for a copy, the application and order together with an office report shall be forthwith laid before the Presiding Officer for orders.

279. Standard of work for Copyists.

- It shall be the duty of the Head Copyist to see that every copyist is fully employed during court working hours or during such longer time as the Presiding Officer may direct, that he is constantly at work during such time and his work comes up to the standard noted in rule 280. The Head Copyist shall himself carry out so much copying as the Presiding Officer of the court may consider practicable with reference to the Head Copyist's other duties.

280. Standard of work for typists and Copyists.

- The following standard of work is fixed for typists and copyists :-

English Typist Four thousand words per day.

English Copyist Two thousand five hundred words per day.

Hindi Copyist Two thousand five hundred words per day.

281. Register of out turn of copyists.

- A register in the prescribed form shall be maintained by all Head Copyists in which a note of the words copied by each copyist shall be kept and average shall be worked out weekly.

282. Collector to be informed when work increases for copyists.

- If in any court, copying work increases so much that the existing staff of copyists cannot copy with it. the Head Copyist shall at once report to the Collector who shall ascertain whether any increase of establishment is necessary in his opinion, he shall report the matter for the orders of the Revenue Board.

283. Collector to be informed when work not sufficient for copyists.

- If, in any court, copying work falls off so that every copyist cannot actually employed, the Head Copyist shall at once report to the Collector, and during any quarter of the year, the actual receipts

in any court on account of copying work fall below the disbursements the Presiding Officer of such court or the Collector shall report the matter on or before the fifteenth day of the first month of the next quarter to the Revenue Board for orders. The Presiding Officer or the District Collector as the case may be, shall thereupon hold in abeyance fresh appointment to his clerical establishment till such time as he considers necessary.

Chapter X

Payment of Fees to the Legal Practitioners

284. Payment of fees to Legal Practitioner Scale of fees prescribed.

- In all suits or applications of a judicial or quasi-judicial nature pending in any Revenue Court or office and being suits or applications for money or in respect of a claim the pecuniary value of which can exactly be defined, the sums which may be charged to an unsuccessful party in respect of the fees of his adversary's advocate, pleader, vakil or attorney shall not exceed the amount, if any, actually certified as paid in the court or the maximum prescribed in the Schedule below, whichever be less :-

Schedule

(a) If the amount or value of the claim does not exceed Rs. 5,000 at 5 per cent. (b) If the amount or value exceeds Rs. 5,000 and does not exceed Rs. 20,000 on Rs. 5,000 at 5 per cent and on the remainder at 2 per cent. (c) If the amount or value exceeds Rs. 20,000 and does not exceed Rs. 50,000 on Rs. 20,000 as above, and on the remainder at 1 per cent. (d) If the amount or value exceeds Rs. 50,000 on Rs. 50,000 as above and on the remainder at ½ per cent. Provided that :- (i) In no case shall the amount of any fee exceed Rs. 4,000/- (ii) In any suit, application or claim in any Revenue Officer of original jurisdiction which is undefined the amount to be paid as the fee of the adversary's pleader, or agent shall be calculated at one half the sum at which it would have been charged had the suit been defended, and the fee shall not be less than Rs. 2/- in a contested case and rupee one in an uncontested case.

285. Fees when value cannot be exactly defined.

- In all suits, applications and miscellaneous proceedings in respect of which the pecuniary value of the claim cannot be exactly defined as for example in suits for a lease or the counterpart of the lease, or for abatement or enhancement of rent, or for ejectment or reinstatement or in partition proceedings, the Presiding Officer or the Board may award the fees actually paid by the successful adversary as certified subject to the maximum mentioned below: and where such a certificate has not been filed the Presiding Officer may, having regard to the time occupied in the decision in the case and the nature of the question raised therein, fix reasonable fee which shall in no case exceed-Rs. 50/- for the court of the Commissioner, Rs. 16/- for Court of the Collector, and Rs. 10/- for the Court of the Assistant Collector or Tehsildar.

286. Second fee not to be charged in execution.

- A pleader, or revenue agent receiving a fee in suit, appeal or proceeding shall carry the suit or proceeding to an end, and make all necessary applications in the execution department and a second fee shall not be charged by the courts to the judgment-debtor in the execution department, unless the decree holder can satisfy the court that it was absolutely necessary to employ another pleader, or revenue agent, in executing his decree, and that the services of the pleader, or revenue agent, in the matter were indispensable.

287. Fees when case is dismissed.

- If any suit, application, or claim is dismissed for default or upon merits or is decreed for the defendant defendant's pleader or agents, fee shall be calculated upon the whole value of the suit.

288. Fees when case is decreed in part.

- If any suit, application, or claim is decreed for the plaintiff as to part only of his claim and as to the remainder is dismissed, or decreed for the defendant, the fees allowed to such party's pleader or agent, shall be calculated upon the value of that part of the claim in respect of which he was succeeded.

289. Fees when in a successful suit full amount of damages claimed is not allowed.

- If in any suit for damages, under the rent laws, the plaintiff fails to recover the full amount of damages claimed, the defendant shall not be entitled to any allowance for a pleader or agents fee in respect of the difference between the amount of damages claimed and the amount recovered, unless the Presiding Officer of the court, or office shall be of opinion that the amount claimed for damages was unreasonable or excessive, and shall for that or any other cause (to be specified) direct that a fee for his pleader, or agent shall be allowed to the defendant, if specially allowed, the amount of such fee shall be calculated upon the amount of damages disallowed to the plaintiff.

290. The court may allow higher or lower fees or disallow any fees.

- Notwithstanding anything contained in these rules, the Court may allow a higher fee if, in its opinion, the fee allowable under the rules, having regard to the circumstances of the case is inadequate, or may, for sufficient cause, shown allow a lower fee or order that no fee be entered in the table of costs of a party.

291. Several defendants succeeding upon a joint common defence

- Where several defendants arrayed as appellants or respondents in a court having a joint or common interest succeed upon a joint defence to the suit or upon separate defences which are

substantially the same the total sum to be entered in their joint table or in their respective tables of cases shall not exceed that allowed under the rule applicable to the class to which the case belongs, unless the court hearing the case orders otherwise. If only one fee is allowed, the Court may indicate to which of the defendants it shall be paid or may apportion it amongst them in such manner as it may think fit. If the Court makes no such order, it shall be apportioned equally among such defendants as may have appeared by a pleader/advocate or revenue agent.

292. Several defendants succeeding upon separate and distinct defences.

- Where several defendants whether arrayed as appellants or respondents in a court having separate interests have set up separate and distinct defences, a separate fee is allowable under the Rule applicable to the class to which the case belongs may, if the Court so orders, be allowed in respect of the separate interest of each such defendant as may have appeared at the hearing by a separate advocate and succeed upon his separate and distinct defence.

293. Effect of falsely valuing the claim.

- Notwithstanding anything contained in these rules the court may order that no sum in respect of Advocates' fee shall be included in the table of costs of a party, in whose plaint, memorandum of appeal or application as the case may be, the value of the claim has been falsely and dishonestly stated. In such case, the Court may allow such additional sum to be included in the table of costs by the other party on account of Advocates' fee as may appear to it to be reasonable.

294. Fee of Advocate not present.

- No fee with respect to any Advocate shall unless he is present at the hearing of the case, be included in the taxation of costs.

Chapter XI

Library

295. General Register of Books and Periodicals.

- All books in the library shall be entered in the General Register of books and also in the Classified Catalogue. Periodicals (e.g. Government Gazette or all India Reporter), which are eventually bound in volumes of a form different from that in which they are first received shall in the first instance be entered in the Register of Periodicals. They shall be taken over in the General Register of Books and the Classified Catalogue when they are bound in the proper form.

296. Classification and arrangement of Books.

- Books shall be classified in the Catalogue and arranged in the library, in the manner following:-I. Collection of Acts, Ordinances and Regulations :-(i)Central,(ii)Rajasthan.(iii)Other States.(iv)Miscellaneous.II. Special Acts, when printed separately.III. Commentaries on Acts.IV. Law Treatises.V. Departmental Codes, Guides, Manual and Circulars :- (i)Judicial,(ii)Revenue,(iii)Finance and Accounts,(iv)Miscellaneous.VI. Law Reports.Note:-There shall be a separate sub-head for each separate series of law reports, e.g. AIR. IC. 1LR (Allahabad), ILR (Bombay), RRD. RLW. etc.VII. Digests.Note:-There shall be a separate sub-head for each separate series of digests.VIII. Periodicals.IX. Administration Reports :- (i)India,(ii)Rajasthan.(iii)Other States.(iv)Miscellaneous Departments.X. Dictionaries. Glossaries Lists and Directories.XI. Miscellaneous.Any additions or alterations to the heads of sub-heads given above may be made only with the sanction of the Board of Revenue.

297. Duties of Librarian.

- It shall be duty of the Librarian :-(1)to stamp the seal of the Court on the title page: the tenth page and the last page of each book: and enter in it the number assigned to the book:(2)to check the Catalogue at the commencement of each year:(3)to issue books from the library in accordance with the rules following, and to see that no books are issued otherwise:(4)to report the loss of any book from the library as soon as discovered.

298. Receipts for Books taken out.

- When any officer requires a book from the library he shall send a receipt for it on a slip of paper, which shall be returned to him when the book is returned to the library.The Librarian shall enter in a Book to be kept for that purpose-(1)the name and number of each book removed from the library on that day and not returned before the close of the day:(2)the date when it was removed:(3)the name of the person, who received it: and(4)the date when such book is returned to the library.Every reasonable facility is to be afforded to Government Counsel to consult the law books in the Boards Library.

299. Check of Books.

- The librarian will submit to the Presiding Officer a quarterly list in January, April, July and October, showing the books which have been out of the library for more than three months. He will then take necessary steps to secure the return of the books unless there is good reason for their retention by the borrower.

300. Loss of Books.

- When the loss of any book is reported the Presiding Officer will after making necessary enquiry decide whether the cost of the missing book should be recovered and if so from whom.

301. Binding of Books.

- Valuable books may, with the previous sanction of the Presiding Officer be sent to the bound at the Government Press or elsewhere as may be necessary. Gazette.-Gazettes shall be regularly field and carefully bound into annual volumes.

302. Books etc. not be weeded.

- The following books and publications shall not be weeded without reference to the Registrar :- (1) Collections of Acts, Ordinances and Regulations. (2) Commentaries on Acts. (3) Law Treatises. (4) Latest editions of the Manual of Government Orders, Book. Circulars of the Board of Revenue Service Rides, Treasury Manual. Financial Hand Books, Civil Account Code, Standing Orders of the Accountant General and of the directions and Manuals (including circulars) of the various departments also single copies of suspended editions of the above. (5) Law Reports. (6) Digest. (7) Government Gazettes. (8) Statements. Notes, Revenue Administration Reports, Census Reports and appendices.

303. Publication which may be weeded.

- The following publications may be weeded out. (1) Duplicate copies of superseded editions of publications mentioned above. (2) Superseded editions of village directories, histories of Gazetted officers and civil and army lists.

304. Sale of books etc.

- Non-official publications and official publications which have been priced for sale to the public should, if it is decided to weed them under these instructions, be sold to the best advantage. All such publications shall, prior to sale, be stamped, inside the cover "Sold by order of the Court".

Chapter XII

Processes and Process Fees

305. Fee Chargeable.

(a) Fees as shown in the table shall be charged for serving and executing processes issued by revenue courts, and for the services of the officer executing the processes or conducting sales in execution of orders of decrees of such revenue courts : Provided that if the case in which the process is issued is one which has been transferred from one court to another of different powers, the fee shall be that prescribed for the court from which the case was transferred and in which it could have been tried. (b) A summons to a party or witness may be served by a special messenger in any case in which a court may suo motu or otherwise record an order that for the convenience of the parties or for some other reason it is expedient that such process should be executed by a special messenger. A

special fee as in article 10 of the table of fee appended to this rule shall be charged for such emergent service and the court shall at the time of passing the order declare by whom the fee shall be paid, and whether it shall be included in the cost of the suit or be charged to a particular party. No such additional fee shall be charged in the case of a warrant for the arrest of a person.

306.

- Notwithstanding anything contained in rule 305 no fee shall be chargeable for serving or executing :- (1) any process which may be issued by any court, of its own motion unless the order of the court is for payment of the necessary process by a party; (2) any process issued a second time in consequence of an adjournment made otherwise than at the instance of a party or an intervener; (3) any copy of a warrant, order or certificate posted under Order XXI. rule 36. 54 or 96 when the fee chargeable under article 4 or under article 8. Part I or under article 4. or article 7. Part II and III. has been paid; (4) any copy of a summons, notice, order, proclamation or other-process posted in a court house or in the office of a Collector; (5) any notice issued by a District Court under Schedule 111, paragraph 3 of the Code; (6) any order intimating withdrawal of attachment or postponement of sale; (7) any order intimating to a sales officer that permission has been given to a decree-holder to bid for or purchase property under Order XXI rule 72; (8) any copy of a notice of an application under Act NO. VIII of 1890 sent to a Collector; (9) any order directing an officer-in-charge of a jail to detain or to release a person committed to his custody.

307. No fees to be charged for fresh service or execution of process in certain cases.

- No fees shall be charged for fresh service or execution of processes in cases in which any processes are not served on account of a mistake of the Officer or fault of the process server.

308.

- A summons or notice served under Rule 13, 14, 15 and 17 of Order V of the Code shall be deemed to have been served for the purpose of this rule, even though the service is held to be insufficient under Order V Rule 19.

309. Un-expended process fee.

- Except as hereinafter mentioned, no fee paid in respect of an order of attachment or an order of sale shall be refunded if the order in respect of which the fee has been paid, has been passed.

310.

If for any reason, it becomes unnecessary for an officer to proceed to make an attachment in the manner prescribed in Order XXI, rule 43. 44. 51 or 54 or make delivery of possession of property under Order XXI. rule 31. 35. 36. 95. 96, 98 or 101 of the Code, any fee paid in respect of his services

shall be refunded after a deduction at the rate of one anna in the rupee or part thereof.

311. Poundage fee to be deducted from the deposit.

- If default be made in the payment of purchase money within the time specified in Order XXI. rule 95, of the Code, the fee payable by way of poundage shall be deducted from the deposit paid under Order XXI, rule 84. mid stamps representing such fee shall be bought and affixed by the Court on the order directing the deduction to be made.

312. Poundage less than an anna.

- Any fraction of an anna in a fee payable by way of poundage shall be remitted.

313. Wages of Chairmen and incidental charges

- Incidental charges such as the wages of chairman and the like, shall be levied in cash. Their amount will be at the discretion of the Court, and they shall be paid by the party named by the court before the Amin is deputed.

314. Process fees taxable as costs.

- The fees paid in pursuance of these rules shall in all proceedings be deemed and treated as part of the necessary and proper costs of the party who pays them :Provided that no fees or charges which have been refunded or in respect of which a party might have obtained a refund, shall be deemed and treated as necessary and proper costs of the party who pays them.

315. How to file Process fees.

- Process fees payable under these rules shall, except where otherwise indicated, be paid in adhesive court-fee stamps pasted on a separate sheet of paper on which shall be written the particulars of the case in which the process is to be issued and the description of the process of which it be the fees.

316. Proclamation of a notice by beat of drum.

- When a notice has to be proclaimed by beat of drum a sum of eight annas in cash shall be tendered with every application for the issue of such notice to cover the expenses of proclaiming the notice by beat of drum.

317. Punching and Cancellation of stamps.

- Each Revenue Officer should, under Section 30 of the Court Fees Act. 1870, as adapted to Rajasthan, formally appoint an officer for the purpose of cancelling stamps. That officer, who should ordinarily be the Reader for documents filed in court (or other ministerial officer authorised to

receive any application) for documents presented before him, shall personally attend to and be personally responsible for, the strict fulfillment of the duty or receiving documents to be filed, examining the correctness and adequacy of the stamps attached thereto and immediately cancelling such stamps as are required by Section 30 of the Court Fees Act. There is no objection to the ministerial officer appointed employing trustworthy subordinates to do the mere manual work of cancelling the stamps, subject to the approval of the court, but it will be on the distinct understanding that, that officer will be personally responsible for the execution of the duty and for any defalcation or fraud that may occur in connection with it. Note:-(1) The Presiding Officer should see that punching is done immediately on presentation of the petitions and other documents in court. (2) A rubber stamp in the following form shall also be used:-

Cancelled Date.....

It should be applied across the adhesive stamps and upon the paper on either side of it but not in such a way as to obliterate the entries thereon or to render the detection of forgeries more difficult.

318.

- Too strict a compliance with the provisions of Section 30 of the Court Fees Act cannot be enjoyed. In all cases it should be carefully seen that the figure heads of the court-fee stamps are punched out, that the pieces are destroyed, and the stamps registered before the documents to which the stamps are attached are filed or acted upon.

319. Forgery of Stamps to be reported to Government.

- The Presiding Officer of every Revenue Court shall report immediately to the State Government through the Inspector General of Stamps and Registration Rajasthan, any instance of forgery or fraudulent use of any description of stamps whether general, Judicial, Postal or Telegraph coming to his notice. Such report shall be accompanied by full particulars of the nature of the forgery or fraud perpetrated, and, if possible, by specimens.

320.

- The fees exhibited in the following table shall be charged in the Revenue Courts for serving and executing the several process against which they are respectively ranged

| Table of Fees | |
|---------------|--|
| | |

Part I – . For processes issued from the Revenue Board.

Article 1. Notice of appeal or other notice to respondents, where the number of respondents to be served is not more than four : one fee 1/8/0. Where the number of such respondents is more than four, the fees above-mentioned shall be charged for the first four together with an additional fee of six annas for every respondent in excess of four: provided that the aggregate amount of fees levied under this clause shall not exceed rupees seven annas eight. Article 2. Summons to witnesses, where the number of witnesses to be served is not more than four, one fee 1/8/0. Where the number of

such witnesses is more than four, the fee above mentioned shall be charged for the first four together with an additional fee of annas six for every witness in excess of four. Article 3. Warrant of arrest in respect of each person to be arrested 2/0/0. Article 4. Notice, proclamation or injunction or other order not otherwise provided for. where the number to be served is not more than four, one fee 1/8/0. Where the number is more than four, the fee above-mentioned shall be charged for the first four together with an additional fee of annas six for every process in excess of four, provided that the aggregate amount of fees levied under this clause shall not exceed rupees seven annas eight. (2) Sub-Rule (1) shall, with necessary modification and adaptation, also apply to fees chargeable for, serving and execution process in exercise of the Court, revisional jurisdiction.

Part II – For processes issued from the Courts of Collectors, Settlement Officer, Commissioner and Settlement Commissioner.

Article 1. Summons to defendants, when the defendants are not more than four in number one fee 1/4/0. When the defendants are more than four in number, then the fee above mentioned for the first four and an additional fee of five annas for every such defendant in excess of four: provided that the aggregate amount of the fees levied under this article shall not exceed six rupees four annas. Article 2. Summons to witnesses, when the witnesses are not more than four in number, one fee 1/4/0. When the witnesses are more than four in number, then the fee above mentioned for the first four, and an additional fee of five annas for every such witness in excess of four. Article 3. Every order of attachment 1/0/0. Article 4. In respect of the services of the Officers making an attachment in the manner prescribed in Order XXI, rule 43, 44, 51 and 54 and section 46 of the Code when the property is to be attached in one town or village only one fee 4/0/0. When property is to be attached in more than one town or village, then the fee above-mentioned for the first town or village specified in the order of attachment, and an additional fee of one rupee for every other town or village: provided that the aggregate amount of fees levied under this article shall not exceed seven rupees. Article 5. Every warrant of arrest in respect of each person to be arrested 2/8/0. [Article 6] [Note-The portion (a) of this fee must be paid when the process is obtained and the poundage (b) at the time and in the manner prescribed in rules framed by the Revenue Board.] Every order for the sale of property-(a) in respect of the order of sale 1/0/0. (b) by way of the poundage on the full amount of the purchase money.

If the sale be effected through a broker under Order XXI, rule 76 of Act No. V of 1908.

The commission payable to the broker and, in addition a sum equal to one-quarter of such commission.

On sales conducted by Revenue Courts, at the rate of 6 per cent, or one anna in rupees. Article 7. In respect of the services of the Officer making delivery of possession of property under Order XXI, rule 31, 35, 36, 95, 96, 98 or 101 of the Code when property is to be delivered in one town or village only one fee 4/0/0. When property is to be delivered in more than one town or village, then the fee above mentioned for the first town or village specified in the warrant of delivery, and an additional fee of one rupee for every other town or village: Provided that the aggregate amount of the fees levied under this article shall not exceed seven rupees. Article 8. Notice, proclamation, injunction or

other order not specified in any preceding, article of this part, when the copies to be served or posted are not more than four in number, one fee 1/4/0. When such copies are more than four in number, then the fee above mentioned for the first four, and an additional fee of five annas for every such copy in excess of four: Provided that the aggregate amount of the fees levied under this article shall not exceed six rupees eight annas. [Article 9] [Note.-This will be payable in addition to the ordinary fee specified in article 2 or 8 of this part.]. If the service of a process, other than a warrant for the arrest of the person declared "emergent" 1/0/0.

Part III – For processes issued from the Courts of Tehsildars, Assistant Collectors, Assistant Settlement Officers and Assistant Records Officer.

Article 1. Summons to defendants, when the defendants are not more than two in number, one fee 0/10/0. When the defendants are more than two in number, then the fee above mentioned for the first two, and an additional fee of three annas for every such defendant in excess of two: Provided that the aggregate amount of the fees levied under this article shall not exceed four rupees. Article 2. Summons to witnesses in respect of each witness. 0/5/0. Article 3. Every order of attachment, 0/10/0. Article 4. In respect of the services of the Officer making an attachment in the manner prescribed in Order XXI, rule 43. 44. 51 and 54 and Section 46 of the Code when property is to be attached in one town or village only, one fee 2/0/0. When property is to be attached in more than one town or village, then the fee above mentioned for the first town or village specified in the order of attachment, and an additional fee of nine annas for every other town or village: Provided that the aggregate amount of the fees levied under this article shall not exceed three rupees. Article 5. Every warrant of arrest in respect of each person to be arrested. 1/4/0. [Article 6.] [Note.-The portion (a) of this fee must lie paid when the process is obtained and the poundage (b) at the time and in the manner prescribed in rules framed by the Revenue Board.] Every order for the sale of property-(a) in respect of the sale 0/10/0: (b) by way of poundage on the full amount of the purchase money.

| | |
|--|--|
| If the sale by effected through a broker under Order XXI, rule 76 of the code. | The commission payable to the broker and, in addition a sum equal to the quarter of such commission. |
|--|--|

On sales conducted by Revenue Courts, at the rate 6-1/4% or one anna in the rupee. Article 7. In respect of the services of the Officer making delivery of possession of property under Order XXI, rule 31. 35, 36. 95. 96. 98 or 101 of the Code when the property is to be delivered in one town or village only one fee 2/0/0. When property is to be delivered in more than one town or village, then the fee above mentioned for the first town or village specified in the warrant of delivery, and an additional fee of eight annas for every other town or villages: Provided that the aggregate amount of the fees levied under this article shall not exceed three rupees. Article 8. Notice, proclamation, injunction or other order not specified in any proceeding article of this Part, when the copies to be served or posted are not more than two in number, one fee 0/10/0. When such copies are more than two in number then the fee above mentioned for the first two and an additional fee of three annas for every such copy in excess of two: Provided that the aggregate amount of the fees levied under this article shall not exceed four rupees. [Article 9] [Note.-This fee will be payable in addition to the ordinary fee specified in article 1, 2, or 8 of this Part.]. If the service of a process, other than a warrant

for the arrest of the person to be declared "emergent" 0/10/0.

Chapter XIII

Forms of Oath and Affidavits

321. Forms of Oaths.

- The following forms of Oaths and affirmations are prescribed under section 7 of the Indian Oaths Act by the High Court of Rajasthan :- (1) Oaths for witness "The evidence which I shall give to the Court shall be the truth, the whole truth, and nothing but the truth, so help me God". (2) Affirmation for witness "solemnly affirm that the evidence which I shall give to the court shall be the truth, the whole truth, and nothing but the truth". (3) Oath for interpreter-"will well and truly interpret what is deposed by the witness (or witnesses) before the court. So help me God". (4) Affirmation for interpreter-"I solemnly affirm that I will well and truly interpret what, is deposed by the witness (or witnesses) before the court". (5) Oath for person making affidavit-"I swear that this my declaration is true: that it conceals nothing: and that no part of it is false. So help me God". (6) Affirmation for person making an affidavit-"solemnly affirm that this my declaration is true: that it conceals nothing: and that no part of it is false".

322. Affidavits.

- An affidavit shall fully describe the person swearing the affidavit with such particulars as will ensure his clear identification such as his full name, the name of his father, his religious persuasion, his rank or degree in life, his profession, calling occupation or trade and his true place of residence. Any person or place referred to in an affidavit shall be fully described in such manner as to enable his or its identity to be clearly fixed except as otherwise provided by law. Any affidavit may be sworn by any person having knowledge of the facts deposed to therein. Two or more persons may join in affidavit, each deposing separately to such facts as are within his knowledge. When the deponent speaks of any facts within his own knowledge, he must do so directly and positively using the words "I affirm" or "I make oath and say. or words to that effect". Except on interlocutory applications, affidavit shall be confined to such facts as the deponent is able of his own knowledge to prove.

323.

- On an interlocutory application when a particular fact is not within the deponents' own knowledge, but is based on his belief or information received from others which he believes to be true, the deponent shall use the expression "I am informed and verily believe such information to be true" or words to that effect, and shall sufficiently describe for the purpose of identification, the person or persons from whom his information was received.

324.

- When any fact is stated on the basis of information derived from a document, full particulars of that document shall be stated and the deponent shall verify that he believes such information to be true.

325. Identification of Deponents.

- Every person swearing an affidavit shall, if not personally known to the person before whom the affidavit is made be identified that person by some one known to him: and in such case the person before whom the affidavit is made shall state at the foot of the affidavit the name, address and description of the person by whom such identification was made. Such identification may be made by a person :- (a) Personally acquainted with the person to be identified: or (b) who is reasonably satisfied as to his identify : Provided that in the latter case the person so identifying shall sign at the foot of the affidavit a declaration in the following form, after there has been affixed to such declaration in his presence the signature or thumb impression of the person so identified. Form of Declaration I (name, description and address) declare that I am satisfied on the grounds stated below that the person making this affidavit and alleging himself to be A.B. is that person. Grounds

326. Affidavit by pardanashin woman.

- No affidavit purporting to have been sworn by a woman who did not appear unveiled in the presence of the person before whom the affidavit was made shall be used unless she was identified in the manner specified in Ride 45, and the affidavit is accompanied by a separate affidavit by the person identifying her made at the time of identification setting forth the circumstances in which she was personally known to him or he was satisfied that she was such person as she alleged herself to be in her affidavit.

327. Contents to be explained to deponent.

- The person before an affidavit is sworn shall ask the deponent if he has read the affidavit and understands the contents thereof. If the deponent states that he has not read it or appears not to understand the contents or does not know the language thereof he shall read and explain or cause another person to read and explain in his presence, the affidavit to such person. Until he is satisfied that the deponent fully understands its contents he shall not allow the affidavit to be sworn.

328. Impounding of affidavit.

- When it appear to an Oath Commissioners that the deponent cannot be made to or will not understand the contents of the affidavit he shall impound it. and forward it to the Registrar for such action as he may consider necessary. When an affidavit is impounded under this Rule the person impounding the same shall certify the date on which and the circumstances in which it was impounded.

329. Oath or affirmation by deponent.

- The person administering an oath or affirmation to the person making an affidavit shall follow the provisions of the Indian Oaths Act, 1873. The following forms are prescribed namely :-
Oath I swear that this my declaration is true: that it conceals nothing, and that no part of it is false. So help me God.
Affirmation I solemnly affirm that this my declaration is true: that it conceals nothing that no part, of it is false.

330. Corrections in affidavit.

- All inter lineations alterations, or erasures in affidavit shall be initialled by the person swearing it and the person before whom it is sworn. Such inter lineations or alterations or erasures shall be made in such manner as not to obliterate or render it impossible or difficult to read the original matter. In case such matter has been obliterated so as to make it impossible or difficult to read it, it shall be re-written in the margin and initialled by the person before whom the affidavit is sworn. No inter lineation or alteration or erasures shall be made in an affidavit after it has been sworn.

331. Certificate or verification.

- The person before whom an affidavit, is sworn shall certify at the foot of the affidavit the fact, of the swearing of the affidavit before him. the manner in which he has complied with rule 327 and the date and hour of swearing of the affidavit and shall mark, initial and date any exhibits referred to therein.

332. Affidavit containing numerous corrections may not be accepted.

- The Court or the Registrar may refuse to receive an affidavit in which the inter lineations, alterations or erasures appear to be so numerous as to make it expedient that the affidavit should be re-writ-ten.

333. Interpretation.

- In this Chapter 'Affidavit' includes a petition or other document required to be sworn, and 'sworn' shall include 'affirmed'.

Register No. Attendance Register for the Office of.....For the month of 19.....[Rule No. 1 [Part II]
 2]

Serial No. Name Designation Date Casual Leave Remarks

1 to 31

1 2 3 4 5 6

Register No.[Rule 9]CauseListDate.....Month.....Year..... No. 2 [Part II]

| Serial Number | Number and description of case | Names of parties with District | Names of the lawyers | Purpose | The place at which the case will be heard | Remarks |
|---------------|--------------------------------|--------------------------------|----------------------|---------|---|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

Register No. Register of Petty receipts and Repayments [Rule 218] No. 3 [Part II]

Date Court S.No. Name of payer Name of parties Nature of receipt Amount
Rs. n.p.

| | | | | | | |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|---|---|---|---|---|---|---|

Register No. Register of Records taken by Presiding Officer to their Residence [Rule 130] No. 4 [Part II]

| Serial Number | Kind of case | Number and year of case | Title of case | Next date of hearing | Date when the Presiding Officer took the record | Date when the Presiding officer returned the record | Remarks |
|---------------|--------------|-------------------------|---------------|----------------------|---|---|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

Register No. Register regarding result of the decision of the appellate Court to be sent to the lower court [Rule 139] No. 5 [Part II]

| Serial Number | No. and year of case | Name of parties | Subject of appellate court | Date of Decision | Result of Decision | Name of lower Court to whom the result of decision communicated | Date of communicating the result | Remarks |
|---------------|----------------------|-----------------|----------------------------|------------------|--------------------|---|----------------------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

Register No. Process Register [Rule 220] No. 6 [Part II]

| Serial Number | Date of issue | Court | Number of case and names of parties | Date of receipt for issue | Date of fixed for returned to Nazir | Date fixed for hearing | Number of copies for service |
|-----------------|-------------------------|--------------------------|-------------------------------------|---------------------------|-------------------------------------|------------------------|------------------------------|
| Name of process | Within five mile radius | Outside five mile radius | | | | | |

1 2 3 4 5 6 7 8 9 10

Amount paid to process server for disbursement Un-expended process money refunded by the processserver Remarks

| Name of process server | S.No. In register of Petty receipts and Repayments | Amount as entered in register or Petty receipts and Repayments | Date of service | Place of service | S.No. In Register of Petty Receipts and Repayments | Amount as entered in Register of petty Receipts and Repayments | Date of return of process to the Court of issue | Sign Offi ackn rece ofre proc |
|------------------------|--|--|-----------------|------------------|--|--|---|-------------------------------|
| 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |

Register No. Process Servers Diary [Rule 220] No. 7 [Part II]

| Date | Particulars of work and time spent thereon | Signature of Nazir, (or of Patwari zamindar or any respectable person) | Remarks |
|------|--|--|---------|
| 1 | 2 | 3 | 4 |

Register No. Register of Appeals from decrees [Rule 220] No. 8 [Part II]

| Date of presentation of memorandum | How instituted 1. Originally presented 2. Received by transfer 3. Remanded 4. Reviewed 5. Revived | Number of Appeal | Name of applicant with description and place of abode | Name of respondent with description and place of abode |
|------------------------------------|--|------------------|---|--|
| 1 | 2 | 3 | 4 | 5 |

Decree appealed from Judgment from appellate decree Remarks

| Of what court | Number of original suit | Particulars | Amount | Date fixed for hearing | Confirmed Date reversed or altered | For what or amount | Date of institution | Date of disposal | Judgment | |
|---------------|-------------------------|-------------|--------|------------------------|------------------------------------|--------------------|---------------------|------------------|----------|----|
| 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |

Register No. Register of Appeals from decrees disposed of [Rule 220] No. 9 [Part II]

| Serial | Date | Number of Appeal and | Value of | Date of | Date of | Rejected |
|--------|------|----------------------|----------|---------|---------|----------|
|--------|------|----------------------|----------|---------|---------|----------|

| Number | | names of Parties | | | appeal | institution | disposal | | |
|-----------------|---|------------------|----|----|--|--------------------------|--|---------------------------------|---------|
| 1 | 2 | 3 | | | 4 | 5 | 6 | 7 | |
| How disposed of | | | | | | | | | |
| | | | | | Aggregate No. days appeal remained pending | Amount of pleader's fees | Whether higher than ordinary fee awarded | Numbers of papers on the record | Remarks |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 |

Register of Decided Cases[Rule 220] No. 10 [Part II]

| Serial Number | No. and year of the case | Name of parties | Subject | Date of decision with result | Remarks |
|---------------|--------------------------|-----------------|---------|------------------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 |

Register No.[Rule 218]Despatch Registerof the office of.....Dated No. 11 [Part II]

| Sectional Outward No. with case mark | To whom sent | Value of postage stamps affixed | Remarks |
|--------------------------------------|--------------|---------------------------------|---------|
| 1 | 2 | 3 | 4 |

Register No.General Outward Register[Rule218] No. 12 [Part II]

| Date | Outward No. | To whom sent | Brief contents of the letter | Remarks |
|------|-------------|--------------|------------------------------|---------|
| 1 | 2 | 3 | 4 | 5 |

Register No.[Rule 218]Despatch Register(Local) No. 13 [Part II]

| Date | Number and date of paper | Branch or section | Description of paper or papers | To whom addressed | Acknowledgment of person receiving paper or papers | Remarks |
|------|--------------------------|-------------------|--------------------------------|-------------------|--|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

Register No.[Rule 218]Despatch Register(Postal) No. 14 [Part II]

| Date | Number and date of paper | Branch or section | Description of paper or papers | To whom addressed | Weight of letter or parcel | Value of postage stamps affixed | Remarks |
|------|--------------------------|-------------------|--------------------------------|-------------------|----------------------------|---------------------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

Register No. Register of Miscellaneous Judicial Cases not relating to other cases [Rule No. 15 [Part 218] II]

| Date of institution | How instituted i.e.1. Originally2. Receivedby transfer3. Remanded4. Cr. Review5. Revived | Number of case | Name, description and place of abode of plaintiffor applicant | Name, description and place of defendant oropposite party | Nature of case | Date of disposal | | |
|--------------------------------|--|----------------|---|---|---|---------------------------|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | | |
| Ex-party | On admission of claim | Compromised | After full trial | | | | | |
| Number | Aggregate number of days suits remained pending | Number | Aggregate number of days suits remained pending | Number | Aggregate number of days suits remained pending | Judgment for plaintiff | Judgment for defendant | Aggregate number of days suits remained pending |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| On reference to arbitration | By transfer | Appeal | Appeal from appellate decree | | | | | |
| Number | Aggregate number of days suits remained pending | Number | Aggregate number of days suits remained pending | Number and Date of appeal | Date and purport of Judgment in appeal | Number and Date of appeal | Date and purport of Judgment in appeal | |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | |
| Execution | Return of execution | Remarks | | | | | | |
| Number and date of application | Date of order | Against whom | For what and amount, if any | Amount of cost | Amount paid with Court | Arrested | Minute of other return than payment or arrest anddate of every return | |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 |

Register No. Register of Receipts of Deposits in the Court of 19 [Rule No. 16 [Part
218] II]

Details of
Deposits

| Serial No. of deposits | Date of deposit | From whom received | Name of Court ordering deposit | Number and year of case | Kind of case | Title of case | Nature of deposit | Amount of deposit | Initials of Munsarim | Initials of Presiding Officer |
|------------------------------|--------------------|--------------------------|---|----------------------------------|--------------------|---------------------|-------------------------|-------------------------|-------------------------|-------------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |

Details of
Repayments

| Number and date of repayment order | Amount | Initials of Presiding Officer | Number and date of Treasury Advice list | Number and date of repayment order | Amount | Initials of Presiding Officer | Number and date of Treasury Advice list | Number and date repayment order | Amount |
|---|--------|-------------------------------------|--|---|--------|-------------------------------------|--|--|--------|
| 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |

| Details of Repayments | Balance carried to clearance register | Laps and credited to Government | Remarks |
|--------------------------|--|---------------------------------------|---------|
|--------------------------|--|---------------------------------------|---------|

| Number and date of Treasury advice list | Number and date of repayment order | Amount | Initials of Presiding Officer | Number and date Treasury Advice list | Total repayment | Date | Amount | Date | Amount | |
|--|---|--------|-------------------------------------|--|--------------------|------|--------|------|--------|----|
| 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 |

Register No. [Rule 218] Register of Execution Application No. 17 [Part II]

| Date of application | Number of application in this register | S.No. And year of institution | Names of parties to the application | Date of decree or order | Name of Court which passed the decree | Date of last preceding application, if any, forexecution | Amount, Property, or other relief sought to be obtained by execution | Cost incurred after institution of application in column 8 | Amount prop othe obta byex |
|------------------------|---|-------------------------------------|--|----------------------------------|---|--|---|---|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

Register No. { |

Register of Revenue Appeals from | DecreesOrders| in the Court of
[Rule 218]| No. 18 [Part II]|}

| No. of suit | Date of institution | Name of the Court whose decision appealed against together with case No. of that court and date of judgments or order | Parties with particulars of suit or applications | Amount of Court fee paid in appeal | Date of hearing | Date of judgment | Brief abstract of judgment | Order in Second appeal with date | Order of Board of Revenue in Revision | Remarks |
|-------------|---------------------|---|--|------------------------------------|-----------------|------------------|----------------------------|----------------------------------|---------------------------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |

Register No. Register of Appeals under.....cases in the Court of Collector.....for the No. 19 [Part II]
year.....19.....[Rule 218]

| No. of suit | Date of instituted | Parties with particulars of suit | Court fee levied | Date of hearing | Date of judgment | Brief abstract of judgment or final order | First Appeal | Second Appeal | | |
|-------------|--------------------|----------------------------------|------------------|-----------------|------------------|---|--------------|---------------|----|----|
| Date | Brief Abstract | Date | Brief Abstract | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |

Register No. Register showing the classification and value of suits instituted [Rule 218] No. 20 [Part II]

Serial No. Date of Institution Plaintiff Defendant Value

| 1 | 2 | 3 | 4 | 5 | | | | | | | |
|------------------------------|------------------------------|-------------------------------|-------------------------------|--------------------------------|--------------------------------|---------------------------------|-----------------------|-----------------------------|-----------------------|-----------------------------|-----------------------|
| Value not exceeding Rs. 10/- | Value not exceeding Rs. 50/- | Value not exceeding Rs. 100/- | Value not exceeding Rs. 500/- | Value not exceeding Rs. 1000/- | Value not exceeding Rs. 5000/- | Value not exceeding Rs. 10000/- | | | | | |
| Suits for money or movables | Title and other suits | Suits for money or movables | Title and other suits | Suits for money or movables | Title and other suits | Suits for money or movables | Title and other suits | Suits for money or movables | Title and other suits | Suits for money or movables | Title and other suits |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | |

Register No. Memorandum Book of dates for Cases [Rule 220] Cases fixed for hearing No. 21 [Part II]
on.....day, the19....

| Serial No. | Kind of case Original appeal etc. | Number and year of case | Plaintiff, Appellant or Applicant | Defendant Respondent or Opposite party | Name of pleader for Plaintiff, Appellant or Applicant | Name of pleader for Defendant, Respondent or Opposite party | Purpose for which case is set down for hearing | Date to which adjourned, if case not disposed of | Remarks |
|------------|-----------------------------------|-------------------------|-----------------------------------|--|---|---|--|--|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

Register No. Register of Proceedings taken in execution of order received from the Board of Revenue for Rajasthan [Rule 220] No. 22 [Part II]

| Serial No. | No. and year of case | Name of parties | Subject | Date Board's Order | Particulars of orders | Date of receipts of Board's order | Proceedings taken in execution of order | Remarks |
|------------|----------------------|-----------------|---------|--------------------|-----------------------|-----------------------------------|---|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

Register No. Register of sanctioned estimates of copying charges for Maps, Plans, etc. [Rule 220] No. 23 [Part II]

Record from which copy required

| S. No. of this register | Number and date of copying application | Name of applicant | Kind of case | Number and year | Title | Description of amp, to be copied plan etc. | Amount of sanctioned estimate | Signature of the Presiding Officer or Office-in-Charge of the Copying Section | Remarks when fee application |
|-------------------------|--|-------------------|--------------|-----------------|-------|--|-------------------------------|---|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

Register No. Register of Fines, Stamps, duties and penalties levied [Rule 220] No. 24 [Part II]

| Serial No. | Number and year of Case | Names of Parties | Subjects | Date of decision | Fine/penalty/Stamp duty imposed | Name of the person on whom fine/penalty/Stamp duty imposed | Date of recovery | Remarks |
|------------|-------------------------|------------------|----------|------------------|---------------------------------|--|------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

Register No. Register of Application for copies [Rule 220] No. 25 [Part II]

| Serial Number | Date of application | Value of Court fee on Copying folios filed | Name of applicant | Whether | Paper or papers of which copy applied for | Particulars of record from which copy applied for | | | | |
|--|---|--|--|--------------------------------------|--|---|--------------------------|---------|----|----|
| Ordinary | Urgent | Party | Stranger | Kind of case | No. and year of case | Time of case | 8 | 9 | 10 | 11 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | | | | |
| Value of court fee on application for copy | Date and hour when application received by the Record Keeper on clerk in-charge of record | Date and hour when record was received by the Head Copyist | Date and Hour when record was returned by the Head Copyist | Last date fixed for delivery of copy | Date on which notice is any regarding preparation of copy pasted on Notice Board | Name of Copyist | Date of delivery of copy | Remarks | | |
| | 12 | 13 | 14 | 15 | 16 | 17 | 18 | | | |

Register No. Register of Inspection of Records [Rule 220] No. 26 [Part II]

| Serial Number | Date of application | Value of stamp on application | Name of applicant | Whether the Applicant is | Particulars of the record of which inspection is sought | | | | | |
|--|---------------------|--|-------------------|--------------------------|---|--------------------------------|---------|---|----|----|
| A party or his agent | A Stranger | Of what Court | Kind of case | Number and year of case | Title of case | Date of decision | 8 | 9 | 10 | 11 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | | | | |
| Date and hour when application received by Officer-in-Charge of record | | Date and hour of receipt of record by Inspection clerk | | Inspection made on | Date and hour of return of record by Inspection clerk | Acknowledgment by Record Clerk | Remarks | | | |
| 12 | | 13 | | 14 | 15 | 16 | | | | |

Register No. T.A. Bill Register [Rule 220] Court of Budget Allotment No. 27 [Part II]

No. Date Brief Particular Amount Amount passed in Audit Balance of Allotment Remarks

1 2 3 4 5 6 7

Register NoRegister of Casual Leave[Rule220]Leave taken during the year No. 31 [Part II]

Serial Number Name of the Official Remarks

14 13 12 11 10 9 8 7 6 5 4 3 2 1
1 2 3 4

Register NoService Postage Stamp AccountBook[Rule 220] No. 32 [Part II]

| S. No. | Date | To whom despatched | No. and date of letter | Value of postage stamps affixed | Signature of Despatch | Remarks |
|--------|------|--------------------|------------------------|---------------------------------|-----------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

Register NoStationery Register[Rule 220] No. 33 [Part II]

Date Receipt issue Invoice or Bill number in case of receipts Articles of Stationery

1 2 3 4 5

Register NoRegister of Contingentcharges[Rule 220] No. 34 [Part II]

| Date | To whom paid propriation for each head | No. of sub voucher and contingent abstract | Un-usual Charges | Total of each contingent abstract | Total of each month's bill | Date of detailed bill | Date of admission with initial |
|-------------|--|--|------------------|-----------------------------------|----------------------------|-----------------------|--------------------------------|
| Description | Amount | | | | | | |
| 1 | 2 | 3 | 4 5 | 6 | 7 | 8 | 9 10 |

Register NoAcquittance Roll offor19.....[Rule 220] No. 35 [Part II]

| Serial Number | Name | Designation | Rate of pay | Net amount payable | Name of month | Name of month | Name of month |
|---------------|---------|-------------|-------------|--------------------|---------------|---------------|----------------|
| Amount | Receipt | Amount | Receipt | Amount | Receipt | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 9 10 11 |

Register NoRegister of Criminal Suitsdisposed of[Rule 220] No. 36 [Part II]

How disposed of

Date Value Number Number

| Serial Number | Number of suit names of parties | | | Date if institution | Aggregate number of days suits remained pending | | | Aggregate number of days suits remained pending | | |
|--|---|-------------------------------------|--|--------------------------------------|--|------------------------------|------------------------------|--|--------|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | | |
| How disposed of | | | | | | | | | | |
| Ex-parte | On admission on claim | Compromised | After full trial | On reference to arbitration | By transfer | | | | | |
| Number | Aggregate number of days suits remained pending | Number | Aggregate number of days suits remained pending | Number | Aggregate number of days suits remained pending | Judgment for plaintiff | Judgment for defendant | Aggregate number of days suits remained pending | Number | |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | |
| Number disposed of at disposed at first hearing | | Number of adjournments if any | Number of parties examined | Number of Witnesses | Number of papers on the record | Remarks | | | | |
| Summoned Ordered to attend personally | | Of those entered in column 22 | Other than those entered in column 22 | Summoned dasti | Summoned through court | Examined | | | | |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | |

Register No Register of Execution Application [Rule 220] No. 37 [Part II]

| Date of application | Number of application in this register | S. No. and year of institution | Names of parties to the application | Date of decree or order | Name of Court which passed the decree | Date of last preceding application, if any, for execution | Amount, Property, or other relief sought to be obtained by execution | Cost incurred after institution of application in column 8 |
|------------------------|---|--------------------------------------|--|----------------------------------|---|---|--|---|
|------------------------|---|--------------------------------------|--|----------------------------------|---|---|--|---|

1 2 3 4 5 6 7 8 9

Register No Register of Execution Application Disposed of [Rule 220] No. 38 [Part II]

S. No. Date of disposal No. of application and name of parties Whether decree or order was transferred Whether the application was wholly infructuous Whether satisfaction was obtained in full Whether satisfaction was obtained in part Whether satisfaction was obtained through Court Whether adjustment was made

To another Court To Collector

1 2 3 4 5 6 7 8 9

Whether satisfaction was obtained with the issue of process Whether satisfaction was obtained without the issue of process Amount realized Whether the judgment debtor was imprisoned Whether the judgment debtor was arrested but released without imprisonment Whether the judgment debtor's salary was ordered to be withheld Whether the judgment debtor's other movable property

With the issue of process Without the issue of process Was sold Was attached but subsequently released

11 12 13 14 15 16 17 18 19

Register No Register of requisition for records [Rule 220] No. 39 [Part II]

Serial Number Date of receipt of requisition No. and date of requisition Name of Court sending for record Particulars of case for which required Particulars of record requisitioned

No. and year Title Kind of case Date of hearing Of what Court No. and year of case Kind of case Title Date of disposal

1 2 3 4 5 6 7 8 9 10 11 12 13

Remarks

| Date by which record is required | Date of transmission of record | No. and Date of despatch register | Date of return of record | Date of restoration of record to bundle | |
|--|--------------------------------------|--------------------------------------|--------------------------------|--|----|
| 14 | 15 | 16 | 17 | 18 | 19 |

Register NoCash Book (General)[Rule 220] No. 40 [Part II]

In the Court of Month of

Receipts

Payments

| Date | Number of receipt where necessary | Particulars | Pay | Allowances | Contingencies | Miscellaneous | Total | Classification | |
|--|--|-------------|-----|------------|---------------|---------------|-------|----------------|----|
| In recoupment of permanent advance | Advance payments | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

| Date | Sub-Vouchers Numbers | Particulars | Pay | Allowances | Contingencies | Miscellaneous | Total | Classification | |
|---------------------------------|--|-------------|-----|------------|---------------|---------------|-------|----------------|----|
| Out of permanent advances | Out of money drawn in anticipation of payment | | | | | | | | |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |

Register NoRegister of Circulars[Rule220] No. 41 [Part II]

| Serial Number | No. and date of circular | Name of Court from where the circular issued | Subject | No. & year of the file in which the Circularis placed | Page of the file on which the circular isavailable | Remarks |
|------------------|-----------------------------|--|---------|---|--|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

Register No.Register of ReturnedDocument[Rule 220] No. 42 [Part II]

| Serial Number | Name of court in which document | Number and year of case | Kind of case | Names of parties | Description of document with date | Names of parties to or named in the | Date when document filed | Date of order for return | Date of actual return |
|------------------|--|-------------------------------|-----------------|---------------------|---|--|--------------------------------|-----------------------------------|-----------------------------|
|------------------|--|-------------------------------|-----------------|---------------------|---|--|--------------------------------|-----------------------------------|-----------------------------|

| filed | | | document | | | | | | |
|--------------------------------------|--------------------------------------|--|---|---|---|-------------------------------------|---|----|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| Signature of Officer ordering return | Name of party whom document returned | Signature of the person receiving the document | Signature of witnesses before whom document returned and who identified the recipient | | | Signature of official making return | Whether certified copy of document was substituted for original | | |
| 11 | 12 | 13 | 14 | | | 15 | 16 | 17 | |

Register No. 220 Register of Repayments of Deposits of the Court of19.....[Rule No. 43 [Part II]

| Details of deposit | Date of present payments | Number of repayment Voucher or cheque number | | To whom paid | |
|--------------------|--------------------------|--|--|------------------------------|-------|
| S. No. | Date | Number as per Register of receipts | | Amount of balance of deposit | |
| 1 | 2 | 3 | | 4 | 5 6 7 |

| Amount Repaid | Initials | Treasury Advice List | Remarks | | |
|---------------|-------------|------------------------|-------------------|------|---------------------------|
| In cash | By transfer | Nazir (Accounts Clerk) | Presiding Officer | Date | Item No. of the Cash Book |
| 1 | 2 | 3 | 4 | 5 | 6 7 |

Register No. 220 Register of Letters received[Rule 220] No. 44 [Part II]

| Serial Number | Date of receipt | From whom received | Number of letter | Date of letter | Subject | Reference | Acknowledgment of official to whom handed over | Remarks |
|---------------|-----------------|--------------------|------------------|----------------|---------|-----------|--|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

Register No. 220 Register of Letters issued[Rule 220] No. 45 [Part II]

| Serial Number | Date | To whom addressed | Subject or contents | Reference | Acknowledgment of Nazir or despatcher | | Remarks |
|---------------|------|-------------------|---------------------|-----------|---------------------------------------|--|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | | 7 |

Register No. 220 Register of Letters issued[Rule 220] No. 46 [Part II]

| Date of presentation of memorandum | How instituted1. Originally presented2. Received by transfer3. Remanded4. Reviewed5. Revived | Number of Appeal | Name of application with description and place of abode | Name of respondent with description and place of abode |
|------------------------------------|--|------------------|---|--|
| 1 | 2 | 3 | 4 | 5 |

| Order appealed from | Judgment | Remarks | | | | | | |
|---------------------------|----------------------------|-------------|--------------------|--------------------|------|-------------------------------------|--------------------------|----|
| Of what court | Number of original suit | Particulars | Amount of value | Date of hearing | Date | Confirmed reversed or altered | For what or amount | |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |

Register NoRegister of Pleaders[Rule 220] No. 47 [Part II]

| S. No. | Date enrollment in the District register | Name | Father's name | Number in Court register and year of admission | Value of Stamp on certificate | Note of renewal |
|---------------------|--|-------------------------------|---------------|--|-------------------------------|-----------------|
| Date of application | Date of renewal certificate | Value of Stamp on certificate | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 8 9 |

| Note of renewal | Note of renewal | Note of renewal | Remarks | Date of application | Date of renewal certificate | Value of Stamp on certificate | Date of application | Date of renewal certificate | Value of Stamp on certificate |
|-----------------|-----------------|-----------------|---------|---------------------|-----------------------------|-------------------------------|---------------------|-----------------------------|-------------------------------|
| 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |

Register NoRegister of Appeals fromdecrees[Rule 220] No. 48 [Part II]

| Date of presentation of memorandum | How instituted1. Originally presented2. Received by transfer3. Remanded4. Reviewed5. Revived | Number of Appeal | Name of applicant with description and place of abode | Name of respondent with description and place of abode | Decree appealed from |
|------------------------------------|--|------------------|---|--|----------------------|
|------------------------------------|--|------------------|---|--|----------------------|

| | Of what court | Number of original suit | Particulars | Amount of value | | | |
|---------------------------|------------------------------------|--------------------------------------|-----------------------|------------------------|---------------------|----------|-----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 9 |
| Judgment | Appeal from appellate decree | Remarks | | | | | |
| Date fixed for hearing | Date | Confirmed, reversed or altered | For what or amount | Date of institution | Date of disposal | Judgment | |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 |

Register NoFile Index[Rule 220] No. 49 [Part II]

| Head and Sub-head | Serial Number (In File Index) | Date of closing letter | Subject | Number of letters on file originally | Number weeded under the rules | Date of weeding | Remarks |
|----------------------|-------------------------------------|------------------------------|---------|--|-------------------------------------|--------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

Register NoStock Register[Rule 220] No. 50 [Part II]

| Date of receipt | Name and description of article | Number of pieces | From whom received | Cost | Reference to number and date of Contingent Bill | Initials | Date of disposal | Number of pieces disposed of | Value realised | Reference to number and date of Treasury Voucher | Initials |
|--------------------|---------------------------------------|------------------------|--------------------------|------|---|----------|---------------------|---------------------------------------|-------------------|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |

Register NoRegister of records handed over toCopyist[Rule] No. 51 [Part II]

| S. No. | No. and date of copying application | Date and hour on which application received bythe records clerk | Date and hour on which record sent to HeadCopyist | Particulars of record sent | Acknowledgment of Head Copyist | Remarks | | | | |
|---------------------|---|--|--|----------------------------------|-----------------------------------|---------|---|---|----|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Name of Court | Kind of case | No. and year | Date of decision of hearing | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | |

Register No. Register of applications for copies disposed of [Rule 269] No. 52 [Part II]

| S. Number of disposal | Date of disposal | Date of application | Serial Number of applications | Name of application | Period taken in preparation of copy | Copy not prepared | Amount of copying paid | Amount of fees ordinarily payable in copies issued free |
|-------------------------|-----------------------|---------------------|-------------------------------|---------------------|-------------------------------------|-------------------|------------------------|---|
| In ordinary application | In urgent application | Ordinary copies | Urgent | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

Register No. Register of applications for copies relating to the applications exceptionally treated [Rule 269] No. 53 [Part II]

| Serial Number | Date of presentation of application | Name of applicant | Copy applied for | Date of order preparation | Initial of Officer ordering preparation of copy | Date of Delivery | Signature of recipient | Remarks |
|---------------|-------------------------------------|-------------------|------------------|---------------------------|---|------------------|------------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

Register No. Register of words copied by each Copyist [Rule 278] No. 54 [Part II]

| Serial Number | Date of completion of copy | Number and date of copying application | Name of applicant | Particulars of papers copied | Number of words copied | Amount of copying fees chargeable | Remarks | |
|---------------|----------------------------|--|-------------------|------------------------------|------------------------|-----------------------------------|---------|------|
| Urgent copies | Ordinary copies | Free copies | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 10 |

Register No. General Register of Books [Rule 294] No. 55 [Part II]

| Serial Number | Date of receipt | From whom received | Name of book | Number of volume | Name of author | Name of publisher | Date of publication | Cost | Reference to contingent bill No. and date | Classification in Catalogue | Serial Number |
|---------------|-----------------|--------------------|--------------|------------------|----------------|-------------------|---------------------|------|---|-----------------------------|---------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |

Register No. 56 [Part II]
Register of Periodicals received [Rule 294]

| Date of receipt | From whom received | Reference to contingent bill No. and date | Description of issue or copy received | Reference to entry in Library Register | Remarks |
|-----------------|--------------------------|---|---------------------------------------|--|---------|
| Date | Sr. No. general Register | Class and sub-head, if any, in catalogue | Sectional No. in Catalogue | | |
| 1 | 2 | 3 | 4 | 5 | 6 7 8 9 |

Register No. 57 [Part II]
Classified Catalogue Books [Rule 220]

| Class | Sub-head if any | Serial Number in class | Number in the General Register of Books | Date of receipt | Name of Book | Number of Volume | Name of Author | Date of publication | Name of publisher | Remarks |
|-------|-----------------|------------------------|---|-----------------|--------------|------------------|----------------|---------------------|-------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |

Register No. 58 [Part II]
Register of books issued from Library [Rule 297]

| Serial Number of issue | Date if issue | Name of the book | General Serial number of book | Class and Sub-head, is any, | Sectional Serial number | To whom issued | Date of return |
|------------------------|---------------|------------------|-------------------------------|-----------------------------|-------------------------|----------------|----------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |