

Notaries Rules, 1956

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[SRO. 324, dt. 14-2-1956]

1. Vide S.R.O. 324, dated 14th. February 1956, published in the Gazette of India, Extra. Pt. II, Sec. 3, dated 15th. February, 1956, p. 191.

In exercise of the powers conferred by section 15 of the Notaries Act, 1952 (53 of 1952), the Central Government hereby makes the following rules, namely: -

1. Short title. ^{3/4}These rules may be called the Notaries Rules, 1956.

2. Definitions. ^{3/4} In these rules, unless the context otherwise requires, -

(a) "Appropriate government" means in relation to a notary appointed by the Central Government, the Central Government and in relation to a notary appointed by the State Government, the State Government;

(b) "Form" means a Form appended to these rules;

(c) "The Act" means the Notaries Act, 1952 (53 of 1952).

¹[3. Qualifications for appointment as a notary. ^{3/4}

No person shall be eligible for appointment as a notary unless on the date of the application for such appointment^{3/4}

1. Substituted by GSR 870(E), dated 8th. July, 1997, (w.e.f. 8.7. 1997)

(a) He had been practicing at least for ten years as a legal practitioner, or

(b) He had been a member of the Indian Legal Service under the Central Government, or

(c) He had been at least for ten years, -

(i) A member of Judicial Service; or

(ii) Held an office under the Central Government or a State Government requiring special knowledge of law after enrolment as an advocate; or

- (iii) Held an office in the department of Judge Advocate General or in the legal department of the armed forces.]

4. Application for appointment as a notary.^{3/4}

(1) A person may make an application for appointment as a notary (hereinafter called "the applicant") in the form of a memorial addressed to such officer or authority (hereinafter referred to as the "competent authority") of the appropriate government as that government may, by notification in the Official Gazette, designate in this behalf.

¹[(2) The memorial shall be drawn by a person referred to in clause (a) of rule 3 in accordance with Form I and by a person referred to in clauses (b) and (c) of the said rule in accordance with Form II.

1. Substituted by GSR 870(E), dated 8th. July 1997, (w.e.f. 8.7. 1997)

(3) The memorial of a person referred to in clause (a) of rule 3 shall be signed by the applicant and shall be countersigned by the following persons:-

- (a) A Magistrate;
- (b) A manager of a nationalized bank;
- (c) A merchant; and
- (d) Two prominent inhabitants of the local area within which the applicant intends to practice as a notary.]

5. ¹[Omitted]

1. Rules 5 omitted by G.S.R. 151 dated 14th. March 1958.

¹[6. Preliminary action on application.^{3/4}

(1) The competent authority shall examine every application received by him and, if he is satisfied that the applicant does not possess the qualifications specified in rule 3, or that any previous application for the applicant for appointment as a notary was rejected within six months before the date of the application, shall reject it and inform the applicant accordingly.

1. Substituted by GSR 151, dated 14th. March 1958

(2) If the competent authority does not reject the application under sub-rule (1),:

(a) ¹[* * *]

(b) He may, if he thinks fit, ascertain from any Bar Council, Bar Association, Incorporated Law Society or other authority in the area where the applicant proposes to practice, the objections, if any, to the appointment of the applicant as notary, to be

submitted within the time fixed for the purpose.

1. Omitted by GSR 870(E), dated 8th. July, 1997(w.e.f. 8.7.1997)

7. Recommendation of the competent authority.^{3/4}

(1) The competent authority shall, after holding such inquiry as he thinks fit and after giving the applicant an opportunity of making his representations against the objections, if any, received within the time fixed under sub-rule (2) of rule 6, make a report to the appropriate government recommending either that the application may be allowed for the whole or any part of the area to which the application relates or that it may be rejected.

(2) The competent authority shall also make his recommendation in the report under sub-rule (1) regarding the persons by whom the whole or any part of the costs of the application including the cost of hearing, if any, shall be borne.

(3) In making his recommendation under sub-rule (1), the competent authority shall have due regard to the following matters, namely, :

(a) Whether the applicant ordinarily resides in the area in which he proposes to practise as a notary;

(b) Whether, having regard to the commercial importance of the area in which the applicant proposes to practise and the number of existing notaries practising in the area, it is necessary to appoint any additional notaries for the area;

(c) Whether, having regard to his knowledge and experience of commercial law and the nature of the objections, if any, raised in respect of his appointment as a notary, and in the case of a legal practitioner also to the extent of his practise, the applicant is fit to be appointed as a notary;

(d) Where the applicant belongs to a firm of legal practitioners, whether, having regard to the number of existing notaries in that firm, it is proper and necessary to appoint any additional notary from that firm; and

(e) Where applications from other applicants in respect of the area are pending, whether the applicant is more suitable than such other applicants.]

8. Appointment of a notary.:

¹[(1) On receipt of the report of the competent authority, the appropriate government shall consider the report and shall:

1. Substituted by GSR 151, dated 14th. March 1958

- (a) Allow the application in respect of the whole of the area to which it relates; or
- (b) Allow the application in respect of any part of the area to which it relates; or
- (c) Reject the application;

and shall also make such orders as the government thinks fit regarding the persons by whom the whole or any part of the costs of the application including the cost of hearing, if any, shall be borne.

¹[(2) An applicant shall be informed of every order passed by the appropriate government under sub-rule (1).

1. Substituted by GSR 151, dated 14th. March 1958

(3) An applicant whose application has been rejected ¹[or allowed in respect of only a part of the area to which it relates or against whom an order as to costs has been made under sub-rule (1) may, within sixty days of the date of the order apply to the appropriate government for reviewing the order and that government may, after making such further inquiry as it thinks fit pass such order as it considers necessary.

1. Ins. by G.S.R. 1056, dated 8th. November 1958.

¹[(4) Where the application is allowed, the appropriate government shall appoint the applicant as a notary and direct his name to be entered in the Register of Notaries maintained by that government under section 4 of the Act and issue to him a certificate on payment of prescribed fees authorising him to practise in the area to which the application relates or in such part thereof as the appropriate government may specify in the certificate, as a notary for a period of three years from the date on which the certificate is issued to him

1. Ins. by S.R.O. 1353. dated 6th. June 1956.

¹[²[(5) The Register of Notaries shall be in Form IIA and the certificate of practice shall be in Form IIB.

1. Ins. by S.R.O. 1353. dated 6th. June 1956.

2. Re-numbered by G.S.R. 1056, dated 30th. October 1958

¹[8A. Extension of area of practice.:

A notary public who is already in possession of a certificate of practice in respect of a particular area, may for sufficient reasons, apply for extension of his area of practice. If the original certificate of practice had been issued by a State Government and the new area of practice applied for lies within the territory of that State, the application for extension of the area of practice shall be made to that State Government. In all cases where the original certificate of practice had been issued by the Central Government, the application for extension of the area of practice shall be made to the Central Government. Applications for the extension of the area of practice where the new area lies either wholly outside the State or partly inside and partly outside the State which granted the original certificate shall be made to the Central Government for the issue of a fresh certificate. The State Government or the Central Government, as the case may be, shall, after considering the reasons stated in the application and other factors, pass such orders thereon as it may deem fit. Any extension of the area of practice shall not have the effect of extending the period of validity of the original certificate beyond the period of three years specified in rule 8(4).

1. Ins. by G.S.R. 1056, dated 30th. October 1958

¹[9. Fees for issue and renewal of certificate of practice and extension of area:

The fee for the issue and renewal of certificate of practice and extension of area shall be as under, :

- (a) Issue of certificate of practice - Rs. 1000;
- (b) Extension of area of practice - Rs. 750;
- (c) Renewal of certificate of practice - Rs. 500;
- (d) Issue of a duplicate certificate of practice - Rs. 300.]

1. Omitted by GSR 870(E), dated 8th. July, 1997(w.e.f. 8.7.1997)

¹[10. Fees payable to a notary for doing any notarial act.:

1. Omitted by GSR 870(E), dated 8th. July, 1997(w.e.f. 8.7.1997)

- (1) Every notary may charge fees not exceeding the rates mentioned below, namely,:

- (a) for noting an instrument:-

if the amount of the instrument does not exceed rupees 10,000	-Rs. 25
if it exceeds rupees 10,000 but does not exceed rupees 25,000	-Rs. 50
if it exceeds rupees 25,000 but does not exceed rupees 50,000	-Rs. 75
if it exceeds rupees 50,000	-Rs. 100
- (b) for protesting an instrument -

if the amount of the instrument does not exceed rupees 10,000	-Rs.25
if it exceeds rupees 10,000 but does not exceed rupees 25,000	-Rs.50
if it exceeds rupees 25,000 but does not exceed rupees 50,000	-Rs. 75

	if it exceeds rupees 50,000 but does not exceed rupees 1,00,000	-Rs.75
	if it exceeds rupees 1,00,000	-Rs. 100
(c)	for recording a declaration of payment for honour	-Rs. 50
(d)	Duplicate protests	-half the charge of original
(e)	for verifying , authenticating, certifying or attesting the execution of any instrument	-Rs. 10
(f)	for presenting any promissory note, hundi or bill of exchange for acceptance or payment or demanding better security	- Rs. 25
(g)	for administering oath to, or taking affidavit from any person	-Rs.10
(h)	for preparing any instrument intended to take effect in any country or place outside India in such form and language as may conform to the law of the place where such deed is intended to operate	-Rs.100
(i)	for attesting or authenticating any instrument to take effect in any country or place outside India in such form and language as may conform to the law of the place where such deed is intended to operate	-Rs.100
(j)	for translating and verifying the translation of any document from one language to another	Rs.50
(k)	for noting and drawing up ship's protest, protest or relating to demurrage and other commercial matters	-Rs.100
(l)	for certifying copies of document as true copies of the original per page	-Rs. 5
(m)	for any other notarial act	such sum as the appropriate Govt. may fix from time to time

(2) The rates of fees to be charged by a notary shall be displayed by him in conspicuous place inside as well as outside his chamber or office.

(3) In addition to the above fees, a notary may charge the travelling allowance by road or by rail at the rate of rupees five per kilometer.

11. Transaction of business by a notary.:

(1) A notary in transacting the business under the Act shall use the forms set forth in the Appendix to these rules.

1[(2) Besides recording declaration of payment for honour a notary shall also register noting and protests made. Every notary shall maintain a notarial register in the prescribed Form XV.

1. Subs by S.O. 83, dated 28th. December, 1965.

(3) Where any demand of acceptance or payment or better security has been made by a clerk, a notary shall, after examination of the entry in the register relating to such demand, affix his signature thereto, and cause the clerk to affix his signature also to the entry.

(4) Each notary shall, before bringing the notarial register into use, add a certificate on the title page specifying the number of

pages it contains. Such certificate shall be signed and dated by the notary.

(5) Every notary shall permit the District Judge or such officer as the appropriate government from time to time appoints in this behalf to inspect his register at such times, not other than twice a year, as the District Judge or officer may fix. District Judge officer appointed by the state Government will have power to lodge a report to the appropriate government for taking action against a notary.

(6) When the original instrument is in a language other than English any noting or protest or entry in his register which has to be made in respect of the instrument by a notary may be made either in that language or in English.

(7) In making presentment of bills or notes a notary shall observe the provisions of chapter V of the Negotiable Instruments Act, 1881(XXVI of 1881).

(8) The notary may:

(1) Draw, attest or certify documents under his official seal including conveyance of properties;

(2) Note and certify the general transactions relating to negotiable instruments;

(3) Prepare a will or other testamentary documents; and

(4) Prepare and take affidavits for various purposes for his notarial acts.

(9) Every notary shall grant a receipt for the fees and charges realised by him and maintain a register showing all the fees and charges realised.

¹[12. Seal of notary.:

Every notary shall use a plain circular seal of a diameter of 5 cm. as indicated by a drawing given below, bearing his name, the name of the areas within which he has been appointed to exercise his functions, the registration number and the circumscription "NOTARY", and the name of the government which appointed him."

1. Subs. by G.S.R. 870(E), dated 8th. July, 1997 (w.e.f. 8-7-1997)

¹[12A. Inquiry into the allegations of professional or other misconduct of a notary.:

²[(1) An inquiry into the misconduct of a notary may be initiated either suo motu by the appropriate government or on a complaint received in Form XXII.]

- 1. Subs. by S.O. 774, dated 9th. March, 1957**
- 2. Subs. by G.S.R. 1056, dated 30th. October, 1958.**

(2) Every such complaint shall contain the following particulars, namely:-

- (a) The acts and omissions, which, if proved, would render the person, complained against unfit to be a notary;
- (b) The oral or documentary evidence relied upon in support of the allegations made in the complaint.

(3) The appropriate government, shall return a complaint which is not in the proper form or which does not contain the aforesaid particulars to the complainant for representation after compliance with such objections and within such time as the appropriate government may specify:

PROVIDED that if the subject matter in a complaint is, in the opinion of the said government substantially the same as or covered by, any previous complaint and if there is no additional ground, the said government shall file the said complaint without any further action and inform the complainant accordingly.

(4) Within sixty days ordinarily of the receipt of complaint, the appropriate government shall send a copy thereof to the notary at his address as entered in the Register of Notaries.

¹[(4A) Where an inquiry is initiated, suo motu by the appropriate government, the appropriate government shall send to the notary a statement specifying the charge or charges against him, together with particulars of the oral or documentary evidence relied upon in support of such charge or charges.]

- 1. Subs. by G.S.R. 1056, dated 30th. October, 1958.**

(5) ¹[A notary against whom an inquiry has been initiated may, within fourteen days of the service on him of a copy of the complaint under sub-rule (4) or of the statement of the charges under sub-rule (4A), as the case may be, or within such time as may be extended by the appropriate government, forward to that government a written statement in his defence verified in the same manner as a pleading in a civil court.

- 1. Subs. by G.S.R. 1056, dated 30th. October, 1958.**

(6) If on a perusal of the written statement, if any, of the notary concerned and other relevant documents and papers, the appropriate government considers that there is a prima facie case against such notary, the appropriate government shall cause an inquiry to be made in the matter by the competent authority. If the appropriate government is of the opinion that there is no prima facie case against the notary concerned, the complaint or charge shall be filed and the complainant and the notary concerned shall be informed accordingly.

¹[(7) Every notice issued to a notary under this rule shall be sent to him by registered post. If any such notice is returned unserved

with an endorsement indicating that the addressee has refused to accept the notice or the notice is not returned unserved within a period of thirty days from the date of its despatch, the notice shall be deemed to have been duly served upon the notary.

1. Subs. by G.S.R. 870(E), dated 8th. July, 1997 (w.e.f. 8-7-1997)

(8) It shall be the duty of the appropriate government to place before the competent authority all facts brought to its knowledge that are relevant for the purpose of an inquiry by the competent authority.

(9) A notary who is proceeded against shall have right to defend himself before the competent authority either in person or through a legal practitioner or any other notary.

(10) Except as otherwise provided in these rules, the competent authority shall have the power to regulate his procedure relating to the inquiry in such manner as he considers necessary and during the course of inquiry, may examine witnesses and receive any other oral or documentary evidence.

(11) The competent authority shall submit his report to the government entrusting him with the inquiry.

(12) (a) The appropriate government shall consider the report of the competent authority, and if in its opinion a further inquiry is necessary may cause such further inquiry to be made and a further report submitted by the competent authority.

(b) If, after considering the report of the competent authority, the appropriate government is of the opinion that action should be taken against the notary the appropriate government may make an order:

- (i) Canceling the certificate of practice and perpetually debarring the notary from practice; or
- (ii) suspending him from practice for a specified period; or
- (iii) Letting him off with a warning, according to the nature and gravity of the misconduct of the notary proved.

(13) *Notification of removal.:*

The removal of the name of any notary from the register of notaries from practice, as the case may be, shall be notified in Official Gazette and shall also be communicated in writing to the notary concerned.

¹[(14) *Submission of returns.:*

Every notary shall, in the first week of January every year, submit to the appropriate government, an annual return in Form XIV of the notarial acts done by him during the preceding year.

1. Subs. by S.O. 1285, dated 20th. April, 1957.

(15) Each notary shall have an office within the area mentioned in the certificate issued to him under rule 8 and he shall exhibit it in a conspicuous place thereat a board showing his name and his designation as a notary.

(16) If a notary has to deal with a case which does not in terms attract any of the forms prescribed, the notary should adopt the form nearest to his case with such modifications thereto as he thinks the exceptional peculiarities of the case to justify.

¹[(17) *Annual publication of the list of notaries.:*

1. Ins. by S.O. 854, dated 11th. March, 1957

The list of notaries to be published by the Central Government and every State Government under section 6 of the Act, shall be in the following form:

<i>Sl. No.</i>	<i>Name of notary</i>	<i>Residential and professional addresses</i>	<i>Qualifications</i>	<i>Area in which he is authorized to practise</i>	<i>Remarks</i>

PHOTOGRAPH

[Rule 4(2)]

MEMORIAL

1. Subs. by G.S.R. 870(E), dated 8-7-97 (w.e.f. 8-7-1997).

1. Name of the applicant _____
2. Father's name _____
3. Address (residence) _____
Pin _____
Telephone _____ Fax _____
4. Address (office) _____
5. Educational qualifications (Please attach photocopies) _____
6. Date of enrolment (Please attach photocopies) _____
7. Practising in : _____
Civil side : _____
Criminal side : _____
Taxation : _____
Revenue courts : _____

8. Whether income tax assessee:

The memorial of (name of the applicant) sheweth _____ (in block letters) _____

1. that the memorialist is a person eligible for appointment as a notary under the Notaries Act, 1952 and clause (a) of rule 3 of the Notaries Rules, 1956;
2. that the memorialist resides in _____ (here state the name of the local area or name of court where he intends to practise) and will reside for upwards of _____ (state how long);
3. that the number of notaries practising in the local area is insufficient for the requirements thereof (the grounds of the statement should be added);
4. that no previous application of the memorialist has been rejected or withdrawn by him, within the preceding six months;

The memorialist, therefore, prays that the government be pleased to appoint and admit him as a notary under and by virtue of the Notaries Act, 1952 (53 of 1952) and clause (a) of rule 3 of the Notaries Rules, 1956 to practise in _____ (here state the name of the local area).

Dated _____ day of _____ 200_____

Signature of the applicant

Name and address of	Profession	Name and address of	Signature	signatories
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the firm / organisation

Note:- Under rule 4(3) the memorial should be countersigned by a Magistrate, a manager of a nationalized bank, a merchant and two prominent inhabitants of the area where he intends to practise as a notary.]

¹[FORM II

[Rule 4(2)]

1. Subs. by G.S.R. 870(E), dated 8-7-97 (w.e.f. 8-7-1997).

1. Name _____

2. Father's name _____

PHOTOGRAPH

3. Date of birth _____

4. Residential address _____

(Office) _____

5. Educational qualification _____

6. Date of joining government service _____

7. Date of retirement _____

8. Post held at the time of retirement _____

Signature

Note: Necessary proof about eligibility under rule 3(b) and (c) of the Notaries Rules, 1956 is to be attached. Rule 3(b) and (c) are as follows: -

"3. Qualifications for appointment as a notary- No person shall be eligible for appointment as a notary unless on the date of the application for such appointment,-

(a) _____

(b) He had been a member of the Indian Legal Service under the Central Government, or

(c) He had been at least for ten years;

(i) A member of Judicial Service;

(ii) Held an office under the Central Government or a State Government requiring special knowledge of law after enrolment as an advocate;

(iii) Held an office in the department of Judge Advocate General or in the legal department of the armed forces."]

¹[FORM-IIA]

REGISTER OF NOTARIES

*[Rule 8(3)]*1. Subs. by S.O. 1353, dated 6th. June, 1956.

<i>Sl. No.</i>	<i>Full name and date of birth of notary</i>	<i>Residential and professional addresses of notary</i>	<i>Date on which the name of notary is entered in the register</i>	<i>Qualifications of notary</i>	<i>Area in which notary may practise</i>	<i>Remarks</i>

¹[FORM IIB]*[Rule 8(5)]*

1. Subs. by G.S.R. 870(E), dated 8-7-97 (w.e.f. 8-7-1997).

GOVERNMENT OF _____

(Emblem)

CERTIFICATE OF PRACTICE

Certified that _____ son/daughter/wife of _____ resident of _____ has been appointed as a notary under the Notaries Act, 1952 (53 of 1952) and is authorised to practice as such in and throughout _____ for a period of five years _____ given under my hand and seal of the Government of _____ this _____ day of _____

Secretary to the Government of India/ Government of _____

(Name of the State)

FORM III

FORM OF NOTING FOR DISHONOUR

[Section 8]

(To be made upon the instrument or upon a paper attached thereto, or partly upon each).

Reference to page in Notarial Register _____

Date of presentment and dishonour by non-acceptance / non-payment _____

Reason, if any, assigned for dishonour (or, if the instrument has not been expressly dishonoured, reason why holder treats it as dishonoured).

Date of note _____

Signature of Notary

Notary's charges.

FORM III A

FORM OF NOTING FOR DISHONOUR

[Section 8]

(To be entered in the Notarial Register)

(Copy of the bill and endorsements)

On the _____ day of _____ 19____ the above bill was, at the request of _____ (here give the name), presented by me for acceptance to _____ (here give the name), the drawee personally (at his residence or usual place of business) in _____ (town or village) and, I received, the following answer :-

(The said bill, is therefore, noted for non-acceptance)

Signature of Notary

Place and date _____

(This note is to be signed in the margin by the notary's clerk also if he presented the bill).

FORM IV

FORM OF PROTEST OF BILL OF EXCHANGE FOR NON-ACCEPTANCE

[Section 8]

On the _____ day of _____ 200____ I, _____ (here give the name), notary appointed under the Notaries Act, 1952, of _____ in _____ (here state the local area for which the notary has been appointed) in _____ at the request of _____ (here give the name) of _____ did, at _____ in person, and having failed to do so, then by registered letter cause due and customary presentment to be made to, and did demand acceptance of the bill of exchange hereto annexed (or "a literal transcript whereof and of everything written or printed thereon is hereto annexed") from _____ (here give the name), the person upon whom the said bill is drawn, to which demand he made answer (state terms of answer, if any) (or "to which demand he gave no answer"); wherefore, I, the said notary, at the request aforesaid, by this writing, do, in the presence of _____ (here give the name) and _____ (here give the name), witnesses, protest the drawer of the said bill of exchange and all other parties thereto and all others concerned for all exchange, re-exchange and all other parties thereto and all others concerned for all exchange, re-exchange, and all costs, damages, and interest present and to come for want of acceptance of the said bill.

Which I attest

Signature of Notary

Place and date _____

Signature of witnesses

(Should be of the locality)

1 _____

2 _____

FORM IVA

FORM OF ACTS OF HONOUR

(a) Act of honour on acceptance. (To be written at the foot of the protest).

Afterwards appeared before me, the said notary, on the _____ day of _____ 200_____, (here give the name), and declared that he would accept the bill of exchange before protested under protest for the honour and upon the account of _____ (here give the name), the second endorser on the said bill.

Holding the second endorser and all others concerned always bound and obliged to indemnify him, the said appearer, for his said acceptance and in case of payment of by him, for his reimbursement in due form of law and according to custom.

Which I attest

Signature of Notary

Place and date _____

(b) Act of honour on payment. (To be written at the foot of the protest).

Afterwards appeared before me, the said notary, on the _____ day of _____ 19____ (here give the name), and declared that he would pay the bill of exchange before protested under protest for the honour and upon the account of _____ (here give the name), the endorser on the said bill.

Holding the said endorser and all others concerned always bound and obliged for reimbursement in due form of law and according to custom.

Amount Rs. _____

Notarial charges Rs. _____

Which I attest

Signature of Notary

Place and date _____

Received this _____ day of _____ 200_____, from (here give the name), the sum of Rs. _____, the amount of the said bill and notarial charges thereon.

Signature of Notary

FORM V

FORM OF PROTEST OF BILL OF EXCHANGE FOR NON-ACCEPTANCE WHEN THE DRAWEE CANNOT BE FOUND

[Section 8]

(a) Where search was made by notary in person.

On the _____ day of _____ 200_____, I (here give the name), a notary appointed under the Notaries Act, 1952 (53 of 1952) of _____ in _____ (here state the local area for which the notary has been appointed) in _____ at the request of _____ (here give the name), of _____, did in person make due search at _____ for _____ (here give the name), in order to present to and demand from him acceptance of the bill of exchange hereto annexed (or "a literal transcript whereof and of everything written or printed thereon is hereto annexed") which is drawn upon the said _____ (here give the name), but was unable to find him; wherefore I, the said notary, at the request aforesaid, by this writing, do in the presence of _____ (here give the name), and _____ (here give the name), witnesses protest against the drawer of the said bill of exchange and all other parties thereto and all others concerned for all exchange, re-exchange and all costs, damages and interest present and to come for want of acceptance of the said bill.

Which I attest

Signature of Notary
Place and date _____

Signature of witnesses

(Should be of the locality)

1 _____

2 _____

(b) Where registered letter was sent to the drawee.

On the _____ day of _____ 200_____ I, _____ (here give the name), a notary appointed under the Notaries Act, 1952 (53 of 1952), of _____ in _____ (here state the local area for which the notary has been appointed) in _____ at the request of _____ (here give the name), of _____, did send by post a registered letter addressed to _____ (here give the name) at _____ where in I enclosed and demanded from him acceptance of the bill of exchange thereto annexed (or "a literal transcript whereof and of everything written or printed thereon is hereto annexed") which is drawn upon the said _____ (here give the name) but the letter was returned undelivered because the said _____ (here give the name) could not be found; wherefore I, the said notary at the request aforesaid, by this writing, do, in the presence of _____ (here give the name) and _____ (here give the name), witnesses, protest against the drawer of the said bill of exchange and all other parties thereto and all others concerned for all exchange, re-exchange, and all costs, damages and interest present and to come for want of acceptance of the said bill.

Which I attest

Signature of Notary
Place and date _____

Signature of witnesses

(Should be of the locality)

1 _____

2 _____

FORM VI

FORM OF PROTEST OF PROMISSORY NOTE OR BILL OF EXCHANGE FOR NON-PAYMENT

[Section 8]

On the _____ day of _____ 19____ I, _____ (here give the name), a notary appointed under the Notaries Act, 1952 (53 of 1952), of _____ in _____ (here state the local area for which the notary has been appointed) in _____ at the request of _____ (here give the name), of _____ did at _____ in person and having failed to do so, then by registered letter, cause due and customary presentment to be made to an did demand payment of the promissory note (or bill of exchange, as the case may be) here to annexed (or "a literal transcript whereof, and of everything written or printed) thereon is hereto annexed") from _____ (here give the name) the maker of the said promissory note (or drawee, acceptor, of the said bill of exchange, as the case may be), to which demand he made answer (state the terms of his answer, if any) (or "to which demand he gave answer"); wherefore I, the said notary, at the request aforesaid by this writing, do in the presence of _____ (here give the name), and _____ (here give the name), witnesses protest against the maker of the said promissory note (or the drawer of the said bill of exchange, as the case may be) and all other parties thereto and all others concerned for all exchange, re-exchange, and all costs, damages, and interest present and to come for want of payment of the said promissory note (or bill of exchange, as the case may be).

Which I attest

Signature of Notary
Place and date _____

Signatures of witnesses

(Should be of the locality)

1 _____

2 _____

FORM VII

**FORM OF PROTEST OF PROMISSORY NOTE OR BILL OF EXCHANGE
FOR NON-PAYMENT WHEN THE MAKER, DRAWEE,
OR ACCEPTOR (AS THE CASE MAY BE) CANNOT BE FOUND**

[Section 8]

(a) Where search was made by notary in person.

On the _____ day of _____ 200____ I, _____ (here give the name) a notary appointed under the Notaries Act, 1952, of _____ in _____ (here state the local area for which the notary has been appointed) in _____, at the request of _____ (here give the name), of _____, did in person make due search at _____ for _____ (here give the name), the maker (or drawee, or acceptor, as the case may be) in order to present to and demand from him payment of the promissory note (or bill of exchange, as the case may be) hereto annexed (or "a literal transcript whereof and of everything written or printed thereon is hereto annexed") but was unable to find him wherefore, I, the said notary, at the request aforesaid, by this writing, do, in the presence of _____ (here give the name) and _____ (here give the name), witnesses, protest against the maker of the said promissory note (or drawer of said bill of exchange, as the case may be) and all other parties thereto and all others, concerned for all exchange, re-exchange, and all costs, damages, the interest present and to come for want of payment of the said promissory note (or bill of exchange, as the case may be).

Which I attest

Signature of Notary
Place and date _____

Signature of witness

(Should be of the locality)

1 _____

2 _____

(b) Where registered letter was sent to the maker, drawee or acceptor.

On the _____ day of _____ 200____ I, _____ (here give the name) a notary appointed under the Notaries Act, 1952, of _____ in _____ (here state the local area for which the notary has been appointed) in _____, at the

request of _____ (here give the name), of _____, did sent by post a registered letter addressed to _____ (here give the name) at _____ the maker or drawee, acceptor, as the case may be), wherein I enclosed and demanded from him payment of the promissory note (or bill of exchange as the case may be), hereto annexed (or "a literal transcript whereof and of everything written or printed thereon is hereto annexed"), but the letter was returned undelivered because the said _____ (here give the name), could not be found; wherefore I, the said notary, at the request aforesaid, by this writing, do, in the presence of _____ (here give the name) and _____ (here give the name) witnesses, protest against the maker of the said promissory note (or the drawer of the said bill of exchange, as the case may be) and all other parties thereto and all other concerned for all exchange, re-exchange, and all costs, damages, and interest present and to come for want of payment of the said promissory note (or bill of exchange, as the case may be).

Which I attest

Signature of Notary _____
Place and date _____

Signature of witnesses _____

(Should be of the locality)

1 _____

2 _____

FORM VIII

PROTEST OF BILL OF EXCHANGE FOR BETTER SECURITY

[Section 8]

On the _____ day of _____ 200_____, I, _____ (here give the name), a notary appointed under the Notaries Act, 1952, of _____ in _____ (here state the local area for which the notary has been appointed) in _____ at the request of _____ (here give the name), did exhibit the bill of exchange hereto annexed (or "a literal transcript whereof and of everything written or printed therein is hereto annexed") to _____ (here give the name), the person on whom the said bill is drawn, and whose acceptance appears thereon, and did demand better security for the payment thereof when the same should become payable in consequence of the said _____ (here give the name), having become insolvent (or "his credit having been publicly impeached", as the case may be), to which demand he made answer, (state the terms of the answer if any), (or "to which demand he gave no answer"); wherefore I, the said notary, at the request aforesaid, by this writing, do, in the presence of _____ (here give the name) and _____ (here give the name), witnesses, protest against the drawer of the said bill of exchange and the acceptor and all other parties thereto, and all others concerned for all exchange, re-exchange, and all costs, damages, and interest present and to come for want of better security for the payment of the said bill when due and payable.

Which I attest

Signature of Notary _____ Signature of witnesses _____

Place and date _____

(Should be of the locality)

1 _____

2 _____

FORM IX

PROTEST OF BILL OF EXCHANGE FOR BETTER SECURITY

WHEN THE ACCEPTOR CANNOT BE FOUND

[Section 8]

(a) Where such protest was made by notary in person.

On the _____ day of _____ 19____ I, _____ (here give the name), a notary appointed under the Notaries Act, 1952 of _____ in _____ (here state the local area for which the notary has been appointed) in _____ at the request of _____ (here give the name), of _____ did not in person make due search at _____ for _____ (here give the name), in order to exhibit the bill of exchange hereto annexed ("or a literal transcript whereof and of everything written or printed thereon is hereto annexed") to the said _____ (here give the name) the person on whom the said bill is drawn, and whose acceptance appears thereon, and demand better security for the payment thereof, when the same should become payable in consequence of his having become insolvent (or "his credit having been publicity impeached", as the case may be), but was unable to find him; wherefore I, the said notary, at the request aforesaid, by this writing, do in the presence of _____ (here give the name) and _____ (here give the name) witnesses, protest against the drawer of the said bill of exchange and the acceptor and all other parties thereto and all other concerned for all exchange, re-exchange, and all costs, damages, and interest present and to come or want of better security for the payment of the said bill when due and payable.

Which I attest

Signature of Notary

Place and date _____

Signature of witnesses

(Should be of the locality)

1 _____

2 _____

(b) Where registered letter was sent to the acceptor.

On the _____ day of _____ 19____ I, _____ (here give name) a notary appointed under the Notaries Act, 1952, of _____ in _____ (here state the local area for which the notary has been appointed) in _____ at the request of _____ (here give the name), of _____ did send by post a registered letter addressed to _____ (here give the name), at _____ wherein I enclosed the bill of exchange hereto annexed (or "a literal transcript whereof and of everything written or printed thereon is hereto annexed"), and did the such letter demand from the said _____ (here give the name), the person on whom the said bill is drawn and whose acceptance appears thereon, better security for the payment thereof when the same should become payable in consequence of his having become insolvent (or "his credit having been publicly impeached", as the case may be), but the said letter was returned undelivered because the said _____ (here give the name) could not be found; wherefore I, the said notary, at the request aforesaid, by this writing, do in the presence of _____ (here give the name) and _____ (here give the name), witnesses, protest against the drawer of the said bill of exchange and the acceptor and all other parties thereto and all others concerned for all exchange, re-exchange, and all costs, damages and interest present and to come for want of better security for the payment of the said bill when due and payable.

Which I attest

Signature of Notary

Place and date _____

Signature of witnesses

(Should be of the locality)

1 _____

2 _____

FORM X

**FORM OF NOTICE OF PROTEST TO DRAWER
TO BE GIVEN BY A NOTARY**

[Section 8]

Take notice that a bill of exchange for _____ (here state the amount) drawn by you under date the _____ on and payable at _____ has been dishonoured by non-acceptance (or non-payment, as the case may be) and protested, and that you will be held liable thereon.

Signature of Notary

Place and date _____

FORM XI

NOTICE OF PROTEST TO ENDORSER TO BE GIVEN BY A NOTARY

[Section 8]

Take notice that a bill of exchange for _____ (here state the amount) drawn by _____ under date the _____ on _____ and payable at _____ and bearing your endorsement has been dishonoured by non-acceptance (or non-payment, as the case may be) and protested, and that you will be held liable thereon.

Signature of Notary

Place and date _____

FORM XII

**FOR OF NOTARIAL ACT OF DECLARATION HAVING BEEN MADE
BY A PAYER FOR HONOUR**

[Section 8]

On the _____ day of _____ 200____ I, _____ (here give the name), a notary appointed under the Notaries Act, 1952, of _____ in _____ (here state the local area for which the notary has been appointed) in _____ do hereby certify that the bill of exchange hereto annexed (or "a literal transcript whereof and of everything written or printed thereon is hereto annexed") (now protested for non-payment) was this day exhibited to _____ (here give the name), of _____ in the State of _____ (or to _____ (here give the name), his agent in this behalf, as the case may be), who declared before me that he, the said _____ (here give the name), would pay the amount of the said bill under protest for the honour of _____ (here insert the name of the party for whose honour the payment is to be made),

holding the said _____ (here insert the name of the party for whose honour the payment is to be made) and the drawer and all other proper persons responsible to him, the said _____ (here give the name), for the amount of the said bill and for all proper costs, interest, damages, and expenses; I have, therefore, in the presence of _____ (here give the name) and _____ (here give the name), witnesses, granted this Notarial Act of honour accordingly.

Which I attest

Signature of Notary
Place and date _____

Signature of witnesses

(Should be of the locality)

1 _____

2 _____

¹[FORM XIII

COMPLAINT

Before the appropriate government under the Notaries Act, 1952 (53 of 1952)

1. Ins. by S.O. 774, dated 8th. March, 1957.

Between _____ petitioner

and _____ respondent Petitioner's address

Respondent's address: _____ Particulars of complaint in

paragraphs consecutively numbered _____

Particulars of evidence oral and documentary,

if any,, to substantiate the complaint _____

Verification

I, _____, the petitioner do hereby declare that what is stated above is true to the best of my information and belief.

Verified today the _____ day of _____ 200____ at _____

Signature]

¹[FORM XIV

FORM OF RETURN TO BE SUBMITTED BY A NOTARY

[Rule 14]

1. Ins. by S.R.O. 1285, dated 20th. March, 1957.

1. Name and address of notary	_____
2. Registration number	_____
3. Particulars of notarial acts done during the year	_____

<i>Type of work</i>	<i>Name of cases</i>	<i>Fee charged</i>
1. Nothing an instrument.		
2. Protesting an instrument.		
3. Recording a declaration of payment for honour.		
4. Duplicate protests.		
5. Verifying, authenticating, certifying or attesting the execution of any instrument.		
6. Presenting any promissory note, hundi or bill of exchange for acceptance or payment or demanding better security.		
7. Administering oath to, or taking affidavit from any person.		
8. Preparing any instrument intended to take effect in any country or place outside India in such form and language as may conform to the law of the place where such deed is intended to operate.		
9. Attesting or authenticating any instrument intended to take effect in any country or place outside India in such form and language as may conform to the law of the place where such deed is intended to operate.		
10. Translating and verifying the translation of, any document from one language into another.		
11. Other notarial acts.		

Signature of Notary

Date and place _____

¹[FORM XV

NOTARIAL REGISTER

[Rule 11(2)]

1. Ins. by S.O. 83, dated 28th. December, 1965.

<i>Sl. No.</i>	<i>Date</i>	<i>Name of notarial act</i>	<i>Name of executants or person concerned with full address</i>	<i>Contents of document</i>	<i>Notarial fee stamp affixed</i>	<i>Prescribed fee</i>	<i>Fee charged</i>	<i>Sl. No. of receipt book</i>	<i>Signature of person concerned</i>	<i>Signature of notary</i>
1	2	3	4	5	6	7	8	9	10	11