

**HIGH COURT OF JUDICATURE AT ALLAHABAD
AMENDMENT (ADMIN G-II) SECTION
NOTIFICATION**

NO. 1062 VIIIb / Admin G-II/Allahabad

Dated: 21-11-2023

(Correction Slip No. 126)

In exercise of the powers conferred by Article 227 of the Constitution of India and Section 122 of the Civil Procedure Code, 1908 read with section 21 of General Clauses Act, 1897, the High Court of Judicature at Allahabad with the previous permission of the Government of Uttar Pradesh, is pleased to make the following amendments in General Rules (Civil), 1957 with effect from the date of their publication in the Uttar Pradesh Gazette.

GENERAL RULES (CIVIL)(AMENDMENT)RULES,2017

Short title and Commencement

(1)(a) These rules shall be called the General Rules (Civil) (Amendment) Rules, 2017.

(b) They shall come into force on the date of their publication in the Gazette.

Substitution of Rule 4

(2) For Rule 4 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted. namely:-

| Column 1 | Column 2 |
|--|--|
| (Existing Rule) | (Rule as hereby substituted) |
| <p>4. Definitions- In these rules, unless there is anything repugnant in the subject or context: “Central Nazir” includes the Nazir of a District Judge, or of a Civil and Sessions Judge whose headquarter are situated in any outlying district. “Chapter” means chapter of these rules. “Civil Judge” includes Additional Civil Judge. “Code” means the Civil Procedure Code, 1908 as amended from time to time in its application to courts subordinate to the High Court. “Collector” is used synonymously with Deputy Commissioner. “Form” followed by a number, e.g. form 90, means by a form prescribed by these Rules and described by such serial number in Appendix 4. “High Court” means High Court of Judicature at Allahabad.</p> | <p>4. Definitions- (a) “Central Nazir” includes the Nazir of a District Judge, or of an Additional District and Sessions Judge whose headquarter are situated in any outlying area. (b) “Chapter” means chapter of these rules. (c) “Civil Judge” includes Additional Civil Judge. (d) “Code” means the Civil Procedure Code, 1908 as amended from time to time in its application to courts subordinate to the High Court. (e) “Collector” is used synonymously with District Magistrate. (f) “Form” followed by a number, e.g. form 90, means by a form prescribed by these Rules and described by such serial number in Appendix 4. (g) “High Court” means High Court of Judicature at Allahabad.</p> |

- “Judicial Officer”** means the presiding officer of a Civil Court.
- “Munsif”** includes Additional Munsif.
- “Outlying District”** means a revenue district where the permanent court of the District Judge is not situate.
- “Outlying Munsifi”** means as a Munsif’s Court not situated at the Head Quarter of a District Judge or a Civil and Sessions Judge.
- “O-r”** means Order-Rule in the first Schedule of the Code.
- “Pleader”** means pleader as defined under Section 2(15) of the Code.
- “Rule”** means a Rule of these Rules.
- “Section”** means section in the Code.
- “State”** means the State of Uttar Pradesh.
- (h) “Judicial Officer”** means the presiding officer of a Civil Court.
- (i) “Civil Judge (Junior Division)”** includes Additional Civil Judge (Junior Division).
- (j) “Outlying Area”** means a revenue unit where the permanent court of the District Judge is not situate.
- (k) “Outlying Courts”** means a Court of Civil Judge (Junior Division), Civil Judge (Senior Division) or Additional District & Sessions Judge not situated at the Head Quarter of a District Judge.
- (l) “O-r”** means Order-Rule in the first Schedule of the Code.
- (m) “Pleader”** means pleader as defined under Section 2(15) of the Code.
- (n) “Rule”** means a Rule of these Rules.
- (o) “Section”** means section in the Code.
- (p) “State”** means the State of Uttar Pradesh.
- (q) “Action”** includes any form of proceeding in the Court but does not include proceedings before an Arbitrator.
- (r) “Address for service”** means an address of the place at which a summon, an application or other document may be sent or left for the party giving such address. Such address must be a physical address and:
- (1) If it is of a building or property which is divided into parts which are capable of separate occupation, shall also specify which part of the building or property is the address for service;
 - (2) May specify, any addition to a physical address and e-mail address to which documents may electronically be directed to the party giving it and the party initiating the proceeding has also indicated on a document filed by such party that it has an e-mail address. This sub paragraph shall apply to all action commenced on or after the pilot commencement date, by legal practitioner who register for participation an interim e-Filing pilot project commissioned by the Court.
- (s) “Appeal”** includes a cross appeal.
- (t) “Authorized electronic communication”** means:
- (1) a communication of information in the form of data, text or images by means of guided or unguided electromagnetic energy or both, including an e-mail or an e-mail attachment; or

(2) a communication of information in the form of sound by means of guided or unguided electromagnetic energy of both where the sound is processed, at its destination, by an automatic speech recognition system;

in accordance with information technology requirements specified by the court by practice direction.

(u) "Defend" means to take part in any proceedings whereas defendant, respondent, intervenes or in any life capacity.

(v) "Deliver" includes electronic transmission to the e-mail address of the addressee by an authorized electronic communication.

(w) "Document" includes in addition to a document in writing:-

(1) any book, map, plan, graph or drawing;

(2) any photograph

(3) any label, marking or other writing which identifies or describes anything of which it forms part or to which it is attached by means whatever;

(4) any disc, tape, sound track, computer or device whether of the same or any kind whatsoever in which sounds or other data (not being visual images) are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom;

(5) any film (including a micro film) negative tape disc or other device in which one or more visual images are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced there from; and

(6) anything whatsoever on which is marked any words, figures, letter or symbols which are capable of carrying a definite meaning to persons conversant with them.

(x) "Electronic Mail" is a store and forward method of composing, sending and storing received message in electronic form via computer based communication mechanism.

(y) "Electronic Mail Service" means the summons send in pre-designed template form by electronic mail, digitally signed by the presiding officer of the court or any other person authorized in this behalf by the High Court or the District Judge, as the case may be.

(z) **“E-mail Address”** means the mailing address to and from which an authorized electronic communication may be sent and received, using the World Wide Web.

(z1) **“Establishment”** means and includes the instituting court mention in table given in Rule 21.

(z2) **“Fax”** (A short form of facsimile) is the telephone transmission of scanned and printed material (text or images to a telephone number with a printer or any other output device) .

(z3) **“File”** includes delivery to the registry by authorized electronic communication, and received into an electronic file of the court as a record of proceedings.

(z4) **“Image”** means a picture which has been created, copied, stored or transmitted in electronic form.

(z5) **“Issued”** includes sending by means of an authorized electronic communication.

(z6) **“Judicial Service Centre”** means the department of judgeship meant for providing E-Court services.

(z7) **“Person under a disability”** means an infant and any person who by reason of physical weakness or intellectual or mental impairment or other condition, whether temporary or permanent is unable to given instructions to take, defend or compromise proceedings.

(z8) **“Pilot commencement date”** means the date referred to in the Rules for the commencement of the pilot e-filing project commissioned by the court.

(z9) **“Proceedings”** means an action, suit, cause, matter, review or appeal, and includes a counter claim.

(z10) **“Registered User”** means of person who has registered to gain access to use of any electronic filing or other system maintained or operated by the Courts Administration/Authority.

(z11) **“Representative Party”** means a person who is acting in the capacity of a legal representative or guardian of the person of the property or another person or persons, and includes a trustee, executor, administrator, committee, guardian, manager or representative appointed by statute or by order of court or by an agent, director, manager or secretary appointed out of court when acting in a representative capacity.

(z12) "Transmit" includes sending by means of an authorized electronic communication.

Note- "Words and Expressions used but not defined in these Rules and defined in the Information Technology Act 2000 (Act no. 21 of 2000) and the Rules made thereunder, as amended from time to time shall have the meanings assigned to them in the said Act and the Rules".

Substitution of Rule 7

(3) For Rule 7 of the said Rules, set out in column 1 below the Rules, as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|---|
| <p>7. Officer in charge. Subject to the general control and supervision of the District Judge, the Central Nazarat, Record Room, Amins, and Copying Department at the Headquarters of a District Judge or in an outlying district shall each be placed in charge of a judicial officer nominated by District Judge.</p> | <p>7. Officer in charge. Subject to the general control and supervision of the District Judge, the Central Nazarat, Record Room, Amins, Judicial Service Centre and Copying Department at the Headquarters of a District Judge or in an outlying district shall each be placed in charge of a judicial officer nominated by the District Judge.</p> |

Substitution of Rule 10

3(A) For Rule 10 of the said Rules, set out in column 1, below the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|--|
| <p>10. Daily sitting of Judges: The daily sittings of Civil Courts for judicial work shall ordinarily extend from 10-30 a.m. to 4 p.m. with a recess from 1.30 p.m. to 2 p.m., and Judicial Officers shall so arrange the business of their Courts as to supply work for that time; provided that a sitting may be prolonged by half an hour for the purposes of bringing to a conclusion the examination of a witness, the hearing of an argument, or any other proceeding which, in the opinion of the Judge, should not be or cannot be conveniently interrupted.</p> <p>District Judges shall be in the Court building not later than 10-30 a.m. and shall sit in Court at the latest by 11-30 a.m. for judicial work. If administrative work remains unfinished by 11-30 a.m., it may be done after 4 p.m.</p> | <p>10. Daily sitting of Judges: The daily sittings of Civil Courts for judicial work shall ordinarily extend from 10-30 a.m. To 4:30 p.m. with a recess from 1.30 p.m. to 2 p.m., and Judicial Officers shall so arrange the business of their Courts as to supply work for that time; provided that a sitting may be prolonged by half an hour for the purposes of bringing to a conclusion the examination of a witness, the hearing of an argument, or any other proceeding which, in the opinion of the Judge, should not be or cannot be conveniently interrupted.</p> <p>District Judges shall be in the Court building not later than 10:00 a.m. and shall sit in Court at the latest by 10-30 a.m. for judicial work. If administrative work remains unfinished by 10-30 a.m., it may be done after 4:30 p.m.</p> |

A District Judge may fix Court hours from 10 a.m. to 3.30 p.m. instead of from

10-30 a.m. to 4 p.m. for all or any of the Civil Courts in the judgeship, or he may fix these hours for his own Court only, in which case he may do administrative work up to 11 a.m. and begin his Court work from that hour. Such changes should be reported to the High Court.

deleted

There shall be no departure from this rule, except for special reasons of urgency, which must be recorded in the register of daily sittings.

There shall be no departure from this rule, except for special reasons of urgency, which must be recorded in the register of daily sittings.

Substitution of Rule 12

(4) For Rule 12 of the said Rules, set out in column 1, below the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|--|
| <p>12. Absence from Court: Whenever a District Judge, or an Additional Judge or a Civil & Sessions Judge without leave previously obtained absence himself from his court, such absence and the cause thereof shall be reported to the High Court by the next day. Such absence should not be for more than two working days in any one month, and shall be treated as casual leave. In similar cases a Judge of Court of Small Causes, a Civil Judge or Munsif shall make a report to the District Judge who shall treat such absence as casual leave.</p> | <p>12. Absence from Court: Whenever a District Judge without leave previously obtained absence himself from his court, such absence and the cause thereof shall be reported to the High Court by the next day. Such absence should not be for more than two working days in any one month, and shall be treated as casual leave. In similar cases an Additional District and Sessions Judge, a Judge of Court of Small Causes, a Civil Judge (Senior Division) or Civil Judge (Junior Division) shall make a report to the District Judge who shall treat such absence as casual leave.</p> |

Substitution of Rule 16

(5) For Rule 16 of the said Rules set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|---|
| <p>16. Weekly Cause List. A weekly list in the form sub joined of cases fixed for hearing, prepared in legible hindi and signed by the munsarim of the court shall be pasted on the last working day of the previous week in some conspicuous place in every court house. In preparation of such list precedence shall be given to cases, which are at hearing or have been already adjourned, and the order in which cases are entered shall not be departed from without the</p> | <p>16. Cause List. A list of cases fixed for hearing and other purposes, in each Court shall be electronically generated in the following form in Hindi and English for each working day in advance and shall also be pasted in the beginning of each working day on notice board in some conspicuous place in every Court house. All the District Government Counsel/Additional District Government Counsel and the learned Members of the Bar may get hard copy also of the entire</p> |

express order of the presiding judge of the court. Space shall be left in the list, at the head of entries of each day for the subsequent insertion, if necessary, of adjourned cases. In the fourth column it shall be noted in the regard to each case for what purpose it is to be laid before the court; whether, for instance, for settlement of issues, or for final disposal or for delivery of judgment.

cause list on payment of the prescribed fees.

**Cause List
IN THE COURT OF
Designation and Name of Presiding
Officer
Civil Cause List of
Date :.....DD.....MM.....YY**

Form

Date, Month & Year

| Number and Description of Case | Name of parties | Names of parties lawyers | Purpose | Sr. No. | Case Type | Case No. | Name of Parties | Name of the Advocates | Purpose/Remark |
|---|-----------------|--------------------------|---------|---------|-----------|----------|-----------------|-----------------------|----------------|
| | | | | 1 | 2 | 3 | 4 | 5 | 6 |
| <p>N.B.- The maintenance of a Memorandum book form Nos. 77, 78 and 79 does not obviate the necessity of compliance with this rule.</p> | | | | | | | | | |

Substitution of Rule 18

(6) For Rule 18 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|---|
| <p>18. Rubber stamps prohibited. The use of rubber stamps in judicial orders or signatures required to be made by any law or rules, is forbidden.</p> | <p>18. Rubber stamps prohibited. The use of rubber stamps in judicial orders or signatures required to be made by any law or rules, is forbidden, <u>however electronic signature may be affixed on electronic record.</u></p> |

Omission of Rule 18A

(7) Rule 18A of the said Rules shall be omitted.

Substitution of Rule 25

(8) For Rule 25 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>25. Paper for pleadings and petitions. All pleadings, applications, and petitions of whatsoever nature, and also powers of attorney and certificates of pleaders, filed in the course of civil judicial proceedings, shall be written in a legible hand or type-written on Government water-marked paper.</p> | <p>25. Paper for pleadings and petitions. All pleadings, applications, and petitions of whatsoever nature, and also powers of attorney and certificates of pleaders, filed in the course of civil judicial proceedings, shall be written in a legible handwriting or type-written on Government water-marked paper.</p> |

Provided that when saleable forms

Provided that when saleable forms have

have been prescribed by the High Court for any purpose, applications must be presented on such forms, if available.

Provided also that when Government watermarked paper is not available, Courts may accept pleadings or petitions on stout durable paper.

Margin.

Only one side of the paper shall be used, and a quarter margin, together with at least two and a half centimeter of space at the top and bottom of each sheet, shall be allowed.

been prescribed by the High Court for any purpose, applications must be presented on such forms, if available.

Provided also that when Government watermarked paper is not available, Courts may accept pleadings or petitions on stout durable paper.

Provided further that a soft copy of the pleadings, applications and petitions, as aforesaid, may be provided at the time of filing aforesaid documents.

Margin.

Only one side of the paper shall be used, and a quarter margin, together with at least two and a half centimeter of space at the top and bottom of each sheet, shall be allowed.

Substitution of Rule 27

(9) For Rule 27 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>27. Person presenting application. Every application or petition shall at the time of presentation bear the name and also full signature or thumb mark of the person actually presenting the same together with the date of presentation.</p> | <p>27. Person presenting application. Every application or petition shall at the time of presentation bear the name and also full signature or thumb mark of the person actually presenting the same together with the date of presentation along with identity proof viz Aadhar Card, Voter ID Card, PAN Card, Passport, Driving License or Identity Card issued by Public Authority etc.</p> |

Substitution of Rule 33

(10) For Rule 33 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|--|
| <p>33. Orders other than routine ones to be made in judge's notes. No orders except routine orders are to be recorded on the applications themselves.</p> | <p>33. Order Sheet. Upon the institution of a case an order-sheet shall be opened. Upon it shall be recorded:-</p> |

All orders other than routine orders passed on applications are to be recorded in the Judge's notes which are intended to be a record in English or Hindi of the suit or proceeding from the date of the first hearing to its termination.

- (i) every routine order passed by the court in the case;
- (ii) a note of every other order passed;
- (iii) a note how documents tendered in evidence have been dealt with an admissions or denials thereof by the opposite parties whether such admissions or denials have been endorsed thereon by the said party, and, if any question of relevancy is raised, the decision thereon;
- (iv) a note of the date of each hearing and the proceedings on that date;
- (v) all proceedings, notes, depositions, memoranda of evidence and reports shall be so recorded that a quarter margin is left.

An order the reason for which require to be recorded at length, shall not be written on the order-sheet, but only a note of the order and of the date on which it was made, shall be entered on it. Every entry upon the order-sheet, shall be made at the earliest opportunity and shall be signed by the presiding officer.

Insertion of Rule 35A

(11) After Rule 35 of the said Rules, Rule 35A shall be inserted namely:-

35A Registration of cases at Case Information System (CIS)

- (i) Every Complaint, Petition, Appeal, Execution Application or Miscellaneous Application presented before the Court for the institution shall be registered at CIS and thereafter it shall be presented before the Court in accordance with due process of law.
- (ii) Munsarim, Reader, Suit Clerk, Appeal Clerk, Execution Clerk or Miscellaneous Clerk, as the case may be, who ever be the Incharge of the case shall be responsible for the regulation updation of the cases at CIS.
- (iii) Whenever the proceeding of the case in any suit, appeal, petition, execution or any other miscellaneous proceeding culminate into a final decision, all orders and final judgment shall also be uploaded on the CIS as much as possible on the very same day by steno of the Court concerned and the CIS number must also be mentioned on such judgment/order.
- (iv) The CIS number shall also be mentioned in the reader's diary and disposal register along with other details of the case.

Insertion of Rule 35B

(12) After Rule 35A of the said Rules, Rule 35B shall be inserted namely:-

35B. Recording of evidence through video conferencing

The Court may in the interest of Justice or for the expeditious disposal of the case or for any other reason which shall be recorded, in appropriate case may record the statement of a person, party or witness, whose presence cannot easily be ensured into the Court or who is in the service of the Government, who cannot in the opinion of

the Court attend, without detriment to the public service through video recording.

Amendment of Rule 66

(13) In the said rules, figure 10 in proviso of Cl(3) of Rule 66 shall be substituted by figure 100 and figures 30 & 20 in cl.(4) of rule 66 shall be substituted by figure 300 & 200 respectively.

Substitution of Rule 68

(14) For Rule 68 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|---|
| <p>68. Particulars to be given in the order for local investigation. When issuing a commission for making a local investigation under O. XXVI, r. 9 the Court shall define the points on which the Commissioner has to report. No point which can conveniently and ought to be substantiated by the parties by evidence at the trial shall be referred to the Commissioner.</p> | <p>68. Particulars to be given in the order for local investigation. When issuing a commission for making a local investigation under O. XXVI, r. 9 the Court shall define the points on which the Commissioner has to report. The spot inspection proceedings carried out by Advocate Commissioner or Civil Court Amin shall be videographed at the expense of party concerned and the same be provided to the Court unedited by Advocate Commissioner or Civil Court Amin, as the case may be. No point which can conveniently and ought to be substantiated by the parties by evidence at the trial shall be referred to the Commissioner.</p> |

Substitution of Rule 77

(15) For Rule 77 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|--|
| <p>77. Munsarims to verify affidavits. (a) Munsarims of all Civil Courts may verify affidavits. (b) The Court fee label of Rs. 1.50 shall be affixed on each affidavit verified before the Munsarims for filing in the Courts of Munsif and Small Causes Courts and Rs. 2.00 to each affidavit verified before the Munsarim for filing in all other Courts and Rs. 4.00 to each affidavit verified before the Munsarims for filing in the High Court. The said fee shall be in addition to the stamp duty chargeable under Article 4 of Schedule "I-B" of the Indian Stamp Act.</p> | <p>77. Munsarims to verify affidavits. (a) Munsarims of all Civil Courts may verify affidavits. (b) The Court fee label of Rs. 15.00 shall be affixed on each affidavit verified before the Munsarims for filing in the Courts of Civil Judge (Junior Division) or Civil Judge (Senior Division) as the case may be, and Small Causes Courts and Rs. 20.00 to each affidavit verified before the Munsarim for filing in all other Courts and Rs. 40.00 to each affidavit verified before the Munsarims for filing in the High Court. The said fee shall be in addition to the stamp duty chargeable under Article 4</p> |

Amendment in Rule 78

(16) In the said rules, in rule 78, figures 1.50, 2.00 & 4.00 shall be substituted by figures 15.00, 20.00 & 40.00 respectively.

Substitution of Rule 79

(17) For Rule 79 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|---|
| <p>79. Instructions for dealing with applications for adjournments. In dealing with application for adjournment Courts shall be guided by the following instructions: - (1) A date of hearing once fixed shall be adhered to as far as possible and no</p> | <p>79. Instructions for dealing with applications for adjournments. In dealing with application for adjournment, Courts shall be guided by the following instructions: - (1) A date of hearing once fixed shall be adhered to as far as possible and no adjournment shall be granted except for good cause to be recorded by the Judge. Adjournment should not as a rule be granted on the request of one of the parties when the other party is ready to proceed with the case, except on payment of an adequate sum as costs not less than Rs. 100. including costs for summoning and attendance of witnesses and the day's remuneration for counsel. Such costs if paid, shall not be taxed in the decree. Every subsequent adjournment application of the same party on same stage be awarded with double sum of cost with condition precedent of previous payment for want of which further prosecution/ defense shall be barred/struck off, as the case may be and the Court may proceed further.</p> |
| <p>(2) The fact that a party is, through carelessness or negligence, not ready to go on with a suit, is not in itself a good cause for adjournment.</p> | <p>(2) The fact that a party is, through carelessness or negligence, not ready to go on with a suit, is not in itself a good cause for adjournment.</p> |
| <p>(3) 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.</p> | <p>(3) 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.</p> |
| <p>(4) A hearing should not be adjourned to call for a written report from an officer of the Court, unless such report be</p> | <p>(4) A hearing should not be adjourned to call for a written report from an officer of the Court, unless such report be absolutely</p> |

absolutely necessary and cannot be obtained the same day. necessary and cannot be obtained the same day.

Omission of Rule 85

(18) Rule 85 of the said Rules shall be omitted.

Substitution of Sub rule (1) of Rule 89A

(19) For Sub rule (1) of Rule 89A of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>89A. Procedure to be followed on transfer or withdrawal of cases. (1) When a case, i.e., a suit, appeal or other proceedings in which a date for attendance of party or the parties in a particular court has been fixed, is transferred from the court to another, the former court shall record the order of transfer in the order sheet and get it signed by counsel of the party or parties, if any party is unrepresented information shall be sent to his registered address.</p> | <p>89A. Procedure to be followed on transfer or withdrawal of cases. (1) When a case i.e., a suit, appeal or other proceedings in which a date for attendance of party or the parties in a particular court has been fixed, is transferred from one court to another, the former court shall record the order of transfer in the order sheet and get it signed by counsel of the party or parties, if any party is unrepresented, information shall be sent to him either by SMS, E-Mail or Fax, if available or through Post to his registered address.</p> |
| <p>The case shall be called out by the other court on the date already fixed by the transferring court and presence of the parties noted.</p> | <p>The case shall be called out by the other court on the date already fixed by the transferring court and presence of the parties noted.</p> |

Omission of Rule 94

(20) The Sub rule (1) of Rule 94 of the said Rules along with heading and numbering of sub rule (2) shall be omitted.

Substitution of Rule 98

(21) For Rule 98 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|--|
| <p>98. Drawing up of decree. (1) The decree shall be drawn up by the decree writer ordinarily within seven days of the date of the judgment and shall bear that date. The formal order may, however, be drawn up only when a party applies for a copy of the formal order or the Court so directs, within seven days from such application or direction. After the decree or formal</p> | <p>98. Drawing up of decree. (1) The formal order may be drawn up only when a party applies for a copy of the formal order or the Courts so directs, within seven days from such application or direction. After the formal order has been examined, it shall be signed by the judge and the date of such signature be entered by him immediately beneath the signature.</p> |

order has been examined and the provisions of Order XX, Rule 21, have been complied with, it shall be signed by the judge and the date of such signature entered by him immediately beneath the signature.

Contents of decree (original).

(2) A Judge shall see that the decree or formal order drawn up specifies clearly the relief granted or other determination of the case and that the heading of the decree contains definite particulars of the claim.

Contents of formal order.

(2) A Judge shall see that the formal order drawn up specifies clearly the relief granted or other determination of the case.

Amendment in Rule 102

(22) In the said rules, after cl. (a) of rule 102, following cl. (aa) shall be inserted:-

(aa) A party may mention in the plaint, memorandum of appeal, or an application requiring the issue of a summon/notice, the mobile number, E-Mail address or Fax number of defendant/respondent/ opposite party and on which, the summon/notice may be served through the said electronic mode.

Substitution of Rule 105(A)

(23) For Rule 105(A) of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|---|
| <p>105A. Other expenses to be allowed to witnesses.</p> <p>(1)The other expenses to be allowed to the witnesses shall be on the following scale, namely:</p> <p>(a) in the case of witnesses of the class of cultivators, labourers and persons including Government servants of corresponding rank, four rupees a day;</p> <p>(b) in the case of witnesses of a better class, such as Bhumidhars, traders, pleaders and persons including Government servants of corresponding rank six rupees to twelve rupees a day, as the Court may direct;</p> <p>(c) in the case of witnesses of a superior rank including Government servants of corresponding rank from eight rupees to twenty four rupees a day, as the Court may direct;</p> <p>Provided that where a Government servant is summoned to produce official documents or to give evidence of facts which came to his knowledge in the</p> | <p>105A. Other expenses to be allowed to witnesses.</p> <p>(1)The other expenses to be allowed to the witnesses shall be on the following scale, namely:</p> <p>(a) in the case of witnesses of the class of cultivators, labourers and persons including Government servants of corresponding rank, one hundred fifty rupees a day;</p> <p>(b) in the case of witnesses of a better class, such as Bhumidhars, traders, pleaders and persons including Government servants of corresponding rank two hundred fifty rupees to three hundred rupees a day, as the Court may direct;</p> <p>(c) in the case of witnesses of a superior rank including Government servants of corresponding rank from four hundred rupees to five hundred rupees a day, as the Court may direct;</p> <p>Provided that where a Government servant is summoned to produce official documents or to give evidence of facts which came to his knowledge in the</p> |

discharge of his public duties, he shall be paid travelling and other expenses at the rates, admissible to him as for journeys on tour in accordance with the travelling allowance rules applicable to him.

(2) If a witness demands any sum in excess of what has been paid to him, such sum shall be allowed if he satisfies the Court that he has actually and necessarily incurred the additional expense;

Illustration- A post office or railway employee summoned to give evidence is entitled to demand from the party, on whose behalf or at whose instance he is summoned, the travelling or other expenses allowed to witnesses of the class or rank to which he belongs, and in addition the sum for which he is liable as payment to the substitute officiating during his absence from duty. The sum so payable in respect of the substitute will be certified by the official superior of the witness on a slip, which the witness will present to the Court from which the summons issued.

(3) If a witness be detained for a longer period than one day the expense of the detention shall be allowed at such rates not usually exceeding that payable under sub rule(1), as may seem to the Court to be reasonable and proper:

Provided that the Court may, for reasons stated in writing allow expenses on a higher scale than that herein before prescribed.

Illustration- A post office or railway employee summoned to give evidence is entitled to demand from the party, on whose behalf or at whose instance he is summoned, the travelling or other expenses allowed to witnesses of the class or rank to which he belongs, and in addition the sum for which he is liable as payment to the substitute officiating during his absence from duty. The sum so payable in respect of the substitute will be certified by the official superior of the witness on a slip, which the witness will present to the Court from which the summons issued.

(3) If a witness be detained for a longer period than one day the expense of the detention shall be allowed at such rates not usually exceeding that payable under sub rule(1), as may seem to the Court to be reasonable and proper:

Provided that the Court may, for reasons stated in writing allow expenses on a higher scale than that herein before prescribed.

Substitution of Rule 109

(24) For Rule 109 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>109. Endorsement on processes sent for service to other Courts.</p> <p>(1) 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 these rules has been levied.</p> | <p>109. Endorsement on processes sent for service to other Courts.</p> <p>(1) Process for service or execution to any Court beyond its jurisdiction may be sent by electronic mode through the computer section of the Court or through usual mode, however, when a Court sends a process for service or execution to any Court beyond its</p> |

jurisdiction, it shall endorse on the process a certificate that the fee chargeable under these rules has been levied.

- (2) When the warrant or process is required to be executed or served by the Court of Small Causes, Calcutta, conveyance charges at the rate of Rs. 10.00 per warrant and Rs.1.00 per copy of summons or other process shall of be realized in advance in Court fee stamps and a certificate of realization of the charges shall be endorsed thereon for the information of the Court of Small Causes, Calcutta.
- (2) When the warrant or process is required to be executed or served by the Court of Small Causes, Calcutta, conveyance charges at the rate of **Rs. 200.00** per warrant and **Rs.50.00** per copy of summons or other process shall of be realized in advance in Court fee stamps and a certificate of realization of the charges shall be endorsed thereon for the information of the Court of Small Causes, Calcutta.

N.B.- The Court subordinate to the Calcutta High Court are bound to serve warrants and processes so endorsed. Vide rule 687 of the Civil Rules and Orders for the guidance of Civil Courts subordinate to the High Court of Fort William, Bengal-Vol. 1.

N.B.- The Court subordinate to the Calcutta High Court are bound to serve warrants and processes so endorsed. Vide rule 687 of the Civil Rules and Orders for the guidance of Civil Courts subordinate to the High Court of Fort William, Bengal-Vol. 1.

Substitution of Rule 111

(25) For Rule 111 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>111. Particulars on return of summonses. The Court to which the summons has been sent under O.V, r. 21, shall re-transmit it to the Court by which it was issued together with</p> <p>(1) the Nazir's return and the affidavit or examination on oath of the serving officer;</p> <p>(2) the record of further inquiry, if any, by such Court;</p> <p>(3) where the service has been effected by affixation under O. V., r. 17, a declaration by such Court whether the service is sufficient or not; and</p> <p>(4) in cases where the return of service is in a language other than Hindi or English it shall be accompanied by a Hindi</p> | <p>111. Particulars on return of summonses. The Court to which the summons has been sent under O.V, r. 21, shall re-transmit it to the Court by which it was issued together with</p> <p>(1) the Nazir's return and the affidavit or examination on oath of the serving officer along with a photograph of the notice affixed with his report, if the service has been effected by affixation under O. V, r. 17.</p> <p>(2) the record of further inquiry, if any, by such Court;</p> <p>(3) where the service has been effected by affixation under O. V., r. 17, a declaration by such Court whether the service is sufficient or not; and</p> <p>(4) in cases where the return of service is in a language other than Hindi or English it shall be accompanied by a Hindi</p> |

translation of the report of service.

translation of the report of service.

Substitution of Rule 115

(26) For Rule 115 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|---|
| 115. Summons to officers and soldier. A summons to an officer in the Military, Naval, or Air Forces of the Union of India, as defendant or as witness, shall be sent direct to him for service and 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. | 115. Summons to officers and soldier. A summons to an officer in the Military, Naval, or Air Forces of the Union of India, as defendant or as witness, shall be sent direct to him for service and a summon(s) to a soldier, sailor or airman, as defendant or as witness, shall be sent for service to his Commanding Officer by usual mode vis a vis by electronic mode through the computer section of the Court. In such cases sufficient time shall be given to admit of arrangements being made for the relief of the person summoned. |

Substitution of Rule 116

(27) For Rule 115 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|---|
| 116. 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 officer in which he is employed. <i>N.B.- For summoning or issue of commission for the examination of Finger Print Expert see G.O. No.3716/VIII-520-45 of 27th June 1946 and C.L. No. 121/VIII f-8 dated 8th December 1951. For summoning of a Finger Print Proficient consult Appendix 24. For summoning of Government Examiner of Questioned Documents, consult Appendix 18.</i> | 116. 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 by usual mode vis a vis by electronic mode through the computer section of the Court. <i>N.B.- For summoning or issue of commission for the examination of Finger Print Expert see G.O. No.3716/VIII-520-45 of 27th June 1946 and C.L. No. 121/VIII f-8 dated 8th December 1951. For summoning of a Finger Print Proficient consult Appendix 24. For summoning of Government Examiner of Questioned Documents, consult Appendix 18.</i> |
| (2) For service on gazetted officers in the state the list given in Appendix 3 shows in column 2 the authority through whom summons should be served. | (2) For service on gazetted officers in the state the list given in Appendix 3 shows in column 2 the authority through whom summons should be served. |
| (3) A list of officers through whom servants of Railways working in whole | (3) A list of officers through whom servants of Railways working in whole |

or in part in this State shall be served, is given in Appendix 2. or in part in this State shall be served, is given in Appendix 2.

Substitution of Rule 125

(28) For Rule 125 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely -

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|---|
| 125. Processes to be delivered to Nazir for service. Every process issued or received by a Court at the headquarters of a district for service within its own jurisdiction or within the jurisdiction of any other Court at such headquarters shall be delivered to the Central Nazir or Nazir for service. | 125. Processes to be delivered to Nazir for service. Every process issued or received by a Court at the headquarters of a district for service within its own jurisdiction or within the jurisdiction of any other Court at such headquarters shall be delivered to the Central Nazir or Nazir for service. Besides the formal procedure of services of summons, the Central Nazir or Nazir shall make endeavor services of summons be made by such courier services as are approved by the High Court or District Court or by any other means of transmission of documents viz fax, Electronic Mail Service if that facility is available provided that the plaintiff/appellant/ petitioner/ applicant is ready to bear the expenses. |

Substitution of Rule 127

(29) For Rule 127 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|---|
| 127. Processes for service within outlying Munsifi. Where any process is for service within the jurisdiction of an outlying Munsifi of the district, it shall be sent to the Munsif concerned: Provided that a warrant of arrest, or an urgent process, or any other process which in the particular circumstances of the case it is advisable to serve or execute by a process-server at headquarters shall be delivered to the Central Nazir at headquarters for such service. | 127. Processes for service within outlying Court and Gram Nyayalaya . Where any process is for service within the jurisdiction of an outlying Court and Gram Nyayalaya of the district, it shall be sent to the Civil Judge (Junior Division) concerned: Provided that a warrant of arrest, or an urgent process, or any other process which in the particular circumstances of the case it is advisable to serve or execute by a process-server at headquarters shall be delivered to the Central Nazir at headquarters for such service. |

Substitution of Rule 128

(30) For Rule 128 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|---|
| <p>128. Processes issued or received by outlying Munsifi. A process issued or received by an outlying Munsifi shall -</p> <p>(a) if it is for service within its own jurisdiction, be delivered to the Nazir of such Court.</p> <p>(b) if it is for service within the jurisdiction of another outlying Munsifi of the same district, be sent for service so such other outlying Munsifi.</p> <p>(c) if it is for service within the jurisdiction of a Court at headquarters but not within the jurisdiction of any outlying Munsifi, be sent for service to the District Judge or the Civil and Sessions Judge, Civil Judge or Munsif at head quarters, as the case may be.</p> | <p>128. Processes issued or received by outlying Court and Gram Nyayalaya . A process issued or received by an Outlying Court and Gram Nyayalaya shall -</p> <p>(a) if it is for service within its own jurisdiction, be delivered to the Nazir of such Court.</p> <p>(b) if it is for service within the jurisdiction of another outlying Court and Gram Nyayalaya of the same district, be sent for service so such other outlying Court and Gram Nyayalaya.</p> <p>(c) if it is for service within the jurisdiction of a Court at headquarters but not within the jurisdiction of any outlying Court and Gram Nyayalaya, be sent for service to the District Judge or the Additional District and Sessions Judge, Civil Judge (Senior Division) or Civil Judge (Junior Division) at head quarters, as the case may be.</p> |

Substitution of Rule 136

(31) For Rule 136 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>136. Boat or Ekka 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, boat hire, ekka hire, or any other incidental charges.</p> | <p>136. Taxi 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, Taxi hire or any other incidental charges.</p> |

Amendment in Rule 144

(32) In Rule 144 of the said Rules, after clause (l) the following clause (m) shall be inserted, namely:-

(m). An application under Order XXII, Rule 10 of CPC.

Substitution of Rule 216

(33) For Rule 216 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|---|
| <p>216.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</p> | <p>216.Loss of record. (1) 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</p> |

theft shall be immediately reported in writing to the Judge in whose district or office the loss or theft has occurred, and he in turn shall report the fact to the High Court and state the steps taken to try and recover the paper or papers missing.

theft shall be immediately reported in writing to the Judge in whose district or office the loss or theft has occurred, and he in turn shall report the fact to the High Court and state the steps taken to try and recover the paper or papers missing.

(2) In case of loss or theft of record, proceeding of reconstruction of record shall be initiated without delay under the supervision of District Judge and the District Judge periodically check the progress of reconstruction proceedings in the District and Shall also report to the High Court on the quarterly basis.

Amendment in Rule 233

(34) In Rule 233 of the said Rules for the digit '5.00' the digit '50.00' shall be substituted.

Substitution of Rule 234

(35) For Rule 234 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|--|
| <p>234. Application for inspection by a party. Where a party to a case applies, that any record, book or register, or set of books or registers, 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 stamp of the value of five rupees for each such record, book or register or set of books or registers. 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 ten paise in a rupee, provided he applies for such refund within three months from the date of the order granting the application for inspection. The refund shall be made as directed in paragraph 1 of rule 392 of Chapter XIII of these rules.</p> | <p>234. Application for inspection by a party. Where a party to a case applies, that any record, book or register, or set of books or registers, 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 stamp of the value of fifty rupees for each such record, book or register or set of books or registers. 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 ten rupee, provided he applies for such refund within three months from the date of the order granting the application for inspection. The refund shall be made as directed in paragraph 1 of rule 392 of Chapter XIII of these rules.</p> |

Amendment in Rule 235

(36) In Rule 235 of the said Rules for the digit '5.00' the digit '50.00' shall be substituted.

Amendment in Rule 256

(37) In Rule 256 of the said Rules for the word and digits 'Rs. 5.00', 'Rs. 10.00' the words and digits 'Rs. 50.00' and 'Rs. 100.00' and for the digits and words '25 paise' and '50 paise' the words and digits 'Rs. 5.00' and 'Rs. 10.00' shall be substituted respectively.

Substitution of Rule 260

(38) For Rule 260 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|---|
| <p>260. Notice of copies ready for delivery. When a copy is ready for delivery notice thereof in Form No. 30 shall forthwith be placed on the notice - board of the Court; and the head copyist shall endorse upon the first sheet of the copy the date of the application, the date of posting the notice on the notice-board, and the date when delivery of the copy was made. Such dates shall be entered in words as well as in figures.</p> <p>If delivery of the copy is not taken within fifteen days of the notice being posted on the notice-board, the orders of the Judge shall be taken as to the disposal of the copy.</p> | <p>260. Notice of copies ready for delivery. When a copy is ready for delivery, notice thereof in Form No. 30 shall forthwith be placed on the notice - board of the Court vis-a-vis giving information to the applicant through SMS; if mobile number of the applicant is available and the head copyist shall endorse upon the first sheet of the copy the date of the application, the date of posting the notice on the notice-board, and the date when delivery of the copy was made. Such dates shall be entered in words as well as in figures.</p> <p>If delivery of the copy is not taken within fifteen days of the notice being posted on the notice-board, the orders of the Judge shall be taken as to the disposal of the copy.</p> |

Substitution of Rule 271

(39) For Rule 271 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

271. Definitions

In this chapter, unless there is anything repugnant in the subject or context-

- “District Judge” shall include the Presiding Judicial Officer:
- (a) in the permanent Courts of Civil and Sessions Judges not stationed at the headquarters of a Judgeship.
 - (b) in Courts of Civil Judges, having separate account with the treasury, and
 - (c) in Courts Of Small Causes, and the term “District Court” shall include the Courts over which such officers preside, the term “Court subordinate to the

271. Definitions

In this chapter, unless there is anything repugnant in the subject or context-

- “District Judge” shall include the Presiding Judicial Officer:
- (a) in the permanent Courts of Civil and Sessions Judges⁴⁵ not stationed at the headquarters of a Judgeship.
 - (b) in Courts of Civil Judges (**Senior Division**), having separate account with the treasury, and
 - (c) in Courts Of Small Causes, and the term “District Court” shall include the Courts over which such officers preside, the term “Court subordinate to the District Judge or District Court” meaning in such

District Judge or District Court" meaning in such cases, all Courts lower in grade than such Civil and Sessions Judges;

cases, all Courts lower in grade than such Civil and Sessions Judges;

"Judges" includes every District Judge, Additional Judge, Civil and Sessions Judge posted in a permanent Court, Civil Judge whose headquarters are situated in an outlying District, and the Judge of a Court of Small Causes;

"Judges" includes every District Judge, Additional Judge, Civil and Sessions Judge posted in a permanent Court, Civil Judge (**Senior Division**) whose headquarters are situated in an outlying District, and the Judge of a Court of Small Causes;

"Receiving officer" means-

- (i) the Central Nazir and the Deputy Nazir of the Courts of District Judges;
- (ii) the Nazir of the permanent Courts of Civil and Sessions Judges;
- (iii) the Nazir of an outlying Munsifi or of a Civil Judge with headquarters in an outlying District, and the Nazir of the Court of Small Causes, Lucknow City;
- (iv) the clerk of the Court in the Courts of Small Causes;

"Receiving officer" means-

- (i) the Central Nazir and the Deputy Nazir of the Courts of District Judges;
- (ii) the Nazir of the permanent Courts of Civil and Sessions Judges;
- (iii) the Nazir of an outlying **Court of Civil Judge (Junior Division)** or of a Civil Judge (**Senior Division**) with headquarters in an outlying District, and the Nazir of the Court of Small Causes, Lucknow City;
- (iv) the clerk of the Court in the Courts of Small Causes;

"Treasury" means the treasury or sub-treasury of the revenue district or sub-district in which a Civil Court is situated.

"Treasury" means the treasury or sub-treasury of the revenue district or sub-district in which a Civil Court is situated.

"Treasury Officer" means the officer in charge of the treasury or sub-treasury of the revenue district or sub-district in which Civil Court is situated.

"Treasury Officer" means the officer in charge of the treasury or sub-treasury of the revenue district or sub-district in which Civil Court is situated.

Substitution of Rule 273

(40) For Rule 273 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| 273.Head of Account | 273.Head of Account |
|--|--------------------------------|
| The following are the heads of account | The following are the heads of |

| | |
|---|---|
| <p>under which the money received and paid under this chapter is classified:-</p> | <p>account under which the money received and paid under this chapter is classified:-</p> |
| <p>(1) Civil Court Deposits and Repayments, including-</p> <ul style="list-style-type: none"> (i) Sums paid under decrees and orders; (ii) Sums deposited under O.XX, r.14, and O.XXIV, r.1 of the Code, and section 83 of the T.P. Act (No. IV of 1882); (iii) Sums deposited under O.XXI, r.84, or paid under O.XXI, r.85 ; (iv) Sums deposited under S.379(1) of Act XXXIX of 1925; (v) Sums deposited in lieu of security ; and (vi) Sums deposited under the Land Acquisition Act (1 of 1894). | <p>(1) Civil Court Deposits and Repayments, including-</p> <ul style="list-style-type: none"> (i) Sums paid under decrees and orders; (ii) Sums deposited under O.XX, r.14, and O.XXIV, r.1 of the Code, and section 83 of the T.P. Act (No. IV of 1882); (iii) Sums deposited under O.XXI, r.84, or paid under O.XXI, r.85 ; (iv) Sums deposited under S.379(1) of Act XXXIX of 1925; (v) Sums deposited in lieu of security ; and (vi) Sums deposited under the Land Acquisition Act (1 of 1894). |
| <p>(2)Cash and proceeds of sale of Intestate Property and Repayments.</p> | <p>(vii) Sums deposited Under Section 30(1), 30(2) of Act No. XIII of 1972.</p> |
| <p>(3) Payments and refunds under-</p> <ul style="list-style-type: none"> (i) Fines, Section 480 of Act V of 1898;⁵⁰ (ii) Stamp duties and penalties, section 35 of Act II of 1899; | <p>(viii) Sums deposited Under Order 15 Rule V of Civil Procedure Code</p> |
| <p>(4) Petty cash accounts, including-</p> <ul style="list-style-type: none"> (i) Traveling and other expenses of witnesses; (ii) Subsistence money for judgment-debtors; | <p>(ix) Deposition Fees</p> |
| <p>(2)Cash and proceeds of sale of Intestate Property and Repayments.</p> | <p>(2)Cash and proceeds of sale of Intestate Property and Repayments.</p> |
| <p>(3) Payments and refunds under-</p> <ul style="list-style-type: none"> (i) Fines, Section 480 of Act V of 1898;⁵⁰ (ii) Stamp duties and penalties, section 35 of Act II of 1899; | <p>(3) Payments and refunds under-</p> <ul style="list-style-type: none"> (i) Fines, Section 480 of Act V of 1898;⁵⁰ (ii) Stamp duties and penalties, section 35 of Act II of 1899; |
| <p>(4) Petty cash accounts, including-</p> <ul style="list-style-type: none"> (i) Traveling and other expenses of witnesses; (ii) Subsistence money for judgment-debtors; | <p>(4) Petty cash accounts, including-</p> <ul style="list-style-type: none"> (i) Traveling and other expenses of witnesses; (ii) Subsistence money for judgment-debtors; |
| <p>(i) Traveling and other expenses of witnesses;</p> <p>(ii) Subsistence money for judgment-debtors;</p> | <p>(i) Traveling and other expenses of witnesses;</p> <p>(ii) Subsistence money for judgment-debtors;</p> |
| <p>(iii) Sums paid under the rules framed</p> | <p>(iii) Sums paid under the rules</p> |

| | |
|--|--|
| by the State Government under section 27 Act XVIII of 1876 and O.XXI, r.43; | framed by the State Government under section 27 Act XVIII of 1876 and O.XXI, r.43; |
| (iv) Incidental charges of Commissioners, Amins and Arbitrators, etc.; | (iv) Incidental charges of Commissioners, Amins and Arbitrators, etc.; |
| (v) Commission fees received from or for other Courts; | (v) Commission fees received from or for other Courts; |
| (vi) Postage and registration fees (other than fixed postal fees); | (vi) Postage and registration fees (other than fixed postal fees); |
| (vii) Costs of publication of proclamations and orders, | (vii) Costs of publication of proclamations and orders. |
| (viii) Carriage hire for the Bailiff, Small Cause Court, City Lucknow, for service of processes and execution of warrants of arrest; | (viii) Carriage hire for the Bailiff, Small Cause Court, City Lucknow, for service of processes and execution of warrants of arrest; |
| (ix) Copying charges received by money order under these rules; and | (ix) Copying charges received by money order under these rules; and |
| (x) Money deposited by a party or parties applying for local inspection by the Presiding Officer towards his traveling and other expenses. | (x) Money deposited by a party or parties applying for local inspection by the Presiding Officer towards his traveling and other expenses. |

Substitution of Rule 275

(41) For Rule 275 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 | Column 2 |
|---|---|
| (Existing Rule) | (Rule as hereby substituted) |
| <p>275. Payments to or through a Court.</p> <p>Payments of money to, or through, a Civil Court shall be made in cash or by postal money-order or by cheques drawn on a recognized bank or by credit of some kind upon the treasury. Currency notes of any circle in the Union of India shall be received in payment of Government dues, e.g., sums payable to the Government under decrees and order, sums deposited under section 379(1) of Act No. XXXIX of 1925 and duties and penalties paid</p> | <p>275. Payments to or through a Court.</p> <p>Payments of money to, or through, a Civil Court shall be made in cash or by postal money-order or by cheques drawn on a recognized bank or by credit of some kind upon the treasury or payment through electronic mode. Currency notes of any circle in the Union of India shall be received in payment of Government dues, e.g., sums payable to the Government under decrees and</p> |

| | |
|---|--|
| <p>under section 35 of Act No. II of 1899. It shall not be obligatory to receive a currency note of any circle if it is necessary to give change.</p> <p>NOTE 1: <i>The directions contained in paragraphs 23, 24, 25* and 26 of the Financial Hand Book, Volume V, Part I shall be strictly followed if deposit is accepted by cheques. Also see paragraphs 25A and 25B of the Financial Hand Book, Vol. V, Part I.- Ed.</i></p> <p>NOTE 2: <i>Postage stamps shall not be received.</i></p> | <p>order, sums deposited under section 379(1) of Act No. XXXIX of 1925 and duties and penalties paid under section 35 of Act No. II of 1899. It shall not be obligatory to receive a currency note of any circle if it is necessary to give change.</p> <p>NOTE 1: <i>The directions contained in paragraphs 23, 24, 25* and 26 of the Financial Hand Book, Volume V, Part I shall be strictly followed if deposit is accepted by cheques. Also see paragraphs 25A and 25B of the Financial Hand Book, Vol. V, Part I.- Ed.</i></p> <p>NOTE 2: <i>Postage stamps shall not be received.</i></p> <p>NOTE 3: <i>Money shall be deposited and reimbursed in full denominations of rupees and fractions of rupees shall be rounded off.</i></p> |
|---|--|

Substitution of Rule 276
(42) For Rule 276 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 | Column 2 |
|---|---|
| (Existing Rule) | (Rule as hereby substituted) |
| <p>276.Remittance by money order: In the case of remittance of money from one Court to another by postal money-order, the title of the case and the nature of the remittance shall be entered in the coupon, all the requisite entries in the form of application for the money-order being prepared free of charge by the Receiving Officer. The money-order shall be addressed to the Munsarim of a District Court, or the clerk of a Court of Small Causes, and in other cases to the Presiding Judge.</p> | <p>276.Remittance by money order: In the case of remittance of money from one Court to another by postal money-order, the title of the case and the nature of the remittance shall be entered in the coupon, all the requisite entries in the form of application for the money-order being prepared free of charge by the Receiving Officer. The money-order shall be addressed to the Munsarim of a District Court, or the clerk of a Court of Small Causes, and in other cases to the Presiding Judge.</p> <p>Provided that the money shall be remitted through electronic mode if the account number of the receiving court or establishment is available.</p> |

Substitution of Rule 278
(43) For Rule 276 of the General Rules (Civil), 1957 hereinafter referred to as the

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| said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:- | |
| Column 1 | Column 2 |
| (Existing Rule) | (Rule as hereby substituted) |
| <p>278. Deposits in cash.</p> <p>Money under Head of Account (2) shall be received by the Central Nazir when so payable under the rules hereinafter given for the disposal of intestate property; repayments shall only be made through the treasury.</p> <p>Money under Head of Account (3) shall be received in cash at every Court having a separate Receiving Officer; refunds shall only be made through the treasury.</p> <p>Money shall be received and cash payment made under Head of Account (4) by the Receiving Officer as hereinafter provided.</p> | <p>278. Deposits in cash.</p> <p>Money under Head of Account (2) shall be received by the Central Nazir when so payable under the rules hereinafter given for the disposal of intestate property; repayments shall only be made through the treasury by electronic mode.</p> <p>Money under Head of Account (3) shall be received in cash at every Court having a separate Receiving Officer; refunds shall only be made through the treasury by electronic mode.</p> <p>Money shall be received and cash payment made under Head of Account (4) by the Receiving Officer as hereinafter provided.</p> |
| <p>Substitution of Rule 280</p> <p>(44) For Rule 280 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-</p> | |
| Column 1 | Column 2 |
| (Existing Rule) | (Rule as hereby substituted) |
| <p>Registers</p> <p>The following registers shall be kept under these rules:-</p> <p>(1) The Central Nazir and the Deputy Central Nazir shall keep for each Court for which he is receiving officer, a separate set of the following registers:</p> <p>Register of Receipts and Deposits (Form No. 35)</p> <p>Register of Repayments of Deposits (Form No. 37)</p> <p>Register of Fines, Stamp Duty and Penalties realized</p> | <p>Registers</p> <p>The following registers shall be kept under these rules:-</p> <p>(1) The Central Nazir and the Deputy Central Nazir shall keep for each Court for which he is receiving officer, a separate set of the following registers:</p> <p>Register of Receipts and Deposits (Form No. 35)</p> <p>Register of Repayments of Deposits (Form No. 37)</p> <p>Register of Fines,</p> |

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| <p>(Form No. 39) Cash Book (Form No. 41) Pass Book (Form No. 42) Register of Petty Receipts and Repayments (Form No. 43)</p> <p>In addition to the above, the Central Nazir shall keep for all Courts one single register of intestate property (Form No. 40)</p> <p>(2) Such Officer of his Court as the Judge of the District Court may appoint shall keep in Hindi :-</p> <p>(a) For the District Court and all the Courts subordinate to the District Court, a single set of the following registers:-</p> <p style="padding-left: 40px;">Register of Receipts of Deposits (Form No. 36) Register of Repayments of Deposits (Form No. 38).</p> <p>(b) For the District Court only-Cash-book.</p> <p>(3) The following registers shall be kept by clerks of Courts of Small Causes;</p> <p style="padding-left: 40px;">Register of Receipts of Deposits (Form No. 35). Register of Repayments of Deposits (Form No. 37). Register of Fines, Stamp-</p> | <p>Stamp Duty and Penalties realized (Form No. 39) Cash Book (Form No. 41) Pass Book (Form No. 42) Register of Petty Receipts and Repayments (Form No. 43)</p> <p>In addition to the above, the Central Nazir shall keep for all Courts one single register of intestate property (Form No. 40)</p> <p>(2) Such Officer of his Court as the Judge of the District Court may appoint shall keep in Hindi :-</p> <p>(a) For the District Court and all the Courts subordinate to the District Court, a single set of the following registers:-</p> <p style="padding-left: 40px;">Register of Receipts of Deposits (Form No. 36) Register of Repayments of Deposits (Form No. 38).</p> <p>(b) For the District Court only-Cash-book.</p> <p>(3) The following registers shall be kept by clerks of Courts of Small Causes;</p> <p style="padding-left: 40px;">Register of Receipts of Deposits (Form No. 35). Register of Repayments of Deposits (Form No. 37). Register of Fines, Stamp-duty and</p> |
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| <p>duty and penalties Realized (Form No. 39).</p> <p>Register of Petty Receipts and Repayments (Form No. 43) Cash-book (Form No. 41).</p> <p>Pass-book (Form No. 42).</p> <p>The same registers shall be maintained in outlying munsif's Courts; the Register of Receipts of Deposits by the Munsarim, the other registers, the cash-book and the pass-book by the Nazir.</p> | <p>penalties Realized (Form No. 39).</p> <p>Register of Petty Receipts and Repayments (Form No. 43) Cash-book (Form No. 41).</p> <p>Pass-book (Form No. 42).</p> <p>The same registers shall be maintained in outlying munsif's Courts; the Register of Receipts of Deposits by the Munsarim, the other registers, the cash-book and the pass-book by the Nazir.</p> <p>Provided that a soft copy of ledgers and registers, as mentioned above in this rule, shall also be maintained.</p> |
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Substitution of Rule 282

(45) For Rule 282 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| <p style="text-align: center;">Column 1</p> <p style="text-align: center;">(Existing Rule)</p> | <p style="text-align: center;">Column 2</p> <p style="text-align: center;">(Rule as hereby substituted)</p> |
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| <p>282.Erasures prohibited.</p> <p>No erasures shall be allowed in any register, book or extract kept under these rules; where an alteration is necessary the original figures shall be crossed out and the correct figures placed above them in red-ink and initialed by the presiding Judge.</p> | <p>282.Erasures prohibited.</p> <p>No erasures or whitener shall be allowed in any register, book or extract kept under these rules; where an alteration is necessary the original figures shall be crossed out and the correct figures, in numerical and words both, placed above them in red-ink and initialed by the presiding Judge.</p> |

Substitution of Rule 283

(46) For Rule 283 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| <p style="text-align: center;">Column 1</p> <p style="text-align: center;">(Existing Rule)</p> | <p style="text-align: center;">Column 2</p> <p style="text-align: center;">(Rule as hereby substituted)</p> |
|---|---|
| <p>283.Mode of payment of money into Court.</p> <p>Payment of money into Court shall ordinarily be made by means of a tender upon a printed triplicate form (These forms may be obtained from licensed</p> | <p>283.Mode of payment of money into Court.</p> <p>Payment of money into Court shall ordinarily be made by electronic mode, or, with the permission of the concern court or authority, by</p> |

stamp vendors). The applicants shall enter in the Court language the particulars required in columns 1 to 4 of the triplicate Form of Tender (Form No. 44) and shall affix to one of the tenders, herein called the Original Tender, the Court fee stamp, if any, required by law. The applicant shall then hand over the tender to the Munsarim or clerk of the Court. When a judgment-debtor pays decree money into Court, the form of tender to be used shall be No. 45.

means of a tender upon a printed triplicate form (These forms may be obtained from licensed stamp vendors). The applicants shall enter in the Court language the particulars required in columns 1 to 4 of the triplicate Form of Tender (Form No. 44) and shall affix to one of the tenders, herein called the Original Tender, the Court fee stamp, if any, required by law. The applicant shall then hand over the tender to the Munsarim or clerk of the Court. When a judgment-debtor pays decree money into Court, the form of tender to be used shall be No. 45.

NOTE- (i) *No stamp is required for a tender of money which a party is bound to pay into Court in the progress of a suit or to complete a purchase. In cases where the payment is voluntary, as in the case of deposits made under O. XXIV, r.1, or by a mortgagor and the like, a stamp is required unless the tender be accompanied by a duly stamped application giving particulars of the payment. Also see G.L. 3147/44-18(5) of 11-11-1919.*

NOTE- (i) *No stamp is required for a tender of money which a party is bound to pay into Court in the progress of a suit or to complete a purchase. In cases where the payment is voluntary, as in the case of deposits made under O. XXIV, r.1, or by a mortgagor and the like, a stamp is required unless the tender be accompanied by a duly stamped application giving particulars of the payment. Also see G.L. 3147/44-18(5) of 11-11-1919.*

(ii) *In the case of sums deposited under section 379(1) of Act No. XXXIX of 1925, the tender shall show that the amount is deposited to the credit of the Judge.*

(ii) *In the case of sums deposited under section 379(1) of Act No. XXXIX of 1925, the tender shall show that the amount is deposited to the credit of the Judge.*

Substitution of Rule 285

(47) For Rule 283 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
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| <p>285.Order to receive payment.</p> | <p>285.Order to receive payment.</p> |
| <p>The order to receive payment shall be prepared in the office of the Court and shall be en faced upon the duplicate and triplicate forms of the tender, and shall run in the name of the Treasury or Receiving Officer as prescribed in rules 277 and 278. The order shall be signed by the Presiding Judge+ for all amounts payable under Heads of Account (1),(2) and (3), and by the Munsarim or clerk of the Court for all amounts payable under Head of Account (4). The Original Tender shall be retained in safe custody by the Munsarim or Clerk of the Court, the duplicate and triplicate forms being returned to the applicant for presentation and payment of the money to the officer named in the order endorsed thereon.</p> | <p>The order to receive payment shall be prepared in the office of the Court and shall be en faced upon the duplicate and triplicate forms of the tender, and shall run in the name of the Treasury or Receiving Officer as prescribed in rules 277 and 278. The order shall be signed by the Presiding Judge+ for all amounts payable under Heads of Account (1),(2) and (3), and by the Munsarim or clerk of the Court for all amounts payable under Head of Account (4). The Original Tender shall be retained in safe custody by the Munsarim or Clerk of the Court, the duplicate and triplicate forms being returned to the applicant for presentation and payment of the money to the officer named in the order endorsed thereon.</p> |
| <p>NOTE- <i>Except at Dehra Dun where the order in question shall be signed by the Munsarim of the Judge, Small Cause Court, Dehradun, during the period the Presiding Judge holds his Court at Mussorie.</i></p> | |
| <p>Substitution of Rule 288 (48) For Rule 290 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-</p> | |
| <p>Column 1</p> | <p>Column 2</p> |
| <p>(Existing Rule)</p> | <p>(Rule as hereby substituted)</p> |
| <p>288.Pass-book and Register of Petty Receipts</p> | <p>288.Pass-book and Register of Petty Receipts</p> |
| <p>Every receipt of money under these rules by the Receiving Officer shall be forthwith entered by him-</p> | <p>Every receipt of money under these rules by the Receiving Officer shall be forthwith entered by him-</p> |
| <p>(1) in the pass-book, if the item falls under Head of Account (1),(2) or (3). (2)in the Register of Petty Receipts and Repayments, if the item falls under Head of Account (4).</p> | <p>(1) in the pass-book, if the item falls under Head of Account (1),(2) or (3). (2) in the Register of Petty Receipts and Repayments, if the item falls under Head of Account (4). (3) In order to encourage payment by electronic mode, parties shall be informed about the head and account number of the court to which payment has to be made and the transaction charges shall</p> |

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| | be levied at prescribed rate. |
| Substitution of Rule 289 | |
| (49) For Rule 289 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:- | |
| Column 1 | Column 2 |
| (Existing Rule) | (Rule as hereby substituted) |
| <p>289. Remittance of receipts to the treasury: Except as hereinafter in this rule provided, the sums entered in the pass-book shall as soon as possible after the time for receiving money under rule 279 has expired, be forward on the day of receipt to the treasury, together with the Pass-book and an extract there from, showing the several classes of receipts in their appropriate columns. The extract shall be retained by the Treasury Officer, who shall return the a pass-book with the acknowledgement thereon of receipt of the remittance. Provided that when there is no sub-treasury in the same town as an outlying munsifi, remittances of cash from such Munisfi to the treasury, accompanied by the Pass-book, shall be made twice in the week instead of daily.</p> <p>Note-1 For every animal committed to the custody of the pound keeper as aforesaid, a charge shall be lived, as rent for the use of the pound for each 15 or part of 15 days during which such custody continues according to the scale prescribed under section 12 of Act No.1 of 1871.</p> <p>And the sums so levied shall be sent to the treasury for credit to the Municipal or District Board, as the case may be, under whose jurisdiction the pound is. All such sums shall be applied in the same manner as fines levied under section 12 of the said Cattle Trespass Act.</p> <p>Note- 2 Proceeds of sales effected under orders of the Commissioner under the last para of sect. 7 of Regulation V of 1799 as amended by Act No. IV of 1914 and Act No. XII (Local) of 1922 shall be entered in column 12 of the Pass book.</p> | <p>289. Remittance of receipts to the treasury: Except as hereinafter in this rule provided, the sums entered in the pass-book shall as soon as possible after the time for receiving money under rule 279 has expired, be forwarded on the day of receipt to the treasury, together with the Pass-book and an extract there from, showing the several classes of receipts in their appropriate columns. The extract shall be retained by the Treasury Officer, who shall return the a pass-book with the acknowledgement thereon of receipt of the remittance. Provided that when there is no sub-treasury in the same town as an 'Outlying Court and Gram Nyayalaya, remittances of cash from such 'Outlying Court and Gram Nyayalaya to the treasury, accompanied by the Pass-book, shall be made twice in the week instead of daily.</p> <p>Note-1 For every animal committed to the custody of the pound keeper as aforesaid, a charge shall be lived, as rent for the use of the pound for each 15 or part of 15 days during which such custody continues according to the scale prescribed under section 12 of Act No.1 of 1871.</p> <p>And the sums so levied shall be sent to the treasury for credit to the Municipal or District Board, as the case may be, under whose jurisdiction the pound is. All such sums shall be applied in the same manner as fines levied under section 12 of the said Cattle Trespass Act.</p> <p>Note- 2 Proceeds of sales effected under orders of the Commissioner under the last para of sect. 7 of Regulation V of 1799 as amended by Act No. IV of 1914 and Act No. XII (Local) of 1922 shall be entered in</p> |

| Note-3 Sums entered in columns 11 to 19 of the Pass-book shall not be brought into the Cash-book. | column 12 of the Pass book. Note-3 Sums entered in columns 11 to 19 of the Pass-book shall not be brought into the Cash-book. | | |
|---|--|-----------------------------|--|
| <p>Substitution of Rule 291</p> <p>(50) For Rule 291 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-</p> <table border="1" data-bbox="251 451 1165 577"> <thead> <tr> <th data-bbox="251 451 727 577">Column 1 (Existing Rule)</th> <th data-bbox="727 451 1165 577">Column 2 (Rule as hereby substituted)</th> </tr> </thead> </table> | | Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) | | |
| <p>291.Advice List.</p> <p>Every receipt of deposit, either direct or by transfer, at the treasury, shall be recorded in an Advice List (Form No. 46), which shall be forwarded at the close of the day (or where the treasury banks with the State Bank, as soon after as possible) to the Receiving Officer of the Court concerned. The Advice List when received shall be filed in a book kept for the purpose.</p> <p>Items received under cover of the Receiving Officer's Pass-book shall be entered in a lump sum in the Treasury Advice List.</p> <p><i>N.B. See also Rule 310, post. -Ed.</i></p> | <p>291.Advice List.</p> <p>Every receipt of deposit, either direct or by transfer, at the treasury, shall be recorded in an Advice List (Form No. 46) along with a soft copy thereof, which shall be forwarded at the close of the day (or where the treasury banks with the State Bank, as soon after as possible) to the Receiving Officer of the Court concerned. The Advice List when received shall be filed in a book kept for the purpose along with a soft copy.</p> <p>Items received under cover of the Receiving Officer's Pass-book shall be entered in a lump sum in the Treasury Advice List so maintained.</p> <p><i>N.B. See also Rule 310, post. -Ed.</i></p> | | |
| <p>Substitution of Rule 296</p> <p>(51) For Rule 296 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-</p> <table border="1" data-bbox="251 1438 1165 1575"> <thead> <tr> <th data-bbox="251 1438 727 1575">Column 1 (Existing Rule)</th> <th data-bbox="727 1438 1165 1575">Column 2 (Rule as hereby substituted)</th> </tr> </thead> </table> | | Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) | | |
| <p>296.Repayment of other than petty items.</p> <p>Before the form of application for repayment is signed by the person to whom the money is due and payable, columns 1 to 4 shall be filled up. The form shall then be presented to the Munsarim or clerk of the Court by which the money is held in deposit. The application shall bear the Court-fee, if any, prescribed by law (see note to rule 295), and shall be entered in a register</p> | <p>296.Repayment of other than petty items.</p> <p>Before the form of application for repayment is signed by the person to whom the money is due and payable, columns 1 to 4 shall be filled up. The form shall then be presented to the Munsarim or clerk of the Court by which the money is held in deposit. The application shall bear the Court-fee, if any, prescribed by law (see note</p> | | |

to be maintained as directed in G.L. 16/44-7(1) of 17.3.1937.

If the person to whom the money is due and payable appears in person to receive the money and is not personally known to the presiding Judge, no order for payment shall be made until he has been identified by a pleader or other person known to such Judge. If the person to whom the money is due and payable does not appear in person, no order for payment shall be made unless and until the presiding Judge is satisfied by affidavit or otherwise that the person asking for payment has been duly authorized by the person to whom it is due and payable by an instrument is writing to receive the money :

Provided that, when the sum to be refunded does not exceed Rs. 500, the applicant may add to the application a request that the amount minus postal commission, may be forwarded by money-order to him at the address that he has registered as his address for the purpose of the service of processes under O. VII, r. 19.

A money order form shall, for the purpose be supplied by the applicant.

to rule 295), and shall be entered in a register to be maintained as directed in G.L. 16/44-7(1) of 17.3.1937.

If the person to whom the money is due and payable appears in person to receive the money, no order for payment shall be made until he has been identified by his advocate or counsel. If the person to whom the money is due and payable does not appear in person, no order for payment shall be made unless and until the presiding Judge is satisfied by affidavit or otherwise that the person asking for payment has been duly authorized by the person to whom it is due and payable by an instrument is writing to receive the money:

All repayment shall be made by electronic mode after deducting prescribed transaction charges.

Substitution of Rule 297

(52) For Rule 297 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

297.Repayment of other than petty items (by money order).

- (1) A Money-order form and the repayment order both duly filled in shall be sent to the Treasury Officer with Form No. 49. In the original repayment order the words —by money order shall be written.

The following entries shall be made in the money-order form :-

- (i) For the amount remitted.
- (ii) For the name of the remitter.
- (iii) For the address of the payee.
- (iv) On the acknowledgment portion of

297. Delete or omit.

the form on continuation of the printed entry, the sum specified on.....

the
Received above

(2) The right half of Form No. 49 shall be detached, completed, and returned by the Treasury Officer (when he has received an acknowledgement of the remittance from the payee) and shall be filed in the record with the application.

Substitution of Rule 298

(53) For Rule 298 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

Column 1

Column 2

(Existing Rule)

(Rule as hereby substituted)

298. Repayment to co-operative Societies.

Applications for repayment of sums less than Rs.150 due to a Co-operative Society registered under Act II of 1912, may be sent or presented to a Court with a request that the amount due, minus postal commission, be forwarded by postal money order payable to an official of the Society, authorized to receive payments on its behalf, at the registered address of the Society; such applications must be signed by the said official.

The Court, if satisfied that the application is genuine and that the sum is due, shall send a Repayment Order to the Treasury Officer, who will issue a money-order for the amount less postal commission payable to the said official at the registered address of the Society.

Lists of such authorized officials as are mentioned above, with specimens of their signatures, will be supplied to District Judges by the

298. Repayment to co-operative Societies.

All repayment to co-operative societies shall be made by electronic mode in the official account of such co-operative societies after deducting prescribed transaction charges.

| Registrar of Co-operative Societies. | |
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| Substitution of Rule 304 | |
| (54) For Rule 304 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:- | |
| Column 1 | Column 2 |
| (Existing Rule) | (Rule as hereby substituted) |
| <p>304. Bilingual forms for repayment of deposits.</p> <p>Civil Court deposits shall be repaid through repayment orders in form no. 39, Financial Handbook, Volume V, Part I. These forms are issued in books of 100 forms each.</p> <p>For the sake of convenience each book is divided into two parts or volumes, the first part or volume containing forms bearing serial nos. 1 to 50 and the other containing forms bearing serial nos. 51 to 100. Each book bears a printed number which is repeated on every form contained in it. Use of a loose repayment order form is strictly forbidden.</p> <p>The books shall be supplied by the Treasury Officer to Presiding Officers of Courts on written application. Presiding Officers of subordinate Courts shall apply for the books through the District Judge or the Civil and Sessions Judge⁵¹ as required under paragraph 109 of the Treasury Manual. Both volumes of a book will be issued simultaneously; but a new book or volume shall not be brought into use until all forms of the book or volume previously in use have been issued. As soon as a Presiding Officer commences to use a new book, he shall report the fact to the Treasury Officer. The counter-foils of a used up book shall be retained by the Court for 12 years and then destroyed; they are not to be returned to the Treasury Officer.</p> <p>A Presiding Officer shall on receipt of a book from the Treasury Officer count the forms in it and give a certificate specifying the number printed on it and the number of forms contained in it.</p> | <p>304. Bilingual forms for repayment of deposits.</p> <p>Civil Court deposits shall be repaid through repayment orders in form no. 39, Financial Handbook, Volume V, Part I. These forms are issued in books of 100 forms each.</p> <p>For the sake of convenience each book is divided into two parts or volumes, the first part or volume containing forms bearing serial nos. 1 to 50 and the other containing forms bearing serial nos. 51 to 100. Each book bears a printed number which is repeated on every form contained in it. Use of a loose repayment order form is strictly forbidden.</p> <p>The books shall be supplied by the Treasury Officer to Presiding Officers of Courts on written application. Presiding Officers of subordinate Courts shall apply for the books through the District Judge or the Civil and Sessions Judge as required under paragraph 109 of the Treasury Manual. Both volumes of a book will be issued simultaneously; but a new book or volume shall not be brought into use until all forms of the book or volume previously in use have been issued. As soon as a Presiding Officer commences to use a new book, he shall report the fact to the Treasury Officer. The counter-foils of a used up book shall be retained by the Court for 12 years and then destroyed; they are not to be returned to the Treasury Officer.</p> <p>A Presiding Officer shall on receipt of a book from the Treasury Officer count the forms in it and give a certificate specifying the number printed on it and the number of forms contained in it.</p> |

Substitution of Rule 305

(55) For Rule 305 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|---|
| <p>305.Procedure on transfer of the officer and custody of repayment order books.</p> <p>A Presiding Officer shall keep the books in his personal custody, giving out the volume in use each morning and receiving it back in the evening, after satisfying himself that no forms have been removed beyond those required for repayments duly ordered.</p> <p>A Presiding Officer on being transferred from the Court shall deliver the books to his successor, shall take a receipt from him as required under paragraph 57, Financial Handbook, Volume V, Part I, and shall send it to the Treasury Officer. In case he is unable to deliver the books to his successor, he shall return them to the Treasury Officer, who shall keep them with other unused books in his stock so long as they are not delivered to the successor on his application.</p> | <p>305.Procedure on transfer of the officer and custody of repayment order books.</p> <p>The Munsarim or Reader of the Court shall keep the books in his personal custody, giving out the volume in use each morning and receiving it back in the evening, after satisfying himself that no forms have been removed beyond those required for repayments duly ordered.</p> <p>The Munsarim or Reader of the Court on being transferred from the Court shall deliver the books to his successor, shall take a receipt from him as required under paragraph 57, Financial Handbook, Volume V, Part I, and shall send it to the Treasury Officer. In case he is unable to deliver the books to his successor, he shall return them to the Treasury Officer, who shall keep them with other unused books in his stock so long as they are not delivered to the successor on his application.</p> |

Substitution of Rule 310

(56) For Rule 310 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|---|
| <p>310.Advice List.</p> <p>Every repayment and transfer from Civil Court deposits made by the Treasury under these rules shall be recorded in the daily Advice list (Form No. 46) and furnished at the close of the day to the Receiving Officer.</p> | <p>310.Advice List.</p> <p>Every repayment and transfer from Civil Court deposits made by the Treasury under these rules shall be recorded in the daily Advice list (Form No. 46) with soft copy thereof and furnish at the close of the day to the Receiving Officer.</p> |

Substitution of Rule 313

(57) For Rule 313 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 | Column 2 |
|---|--|
| (Existing Rule) | (Rule as hereby substituted) |
| <p>313. Exclusion from Accounts of direct payment by ones to another party.</p> <p>Moneys paid by one party to another in Court but not through an officer of the Court shall not be entered in the Court's registers of accounts.</p> <p>When money is to be paid by one person to another and both are present in Court, the money may be passed direct from the one to the other under the sanction of the presiding Judge, who shall have a receipt (Form No. 50) executed in his presence, a copy of which shall be filed with the record of the case.* The payee, when not personally known to the presiding Judge, shall be identified by someone who is so known. Care must be taken in these cases that no officer of the Court receives or becomes in any way responsible for the money.</p> <p><i>* NOTE-This procedure may be conveniently followed in cases of payment of decretal amounts by judgment debtors to decree-holders or their counsel, and when costs of the day are allowed by the Court</i></p> | <p>313. Exclusion from Accounts of direct payment by ones to another party.</p> <p>Moneys paid by one party to another in Court but not through an officer of the Court shall not be entered in the Court's registers of accounts.</p> <p>When money is to be paid by one person to another and both are present in Court, the money may be passed direct from the one to the other under the sanction of the presiding Judge, who shall have a receipt (Form No. 50) executed in his presence, a copy of which shall be filed with the record of the case.* The payee, shall be identified by someone who is so known. Care must be taken in these cases that no officer of the Court receives or becomes in any way responsible for the money.</p> <p><i>* NOTE-This procedure may be conveniently followed in cases of payment of decretal amounts by judgment debtors to decree-holders or their counsel, and when costs of the day are allowed by the Court</i></p> |

Substitution of Rule 316

(58) For Rule 316 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 | Column 2 |
|---|---|
| (Existing Rule) | (Rule as hereby substituted) |
| <p>316.Cash book.</p> <p>The daily totals of all the registers shall at the close of the day be posted in the Cashbook. Column 4 shall show the cash receipts of the Receiving</p> | <p>316.Cash book.</p> <p>The daily totals of all the registers shall at the close of the day be posted in the Cashbook. Column 4 shall show the cash receipts of the</p> |

Officer, and column 8 shall show his remittances to the treasury by means of the Pass-book. Columns 5 and 9 shall be confined to transactions at the treasury.

The Cashbook of the District Court shall show all the receipts and disbursements of that Court, and also all the receipts and repayments of deposits of all the subordinate Courts other than a Court of Small Causes in that revenue district. The closing balance of each month in column 9 shall correspond with that shown in the treasury accounts and in the consolidated Plus and Minus Memorandum.

The Cashbook maintained by the Central Nazir shall contain all items, including deposits received and disbursed by the Courts, for which he is a Receiving Officer; and shall daily be separately balanced for each Court.

In the last column of the Cash-book, kept for the District Court and for Court subordinate to the District Court other than such Courts of Small Causes as aforesaid, shall be shown each day the total cash balance for all Courts in the hands of the Receiving Officer in order that the judge may have in a single view a statement* of all the money in the Receiving Officer's possession. The same procedure shall be followed, as far as applicable, in the case of the Court of Small Causes at Agra, Allahabad, Varanasi, Kanpur, Lucknow and Meerut.

| | | |
|--------|---|-----------------------|
| *NOTE- | <i>This statement may be as follows:-</i> | |
| | <i>Cash balance of Cash-book</i> | |
| | <i>Ditto</i> | <i>Day-book</i> |
| | <i>Other items, if any, with explanation</i> | |
| | <i>Total cash in Receiving Officer's possession</i> | |

Receiving Officer, and column 8 shall show his remittances to the treasury by means of the Pass-book. Columns 5 and 9 shall be confined to transactions at the treasury.

The Cashbook of the District Court shall show all the receipts and disbursements of that Court, and also all the receipts and repayments of deposits of all the subordinate Courts other than a Court of Small Causes in that revenue district. The closing balance of each month in column 9 shall correspond with that shown in the treasury accounts and in the consolidated Plus and Minus Memorandum.

The Cashbook maintained by the Central Nazir shall contain all items, including deposits received and disbursed by the Courts, for which he is a Receiving Officer; and shall daily be separately balanced for each Court.

In the last column of the Cash-book, kept for the District Court and for Court subordinate to the District Court other than such Courts of Small Causes as aforesaid, shall be shown each day the total cash balance for all Courts in the hands of the Receiving Officer in order that the judge may have in a single view a statement* of all the money in the Receiving Officer's possession. The same procedure shall be followed, as far as applicable, in the case of the Court of Small Causes **in the Districts.**

| | | |
|--------|---|--------------------------|
| *NOTE- | <i>This statement may be as follows -</i> | |
| | <i>Cash balance of Cash-book</i> | |
| | <i>Ditto</i> | <i>Day-book</i> |
| | <i>Other items, if any, with explanation</i> | |
| | <i>Total cash in Receiving Officer's possession</i> | |

The cash book shall be also maintained in soft form.

| Substitution of Rule 323 | |
|--|---|
| (59) For Rule 323 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:- | |
| Column 1 | Column 2 |
| (Existing Rule) | (Rule as hereby substituted) |
| <p>323.Consolidated monthly returns.</p> <p>As soon as the District Judge has received the monthly returns from outlying subordinate Courts, he shall cause a consolidated Plus and Minus Memorandum to be prepared, showing details for each Court separately. The office copy shall be forwarded to the Treasury Officer for verification and counter signature; and, after its return, it shall be pasted in a file-book kept for the purpose.</p> <p>The presiding Judges of the Courts of Small Causes at Agra, Allahabad, Varanasi, Kanpur, Lucknow and Meerut shall also forward to the Treasury Officer for verification and signature a Plus and Minus Memorandum for their respective Courts; and after such Plus and Minus Memorandum is returned, it shall be pasted in a file-book kept for the purpose.</p> | <p>323.Consolidated monthly returns.</p> <p>As soon as the District Judge has received the monthly returns from outlying subordinate Courts, he shall cause a consolidated Plus and Minus Memorandum to be prepared, showing details for each Court separately. The office copy shall be forwarded to the Treasury Officer for verification and counter signature; and, after its return, it shall be pasted in a file-book kept for the purpose.</p> <p>The presiding Judges of the Courts of Small Causes in the Districts shall also forward to the Treasury Officer for verification and signature a Plus and Minus Memorandum for their respective Courts; and after such Plus and Minus Memorandum is returned, it shall be pasted in a file-book kept for the purpose.</p> <p style="text-align: center;">The plus and minus memorandum shall also be maintained in soft form also.</p> |
| Substitution of Rule 324 | |
| (60) For Rule 324 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:- | |
| Column 1 | Column 2 |
| (Existing Rule) | (Rule as hereby substituted) |
| <p>324.Consolidated monthly returns.</p> <p>The Judge shall then forward to the Accountant General monthly extracts in Forms Nos. 38 and 40 of the Financial Hand Book, Vol. V Part I (Treasury forms 149 and 104) and the Plus and Minus Memorandum so verified. These returns shall reach the office of the Accountant General by the 15th of the</p> | <p>324.Consolidated monthly returns.</p> <p>The Judge shall then forward to the Accountant General monthly extracts in Forms Nos. 38 and 40 of the Financial Hand Book, Vol. V Part I (Treasury forms 149 and 104) and the Plus and Minus Memorandum so verified. These returns shall reach the office of the Accountant General by</p> |

| <p>month succeeding that to which they refer and before they are forwarded shall have endorsed on them a certificate in the hand of the Judge in the following form:-</p> <p><i>"I certify that I have personally carefully examined and that the entries have been made therein with care and regularity."</i></p> | <p>the 15th of the month succeeding that to which they refer and before they are forwarded shall have endorsed on them a certificate in the hand of the Judge in the following form:-</p> <p><i>"I certify that I have personally carefully examined and that the entries have been made therein with care and regularity."</i></p> <p>Such certification shall be mandatory in respect of the soft form of consolidated monthly returns with digital signature of the judge.</p> | | |
|--|---|--|---|
| <p>Substitution of Rule 325 (61) For Rule 325 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-</p> <table border="1" data-bbox="209 808 1103 934"> <thead> <tr> <th data-bbox="209 808 675 934"> <p style="text-align: center;">Column 1</p> <p style="text-align: center;">(Existing Rule)</p> </th> <th data-bbox="675 808 1103 934"> <p style="text-align: center;">Column 2</p> <p style="text-align: center;">(Rule as hereby substituted)</p> </th> </tr> </thead> </table> | | <p style="text-align: center;">Column 1</p> <p style="text-align: center;">(Existing Rule)</p> | <p style="text-align: center;">Column 2</p> <p style="text-align: center;">(Rule as hereby substituted)</p> |
| <p style="text-align: center;">Column 1</p> <p style="text-align: center;">(Existing Rule)</p> | <p style="text-align: center;">Column 2</p> <p style="text-align: center;">(Rule as hereby substituted)</p> | | |
| <p>325. Quarterly certificate: At the end of every quarter a certificate in the following terms shall be recorded upon the Deposit Registers, and signed by the presiding Judge for every Court.</p> <p><i>I certify that I have personally carefully examined the Register of Receipts/Repayments of Deposits, and that the entries are made therein with care and regularity.</i></p> <p>The objects of the examination are to see:-</p> <ol style="list-style-type: none"> (1) that all necessary entries are made and initialled at the time of transaction. (2) that no money is unnecessarily placed in deposit or remains there without good cause. | <p>325. Quarterly certificate: At the end of every quarter a certificate in the following terms shall be recorded upon the Deposit Registers, and signed by the presiding Judge for every Court.</p> <p><i>I certify that I have personally carefully examined the Register of Receipts/Repayments of Deposits, and that the entries are made therein with care and regularity.</i></p> <p>Such certification shall be mandatory in respect of the soft form of deposit register with digital signature of the judge.</p> <p>The objects of the examination are to see:-</p> <ol style="list-style-type: none"> (1) that all necessary entries are made and initialled at the time of transaction. (2) that no money is unnecessarily placed in deposit or remains there without good cause. | | |
| <p>Substitution of Rule 328 (62) For Rule 328 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-</p> | | | |

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>328.Preparation of list of lapsed sums</p> <p>On 1st April, or the first working day thereafter, the items repaid at the treasury in the course of the preceding month and not those for which repayment orders may have been issued but not cashed before 1st April, shall be struck out of the list, and the remaining items shall be marked off in red ink, along columns 12 to 24 of the Register of Receipts of Deposits (Form No. 36) as having been credited to Government as lapsed, "thus —Lapsed on 31st March, 19.....", (<i>now read as 200...Ed</i>) and the amount so lapsed should be entered in column 25. These items shall not be entered in the Register of Repayments of Deposits, but the aggregate of them shall be debited in the Cash-book in column "Treasury", and shall be deducted in the Plus and Minus Memorandum from the closing balance of March.</p> <p>Information of lapsed sums to Treasury Officer.</p> <p>The list shall forthwith be submitted to the District Judge by the subordinate Courts other than the Courts of Small Causes at Agra, Allahabad, Varanasi, Kanpur, Meerut and Lucknow and the District Judge shall, after having the several items carefully checked with the registers and discrepancies reconciled, forward a list of the items to the Treasury Officer, in order that they may be credited to Government by transfer entries in the Account Office. A copy of the list shall be forwarded to the Accountant General.</p> <p>Information of lapsed sums to Treasury Officer.</p> <p>Similarly the presiding Judges of the Courts of Small Causes at Agra, Allahabad, Varanasi, Kanpur, Lucknow and Meerut shall cause the list for their respective Courts to be checked and forwarded to the Treasury Officer and a copy thereof shall be sent to the</p> | <p>328.Preparation of list of lapsed sums</p> <p>On 1st April, or the first working day thereafter, the items repaid at the treasury in the course of the preceding month and not those for which repayment orders may have been issued but not cashed before 1st April, shall be struck out of the list, and the remaining items shall be marked off in red ink, along columns 12 to 24 of the Register of Receipts of Deposits (Form No. 36) as having been credited to Government as lapsed, "thus —Lapsed on 31st March, 19.....", (<i>now read as 200...Ed</i>) and the amount so lapsed should be entered in column 25. These items shall not be entered in the Register of Repayments of Deposits, but the aggregate of them shall be debited in the Cash-book in column "Treasury", and shall be deducted in the Plus and Minus Memorandum from the closing balance of March.</p> <p>Information of lapsed sums to Treasury Officer</p> <p>The list shall forthwith be submitted to the District Judge by the subordinate Courts other than the Courts of Small Causes in the Districts and the District Judge shall, after having the several items carefully checked with the registers and discrepancies reconciled, forward a list of the items to the Treasury Officer, in order that they may be credited to Government by transfer entries in the Account Office. A copy of the list shall be forwarded to the Accountant General.</p> <p>Information of lapsed sums to Treasury Officer.</p> <p>Similarly the presiding Judges of the Courts of Small Causes in the Districts shall cause the list for their respective Courts to be checked and forwarded to the Treasury Officer and a copy thereof shall be sent to the Accountant General.</p> |

| <p>Accountant General.</p> <p>Note: Also see directions of the Accountant General in U.P. Gazette, Part V, dated 25.3.1939.</p> | <p>Note: Also see directions of the Accountant General in U.P. Gazette, Part V, dated 25.3.1939.</p> | | | | |
|---|---|----------|----------|-----------------|------------------------------|
| <p>Substitution of Rule 331</p> <p>(63) For Rule 331 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: center;">Column 1</th> <th style="width: 50%; text-align: center;">Column 2</th> </tr> <tr> <th style="text-align: center;">(Existing Rule)</th> <th style="text-align: center;">(Rule as hereby substituted)</th> </tr> </thead> </table> | | Column 1 | Column 2 | (Existing Rule) | (Rule as hereby substituted) |
| Column 1 | Column 2 | | | | |
| (Existing Rule) | (Rule as hereby substituted) | | | | |
| <p>331.Clearance Register</p> <p>On or about 1st April of each year every subordinate Court, other than the Courts of Small Causes at Agra, Allahabad, Varanasi, Kanpur, Lucknow and Meerut shall submit the Clearance Register, prepared in accordance with the instructions contained in paragraph 349 of the Financial Handbook, Vol. V, Part I, to the District Judge, who shall cause to be prepared in his office a general clearance register of the outstanding balances of deposits in such Courts and in his own Court, and shall have the same checked with the English Registers.</p> <p>On the Clearance Register a certificate to the effect that total of lapsed and clearance has been taken with closing balance should be recorded (vide Treasury Manual).</p> <p>When the statement is complete it shall be submitted to the Accountant General.</p> <p>Similarly the presiding Judges of the Small Cause Courts at Agra, Allahabad, Varanasi, Kanpur, Lucknow and Meerut shall cause a clearance register of outstanding balances of deposits in their Courts to be prepared, checked and submitted to the Accountant General.</p> <p>N.B. : See also Rule 328, ante. -Ed.</p> | <p>331.Clearance Register</p> <p>On or about 1st April of each year every subordinate Court, other than the Courts of Small Causes in the Districts shall submit the Clearance Register, prepared in accordance with the instructions contained in paragraph 349 of the Financial Handbook, Vol. V, Part I, to the District Judge, who shall cause to be prepared in his office a general clearance register of the outstanding balances of deposits in such Courts and in his own Court, and shall have the same checked with the English Registers.</p> <p>On the Clearance Register a certificate to the effect that total of lapsed and clearance has been taken with closing balance should be recorded (vide Treasury Manual).</p> <p>When the statement is complete it shall be submitted to the Accountant General.</p> <p>Similarly the presiding Judges of the Small Cause Courts in the Districts shall cause a clearance register of outstanding balances of deposits in their Courts to be prepared, checked and submitted to the Accountant General.</p> <p>N.B. : See also Rule 328, ante. -Ed.</p> | | | | |
| <p>Substitution of Rule 334</p> <p>(64) For Rule 334 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-</p> | | | | | |

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>334. Payments to Amins.</p> <p>When the sale is of immovable property the Amin shall receive in cash the twenty-five percent deposit required by O. XXI, r. 84. For the rest of the purchase money he shall ordinarily give a payment order (Form No. 111), entering therein as the date of payment the latest safe date, having regard to the terms of O. XXI, r. 85. Counterfoil books of payment orders will be supplied for this purpose. If the amount of the purchase-money be less than Rs. 50, the Amin may at his discretion receive payment of it in full at the time of sale.</p> | <p>334. Payments to Amins.</p> <p>When the sale is of immovable property the Amin shall receive in cash, or by electronic mode, the twenty-five percent deposit required by O. XXI, r. 84. For the rest of the purchase money he shall ordinarily give a payment order (Form No. 111), entering therein as the date of payment the latest safe date, having regard to the terms of O. XXI, r. 85. Counterfoil books of payment orders will be supplied for this purpose. If the amount of the purchase-money be less than Rs. 50, the Amin may at his discretion receive payment of it in full at the time of sale or by electronic mode.</p> |
| <p>Substitution of Rule 336 (65.) For Rule 336 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-</p> | |
| <p style="text-align: center;">Column 1 (Existing Rule)</p> | <p style="text-align: center;">Column 2 (Rule as hereby substituted)</p> |
| <p>336. Amin's cash Register.</p> <p>With the exception hereinafter noted all moneys received by an Amin shall immediately on receipt be entered by him in his Cash Register, and shall, with as little delay as possible, be paid by him into the State Bank of India and when there is no branch of the Bank, the Treasury or Sub-Treasury, as the case may be Petty items such as charges for maintenance of live stock, cost of preparing attached property for sale, wages of Shahnas paid through the Amin, wages of Chainman (Chapter XIII, Rule 377) and payment for tolls made over to Amin (Chapter IV, Rule 107), etc., which pass through the Amin's hands but are not required to be paid into the State Bank or Treasury or Sub-Treasury, as the case may be, shall not be shown in the Amin's Cash Register (Form No. 110), but in columns 14 to 17 of the Register of Orders (Form No. 106) and in columns 11 to 16 of the Proceedings Register (Form No. 108):-</p> | <p>336. Amin's cash Register.</p> <p>With the exception hereinafter noted all moneys received by an Amin shall immediately on receipt be entered by him in his Cash Register, and shall, with as little delay, as possible, preferably within 24 hours, be paid by him into the State Bank of India and when there is no branch of the Bank, the Treasury or Sub-Treasury, as the case may be Petty items such as charges for maintenance of live stock, cost of preparing attached property for sale, wages of Shahnas paid through the Amin, wages of Chainman (Chapter XIII, Rule 377) and payment for tolls made over to Amin (Chapter IV, Rule 107), etc., which pass through the Amin's hands but are not required to be paid into the State Bank or Treasury or Sub-Treasury, as the case may be, shall not be shown in the Amin's Cash Register (Form No. 110), but in columns 14 to 17 of the</p> |

| | |
|--|--|
| <p>The entries in column 14 of Form No. 106 shall be made when the money is remitted to the Amin, and those in columns 15 to 18 when the Amin's report is received. The entries in columns 11 to 12 of Form No. 108 shall be made by the Amin at the same time as those in columns 1 to 8; and those in columns 13 to 14 when entries are made in column 10.</p> <p><i>The Amin may transfer to the State Bank or Treasury or Sub-Treasury, as the case may be, small items upto a limit of Rs. 50 at a time through a peon by whom security for that amount has been furnished. The Amin will be personally liable for loss of any sums exceeding Rs. 50 which are transferred by him to the State Bank or Treasury or Sub-Treasury, as the case may be, through such peon.</i></p> <p>N.B.: Government Order No. A-610/X-175, dated 13th February, 1926 merely defines the expression "responsible person" for a particular purpose, and does not affect the rule above.</p> | <p>Register of Orders (Form No. 106) and in columns 11 to 16 of the Proceedings Register (Form No. 108):-</p> <p>The entries in column 14 of Form No. 106 shall be made when the money is remitted to the Amin, and those in columns 15 to 18 when the Amin's report is received. The entries in columns 11 to 12 of Form No. 108 shall be made by the Amin at the same time as those in columns 1 to 8; and those in columns 13 to 14 when entries are made in column 10.</p> <p><i>The Amin may transfer to the State Bank or Treasury or Sub-Treasury, as the case may be, small items upto a limit of Rs. 50 at a time through a peon by whom security for that amount has been furnished. The Amin will be personally liable for loss of any sums exceeding Rs. 50 which are transferred by him to the State Bank or Treasury or Sub-Treasury, as the case may be, through such peon.</i></p> <p>N.B.: Government Order No. A-610/X-175, dated 13th February, 1926 merely defines the expression "responsible person" for a particular purpose, and does not affect the rule above.</p> |
|--|--|

Substitution of Rule 343

(66) For Rule 343 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|---|
| <p>343. Departmental cash Accounts to be kept by Central Nazir and Nazirs.</p> <p>The accounts for the Courts at the head-quarters of the District Judge or of the Additional District and Sessions Judge where there is no District Judge shall be kept by the Central Nazir, and for outlying subordinate Courts by the Nazir, under the supervision of the presiding</p> | <p>343. Departmental cash Accounts to be kept by Central Nazir and Nazirs.</p> <p>The accounts for the Courts at the head-quarters of the District Judge or of the Additional District and Sessions Judge where there is no District Judge shall be kept by the Central Nazir, and for outlying subordinate Courts by the Nazir,</p> |

Judge.

In the Courts of Munsifs of Kashipur, Ranikhet, and Lansdowne the account shall be kept by the Munshim and not the Nazir.

under the supervision of the presiding Judge.

Substitution of Rule 349

(67) For Rule 349 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|---|
| <p>349. Check over Postage</p> <p>District and Sessions Judges and the Presiding Officers of subordinate Courts shall be responsible for checking expenditure on service telegrams, service postage labels including postage on judicial processes and cash postage.</p> <p>They shall see:-</p> <p>(a) that the Central and other Nazirs are thoroughly acquainted with the postal rules and rates and take advantage of the most economical method of despatch;</p> <p>(b) that all letters and papers* intended for one office are despatched in one cover; and</p> <p>(c) that one of the clerks of their Court is appointed to sort and despatch the letters and papers of each department of their Court in different covers to the Nazir.</p> <p><i>*Note: Papers do not include records.</i></p> | <p>349. Check over Postage</p> <p>District and Sessions Judges and the Presiding Officers of subordinate Courts shall be responsible for checking expenditure on service telegrams, service postage labels including postage on judicial processes and cash postage.</p> <p>They shall see:-</p> <p>(a) that the Central and other Nazirs are thoroughly acquainted with the postal rules and rates and take advantage of the most economical method of despatch;</p> <p>(b) that all letters and papers* intended for one office are despatched in one cover; and</p> <p>(c) that one of the clerks of their Court is appointed to sort and despatch the letters and papers of each department of their Court in different covers to the Nazir.</p> <p><i>*Note: Papers do not include records.</i></p> |

Substitution of Rule 352

(68) For Rule 352 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|---|
| <p>352.Submission of bills to the District Court.</p> <p>At the close of every month each outlying Court shall submit the following bills to the District Judge, or in districts where there is no District Judge, to the Additional District and Sessions Judge:</p> <p>Provided that till such time as the district of Uttar Kashi is formed as an independent Judgeship, the bills in respect of the district of Uttar Kashi shall be submitted to the District Judge of Tehri.</p> <ol style="list-style-type: none"> (1) Salary bill of fixed establishment. (2) Salary bill of record-fund establishment. (3) Salary bill of process-servers. (4) Bill for fixed stationery allowance. (5) Bill for contingent charges. <p>These bills shall be checked by the Central Nazir and be incorporated in the consolidated bills of the District Judge or the Additional District and Sessions Judge, as the case may be.</p> <p>Where the outlying Courts are situated in more than one revenue district having an independent treasury, there shall not be included in the same consolidated bill amounts payable in more than one revenue district.</p> | <p>352.Submission of bills to the District Court.</p> <p>At the close of every month each outlying Court shall submit the following bills to the District Judge, or in districts where there is no District Judge, to the Additional District and Sessions Judge:</p> <p style="text-align: center;">(Deleted)</p> <ol style="list-style-type: none"> (1) Salary bill of fixed establishment. (2) Salary bill of record-fund establishment. (3) Salary bill of process-servers. (4) Bill for fixed stationery allowance. (5) Bill for contingent charges. <p>These bills shall be checked by the Central Nazir and be incorporated in the consolidated bills of the District Judge or the Additional District and Sessions Judge, as the case may be.</p> <p>Where the outlying Courts are situated in more than one revenue district having an independent treasury, there shall not be included in the same consolidated bill amounts payable in more than one revenue district.</p> |

Amendment in Rule 365

(69) In Rule 365 of the said Rules for words and digit 'Rs. 5.00', 'Rs. 10.00', 'Rs. 20.00', 'Rs.50.00' words and digit '**Rs.10.00**', '**Rs. 20.00**', '**Rs. 40.00**' and '**Rs. 100.00**' shall be substituted respectively; and also for words Civil Judge and Munsifs words "**Civil Judge (Senior Division)** and "**Civil Judge (Junior Division)**" shall be substituted respectively in Part I, Part II and Part III.

Substitution of Rule 369, 370

(70) For Rules 369, 370 of the General Rules (Civil), 1957 hereinafter referred to as the said rules as set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|---|
| <p>369,370. Poundage Sales in execution of Civil Court decrees are held either by the Collector or by the Civil Court Amin or other person appointed by the Civil Court; and on all such sales fees by way of poundage shall be payable. The fees payable by way of poundage where the sale is conducted by any person other than the Collector have been stated in rule 365, Part I, Article 7, and Parts II and III, Article 6.</p> | <p>369, 370. Poundage Sales in execution of Civil Court decrees are held either by the Collector or by the Civil Court Amin or other person appointed by the Civil Court; and on all such sales fees by way of poundage shall be payable. The fees payable by way of poundage where the sale is conducted by any person other than the Collector have been stated in rule 365, Part I, Article 7, and Parts II and III, Article 6.</p> |

Amendment in Rule 368

(71) In rule 368 of the said rules, digits and words 10 paisa and word Ten paisa shall be substituted by words and digit Re. 1.00.

Substitution of Rule 375

(75) For Rule 375 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>375. Amin's fees. The fees payable for the services of Amins when employed on the duties mentioned in clauses (1), (2), and (3) of Chapter XXI, rule 529, have been set forth in rule 365 and in Chapter XXI, rule 66 (3). For the services of Amins when employed in ascertaining the sufficiency of securities a daily fee of three rupees shall be charged : Provided that when the duty is connected with a suit falling under part III of the table of fees in rule 365, the daily fee chargeable shall be one rupee and 50 paise only: Provided also, that when the inquiry is as to the sufficiency of the security of a public accountant, no fees shall be chargeable.</p> | <p>375. Amin's fees. The fees payable for the services of Amins when employed on the duties mentioned in clauses (1), (2), and (3) of Chapter XXI, rule 529, have been set forth in rule 365 and in Chapter XXI, rule 66 (3). For the services of Amins when employed in ascertaining the sufficiency of securities a daily fee of ten rupees shall be charged : Provided that when the duty is connected with a suit falling under part III of the table of fees in rule 365, the daily fee chargeable shall be five rupees only: Provided also, that when the inquiry is as to the sufficiency of the security of a public accountant, no fees shall be chargeable.</p> |

A sum sufficient in the opinion of the Court to cover the daily fee payable under this rule for the time which the duty to be performed is likely to require shall be paid before the order for the performance of the duty, is issued to the Amin. If the duty be not completely performed within the period so estimated, a further sum sufficient to cover the daily fee for the excess period extending from the close of the estimated period up to, and exclusive of, the date of the complete performance of the duty, shall be paid before the Amin's report is issued or acted upon.

A sum sufficient in the opinion of the Court to cover the daily fee payable under this rule for the time which the duty to be performed is likely to require shall be paid before the order for the performance of the duty is issued to the Amin. If the duty be not completely performed within the period so estimated, a further sum sufficient to cover the daily fee for the excess period extending from the close of the estimated period up to, and exclusive of, the date of the complete performance of the duty, shall be paid before the Amin's report is issued or acted upon.

Should fees be paid in excess, or should it become unnecessary, for any reason ascertained in time to admit of the order being cancelled, that the duty be performed, the party by which the fees were paid shall be entitled to a refund of a proportionate part or of the whole of the same, as the case may be, after deduction at the rate of 10 paise in the rupee or part thereof.

Should fees be paid in excess, or should it become unnecessary, for any reason ascertained in time to admit of the order being cancelled, that the duty be performed, the party by which the fees were paid shall be entitled to a refund of a proportionate part or of the whole of the same, as the case may be, after deduction at the rate of **fifty paise** in the rupee or part thereof.

Provided that the fee prescribed under this rule shall be in addition to the fee of Rs. 10.00 per process prescribed under rule 365 to cover travelling allowance of Amins and their peons.

Provided that the fee prescribed under this rule shall be in addition to the fee of Rs. **20.00** per process prescribed under rule 365 to cover travelling allowance of Amins and their peons.

Substitution of Rule 378

(73) For Rule 378 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>378. Amin's deputation fees when sale is not held. Before an Amin is deputed to sell property a payment shall be required on the following scale to meet the expenses of his deputation in the event of no sale taking place by reason of the claim being satisfied or for any other cause : —</p> <p>When the amount, including interest, due upon the decree or order does not exceed Rs. 50.</p> | <p>378. Amin's deputation fees when sale is not held. Before an Amin is deputed to sell property a payment shall be required on the following scale to meet the expenses of his deputation in the event of no sale taking place by reason of the claim being satisfied or for any other cause : —</p> <p>When the amount, including interest, due upon the decree or order does not exceed Rs. 1000/-</p> <p>When such amount exceeds</p> |
| Rs. P.1.50. | <p>Rs. 15.00</p> <p>Rs.50.00</p> |

| | |
|--|------|
| When such amount exceeds Rs. 50, but does not exceed Rs. 1,000 | 3.00 |
| When such amount exceeds Rs. 1,000 | 6.00 |

Rs. 1000/-, but does not exceed Rs. 5,000/-
 When such amount exceeds Rs. 10,000/- **Rs. 100.00**

If the sale takes place, the above amount shall be deducted from the poundage payable under rule 365 (part I, Article 7; parts II and III, article 6); and if for any reason it becomes unnecessary for the Amin to proceed to the place where the sale was to have been held, the payment made under this rule shall be refunded, after a deduction at the rate of 10 paise in the rupee or part thereof. In no other case shall a refund be allowed.
 Provided that the fee prescribed hereunder shall be in addition to the fee of Rs. 10.00 prescribed for T.A. of Amins and their peons under rule 365.

If the sale takes place, the above amount shall be deducted from the poundage payable under rule 365 (part I, Article 7; parts II and III, article 6); and if for any reason it becomes unnecessary for the Amin to proceed to the place where the sale is to be held, the payment made under this rule shall be refunded, after a deduction at the rate of 50 paise in the rupee or part thereof. In no other case shall a refund be allowed.

Provided that the fee prescribed hereunder shall be in addition to the fee of Rs. 20.00 prescribed for T.A. of Amins and their peons under rule 365.

Amendment in Rule 395

(74) In rule 395 of the said rules words & digit Re. 1 shall be substituted by word & digit **Re. 50.00**.

Amendment in Rule 400

(75) In Rule 400 of the said Rules for the words 'the following registers shall be maintained in all Civil Courts' the words 'the following registers, **in soft and hard copy**, shall be maintained in all Civil Courts' shall be substituted.

Amendment in Rule 401

(76) Sub Rule (4) of the Rule 401 and Form of the said Rules shall be omitted.

Substitution of Rule 402

(77) For Rule 402 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|--|
| <p>402. Additional Register for appellate Courts. (A) The following registers shall be maintained in the Courts of district and other Judges exercising appellate powers: (1) A register of Appeals from Decree (Form No. 9). (2) A register of Appeals from Decrees disposed of (Form No. 80) (3) A register of Miscellaneous Appeals (Form No. 81). Register of references received</p> | <p>402. Additional Register for appellate Courts. (A) The following registers shall be maintained in the Courts of district and other Judges in soft and hard copy exercising appellate powers: (1) A register of Appeals from Decree (Form No. 9). (2) A register of Appeals from Decrees disposed of (Form No. 80) (3) A register of Miscellaneous Appeals (Form No. 81). Register of references received from</p> |

from revenue Courts

(B) The following register shall be maintained in the Courts of District Judges:

A register of references received from revenue Courts (Form No.8)

(C) The following register shall be maintained in the Courts of Munsifs-

A register of revisions filed against the decisions of Panchyati Adalats in Form No. 165.

revenue Courts

(B) The following register shall be maintained in the Courts of District Judges **in the soft and hard copy:**

A register of references received from revenue Courts (Form No.8)

(C) The following register shall be maintained in the Courts of Civil Judge (J.D.)-

A register of revisions filed against the decisions of Panchyati Adalats in Form No. 165.

Omission of Rule 409.

(78) Rule 409 of the said Rule shall be omitted.

Amendment in Rule 470

(79) After sub clause (b) of Rule 470 of the said Rules, the following sub clause shall be inserted, namely:-

(c) The application shall contain the detail of the mobile number, fax number with STD Code and E-Mail ID of the applicant.

Amendment in Rule 472

(80) After Rule 472 of the said Rules, the following content shall be inserted, namely:-

The application for letter of administration shall contain the detail of mobile number or E-Mail address or both and Fax number with STD Code, if available.

Substitution of Rule 475

(81) For Rule 475 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|--|
| <p>475. Proof of identity. The Judge, may where he deems it necessary, require proof, in addition to the usual statement required to be made in the petition, of the identity of the deceased or of the party applying for the grant.</p> | <p>475. Proof of identity. The Judge, may where he deems it necessary, require proof, viz. Aadhar Card, Passport, PAN Card, Driving License, Voter ID, Bank Pass Book with attested photograph or any other document issued by competent authority etc. in addition to the usual statement required to be made in the petition, of the identity of the deceased or of the party applying for the grant.</p> |

Substitution of Rule 509

(82) For Rule 509 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|---|
| <p>509. Notice of application for grant of succession certificate. Under section 373, clause 1(b), Act No. 39 of</p> | <p>509. Notice of application for grant of succession certificate. Under section 373, clause 1(b), Act No. 39 of 1925, Notice of</p> |

1925, Notice of application for grant of a certificate shall be given:-

- (1) By posting a proclamation on the notice board of the court;
- (2) By posting a duplicate thereof on the house of the deceased;
- (3) By beat of drum in the Mohalla of the Town or village in which the deceased last resided.

application for grant of a certificate shall be given:-

- (1) By posting a proclamation on the notice board of the court;
- (2) By posting a duplicate thereof on the house of the deceased;
- (3) By beat of drum in the Mohalla of the town or village in which the deceased last resided;
- (4) By short message system (SMS), Fax or E-Mail ID, if facility is available;
- (5) By publication in widely circulated daily newspaper in the locality where opposite parties are last known to have actually and voluntarily resided, carried on business or personally worked for gain.

The sum of 25 paise in cash shall be tendered with every such application to cover the expense of proclaiming the notice by beat of drum.

The sum of 50 rupees in cash shall be tendered with every such application to cover the expense of proclaiming the notice by beat of drum.

Substitution of Rule 526

(83) For Rule 526 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>526. Drummers' fees. Each Amin shall receive, in addition to his pay, a grant of thirty rupees a month as remuneration for the services of a drummer.</p> <p>The District Judge shall draw the total grant for drummers for his district and shall distribute it among the Amins.</p> | <p>526. Helpers' fees. Each Amin shall receive, in addition to his pay, a grant of hundred rupees a month as remuneration for the services of a helper who has helped him in the service of process of declaration.</p> <p>The District Judge shall draw the total grant for helpers' for his district and shall distribute it among the Amins.</p> |

Substitution of Rule 537

(84) For Rule 537 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|--|
| <p>537. Munsarim to be the Chief Ministerial Officer. In every Civil Court the Chief Ministerial Officer shall be Munsarim.</p> | <p>537. Munsarim to be the Chief Administrative Officer. In every Civil Court the Chief Administrative Officer shall be Munsarim.</p> |

Amendment of Rule 550

(85) In the said rules, in rule 550 after cl.(1) & cl.(2) following contents shall be added namely: " Mobile number and e-mail ID shall also be maintained in the *Vakalatnama* of the Advocates".

Omission of Rule 551

(86) Rule 551 of the said Rule shall be omitted.

Omission of Rule 552

(87) Rule 552 of the said Rule shall be omitted.

Omission of Rule 553

(88) Rule 553 of the said Rule shall be omitted.

Omission of Rule 554

(89) Rule 554 of the said Rule shall be omitted.

Omission of Rule 555

(90) Rule 555 of the said Rule shall be omitted.

Omission of Rule 556

(91) Rule 556 of the said Rule shall be omitted.

Omission of Rule 557

(92) Rule 557 of the said Rule shall be omitted.

Omission of Rule 558

(93) Rule 558 of the said Rule shall be omitted.

Omission of Rule 559

(94) Rule 559 of the said Rule shall be omitted.

Omission of Rule 560

(95) Rule 560 of the said Rule shall be omitted.

Omission of Rule 561

(96) Rule 561 of the said Rule shall be omitted.

Omission of Rule 562

(97) Rule 562 of the said Rule shall be omitted.

Omission of Rule 563

(98) Rule 563 of the said Rule shall be omitted.

Omission of Rule 564

(99) Rule 564 of the said Rule shall be omitted.

Omission of Rule 565

(100) Rule 565 of the said Rule shall be omitted.

Omission of Rule 566

(101) Rule 566 of the said Rule shall be omitted.

Omission of Rule 567

(102) Rule 567 of the said Rule shall be omitted.

Omission of Rule 568

(103) Rule 568 of the said Rule shall be omitted.

Omission of Rule 569

(104) Rule 569 of the said Rule shall be omitted.

Omission of Rule 570

(105) Rule 570 of the said Rule shall be omitted.

Omission of Rule 571

(106) Rule 571 of the said Rule shall be omitted.

Omission of Rule 572

(107) Rule 572 of the said Rule shall be omitted.

Omission of Rule 573

(108) Rule 573 of the said Rule shall be omitted.

Omission of Rule 574

(109) Rule 574 of the said Rule shall be omitted.

Omission of Rule 575

(110) Rule 575 of the said Rule shall be omitted.

Omission of Rule 576

(111) Rule 576 of the said Rule shall be omitted.

Omission of Rule 577

(112) Rule 577 of the said Rule shall be omitted.

Omission of Rule 578

(113) Rule 578 of the said Rule shall be omitted.

Omission of Rule 579

(114) Rule 579 of the said Rule shall be omitted.

Omission of Rule 581

(115) Rule 581 of the said Rule shall be omitted.

Substitution of Rule 585

(116) For Rule 585 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|--|
| 585. Fees allowable on taxation in suits and appeals from decrees. In all suits or appeals from decrees, heard and decided on contest, the fee allowable on taxation shall be as follows: (i) if the valuation does not exceed Rs. 50; Rs. 10; (ii) if the valuation exceeds Rs. 50, but does not exceed Rs. 150; Rs. 20; (iii) if the valuation exceeds Rs. 150, but does not exceed Rs. 250; Rs. 30; (iv) if the valuation exceeds Rs. 250, but does not exceed Rs. 350; Rs. 40; (v) if the valuation exceeds Rs. 350, but does not exceed Rs. 500; Rs. 50; (vi) if the valuation exceeds Rs. 500, but does not exceed Rs. 750; Rs. 70; (vii) If the valuation exceeds Rs. 750, but does not exceed Rs. 1,000/-; Rs. 100/-; (viii) if the valuation exceeds Rs. 1,000, but does not exceed Rs. 5,000; Rs. 100 plus 10 % of the | 585. Fees allowable on taxation in suits and appeals from decrees. In all suits or appeals from decrees, heard and decided on contest, the fee allowable on taxation shall be as follows: (i) if the valuation does not exceed Rs. 25,000/-; Rs. 1000/-; (ii) if the valuation exceeds Rs. 25,000/-, but does not exceed Rs. 50,000/-; Rs. 1250/-; (iii) if the valuation exceeds Rs. 50,000/-, but does not exceed Rs. 75,000/-; Rs. 1500; (iv) if the valuation exceeds Rs. 75,000, but does not exceed Rs. 1,00,000/-; Rs. 1750/-; (v) if the valuation exceeds Rs. 1,00,000/-, but does not exceed Rs. 1,25,000/-; Rs. 2,000; (vi) if the valuation exceeds Rs. 1,25,000/-, but does not exceed Rs. 1,50,000/-; Rs. 2250/-; (vii) If the valuation exceeds Rs. 1,50,000/-, but does not exceed Rs. 2,00,000/-; Rs. 2500/-; (viii) if the valuation exceeds Rs. 2,00,000/-, but does not exceed Rs. |

valuation above Rs. 1,000;

(ix) if the valuation exceeds Rs. 5,000, but does not exceed Rs. 20,000; Rs. 500 plus 5 % of the valuation above Rs. 5,000;

(x) if the valuation exceeds Rs. 20,000, but does not exceed Rs. 50,000; Rs. 1,250 plus 2.5 % of the valuation above Rs. 20,000;

(xi) if the valuation exceeds Rs. 50,000 but does not exceed Rs. 1,00,000; Rs. 2,000 plus 1 % of the valuation above Rs. 50,000;

(xii) if the valuation exceeds Rs. 1,00,000; Rs. 2,500 plus 0.5 % of the valuation above Rs. 1,00,000.

Note.I

—In calculating the fees allowable on taxation on percentage basis on valuation above Rs. 1,000 amounts upto Rs. 5 shall be ignored and amounts above Rs. 5 but below Rs. 15 shall be taken as Rs. 10 so that the fees allowable on taxation shall in all cases be calculated in multiples of Rs. 10.

Note.II

—References under the Land Acquisition Act, 1894, or any other law relating to acquisition of property for determination of the compensation payable, and contested matters for the grant of probate and/or letters of administration under the Indian Succession Act, 1925 and contested motor accident compensation claims under the Motor Vehicles Act, 1939," shall be regarded to be suits and appeals therefrom as appeals from decree and the fees allowable on taxation therein shall be those prescribed by this rule.

Note.III

—The valuation for the purpose of calculating the fees allowable on taxation shall be the valuation for the purpose of jurisdiction, but in case Court fee is payable *ad-valorem* on the market value of the property, which is the subject-matter of/or involved in the suit or the appeal the valuation shall be that on which Court fee has been paid

3,00,000/-;Rs. 3,000/- plus 10 % of the valuation above Rs. 2,00,000/-;

(ix) if the valuation exceeds Rs. 3,00,000/-, but does not exceed Rs. 5,00,000/-; Rs. 5,000/- plus 5 % of the valuation above Rs. 3,00,000/-;

(x) if the valuation exceeds Rs. 5,00,000/-, but does not exceed Rs. 10,00,000/-; Rs. 7,000/- plus 2.5 % of the valuation above Rs. 5,00,000/-;

(xi) if the valuation exceeds Rs. 10,00,000/- but does not exceed Rs. 25,00,000/-; Rs. 10,000/- plus 1 % of the valuation above Rs. 10,00,000/-;

(xii) if the valuation exceeds Rs. 25,00,000/-; Rs. 15,000/- plus 0.5 % of the valuation above Rs. 10,00,000/-.

Note.I

—In calculating the fees allowable on taxation on percentage basis on valuation above Rs. 50,000/- amounts upto Rs. 50 shall be ignored and amounts above Rs. 50 but below Rs. 100 shall be taken as Rs. 100 so that the fees allowable on taxation shall in all cases be calculated in multiples of Rs. 100.

Note.II

—References under the Land Acquisition Act, 1894, or any other law relating to acquisition of property for determination of the compensation payable, and contested matters for the grant of probate and/or letters of administration under the Indian Succession Act, 1925 and contested motor accident compensation claims under the Motor Vehicles Act, 1988," shall be regarded to be suits and appeals therefrom as appeals from decree and the fees allowable on taxation therein shall be those prescribed by this rule.

Note.III

—The valuation for the purpose of calculating the fees allowable on taxation shall be the valuation for the purpose of jurisdiction, but in case Court fee is payable *ad-valorem* on the market value of the property, which is the subject-matter of/or involved in the suit or the appeal the valuation shall be that on which Court fee has been paid *ad-valorem* provided that

ad- valorem provided that suits or appeals in matrimonial matters, that is, for decrees of restitution of conjugal rights, judicial separation, divorce or nullity of marriage, shall be deemed incapable of valuation, although a valuation for the purpose of jurisdiction has been set forth in the case.

All matters arising under the Arbitration Act, shall be treated as miscellaneous cases find appeals therefrom as miscellaneous appeals and not appeals from decree.

In references under the Land Acquisition Act, 1894 and any other law relating to acquisition of property, the valuation for the purpose of the rule shall be the amount of compensation claimed in addition to that already allowed or in cases of references or appeals by the Government, the amount by which the compensation already allowed is sought to be reduced :

Provided that in such references the Court shall in every case pass an order determining the proper fee (not exceeding the fee allowable on valuation on percentage basis as above) after taking into account the following matters:

- (a) Whether the claim was unduly inflated?
- (b) Whether similar questions arose in several references arising out of a common notification?

Note.IV

—In cases of requisition of property the valuation shall be determined on the basis of the annual compensation claimed, less the amount of the annual compensation offered by Government and the fee shall be calculated accordingly as in a suit on an appeal therefrom.

Note.V

—In suits and appeals by indigent persons for compensation and in motor accident compensation claims the Court shall pass an order in each case determining the proper fee (not

suits or appeals in matrimonial matters, that is, for decrees of restitution of conjugal rights, judicial separation, divorce or nullity of marriage, shall be deemed incapable of valuation, although a valuation for the purpose of jurisdiction has been set forth in the case.

All matters arising under the Arbitration Act, shall be treated as miscellaneous cases find appeals therefrom as miscellaneous appeals and not appeals from decree.

In references under the Land Acquisition Act, 1894 and any other law relating to acquisition of property, the valuation for the purpose of the rule shall be the amount of compensation claimed in addition to that already allowed or in cases of references or appeals by the Government, the amount by which the compensation already allowed is sought to be reduced :

Provided that in such references the Court shall in every case pass an order determining the proper fee (not exceeding the fee allowable on valuation on percentage basis as above) after taking into account the following matters:

- (a) Whether the claim was unduly inflated?
- (b) Whether similar questions arose in several references arising out of a common notification?

Note.IV

—In cases of requisition of property the valuation shall be determined on the basis of the annual compensation claimed, less the amount of the annual compensation offered by Government and the fee shall be calculated accordingly as in a suit on an appeal therefrom.

Note.V

—In suits and appeals by indigent persons for compensation and in motor accident compensation claims the Court shall pass an order in each case determining the proper fee (not exceeding the fee allowable

exceeding the fee allowable on valuation on percentage basis as above) after taking into account whether the claim was unduly inflated.

Note.VI

—In suit and appeals where the main relief claimed is that of injunction and or declaration the minimum fee shall be Rs. 100/-.

Note.VI

—In suit and appeals where the main relief claimed is that of injunction and or declaration the minimum fee shall be Rs. 1000/-.

Substitution of Rule 592

(117) For Rule 592 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>592. Rounding of the fees of legal practitioners allowable on taxation: The fee allowable on taxation shall be calculated in multiple of Rs. 10 and all sums below Rs. 10 shall be ignored.</p> | <p>592. Rounding off the fees of legal practitioners allowable on taxation: The fee allowable on taxation shall be calculated in multiple of Rs. 100 and all sums below Rs. 100 shall be ignored.</p> |

Substitution of Rule 594

(118) For Rule 594 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|---|--|
| <p>594. Fees allowable on taxation in cases not admitting of valuation in terms of money. In all suits, proceedings, appeals and revisions arising therefrom where the subject-matter of the suit, proceeding, appeal or revision, is incapable of valuation, the fees allowable on taxation shall be: (i) Rs. 100 in the Court of a Munsif; (ii) Rs. 200 in the Court of a Civil Judge; (iii) Rs. 300 in the Court of a District Judge : Provided that in case any such matter is decided ex parte or without contest</p> | <p>594. Fees allowable on taxation in cases not admitting of valuation in terms of money. In all suits, proceedings, appeals and revisions arising therefrom where the subject-matter of the suit, proceeding, appeal or revision, is incapable of valuation, the fees allowable on taxation shall be: (i) Rs. 1000 in the Court of a Civil Judge (Junior Division); (ii) Rs. 2000 in the Court of a Civil Judge (Senior Division); (iii) Rs. 3000 in the Court of a District Judge : Provided that in case any such matter is decided ex-parte or without contest or</p> |

| | |
|--|---|
| <p>or dismissed for default or non-prosecution or for any such reason, the fees allowable on taxation shall be half of those prescribed for each such Court.</p> | <p>dismissed for default or non-prosecution or for any such reason, the fees allowable on taxation shall be half of those prescribed for each such Court.</p> |
|--|---|

Omission of Rule 599

(119) Rule 599 of the said Rules shall be omitted.

Omission of Rule 600

(120) Rule 600 of the said Rules shall be omitted.

Omission of Rule 602A.

(121) Rule 602A of the said Rules shall be omitted.

Omission of Rule 602B.

(122) Rule 602B of the said Rules shall be omitted.

Omission of Rule 602C.

(123) Rule 602C of the said Rules shall be omitted.

Omission of Rule 602D.

(124) Rule 602D of the said Rules shall be omitted.

Omission of Rule 602E.

(125) Rule 602E of the said Rules shall be omitted.

Omission of Rule 602F.

(126) Rule 602F of the said Rules shall be omitted.

Omission of Rule 602G.

(127) Rule 602G of the said Rules shall be omitted.

Omission of Rule 602H.

(128) Rule 602H of the said Rules shall be omitted.

Omission of Rule 602I.

(129) Rule 602I of the said Rules shall be omitted.

Omission of Rule 602J.

(130) Rule 602J of the said Rules shall be omitted.

Omission of Rule 602K.

(131) Rule 602K of the said Rules shall be omitted.

Omission of Rule 602L.

(132) Rule 602L of the said Rules shall be omitted.

Omission of Rule 602M.

(133) Rule 602M of the said Rules shall be omitted.

Omission of Rule 602N.

(134) Rule 602N of the said Rules shall be omitted.

Omission of Rule 602O.

(135) Rule 602O of the said Rules shall be omitted.

Substitution of Rule 643

(136) For Rule 643 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 (Existing Rule) | Column 2 (Rule as hereby substituted) |
|--|---|
| <p>643. Publications necessary for Judicial Officers. On his first appointment a probationary</p> | <p>643. "Training"- (1) Every officer appointed to the service</p> |

Munsif shall be required to undergo a training for 6 weeks in the Administrative Training Institute, Nainital and shall also be required to undergo a practical training for 2 weeks under the District Judge of the place of his posting to acquaint himself with the actual working of the Courts of the District, and to maintain a diary of the daily work during his training. The District Judge or the Civil Judge should peruse the diary and comment on it for the instruction of the Munsif. The Munsif should also read General Rules (Civil) and (Criminal) and General and Circular Letters issued by the High Court. Besides, he is expected within four months of his taking over charge on first appointment, to complete a course of reading the following books.

(1) Financial Handbooks, Volume II (Parts I to IV, Volume III and Volume V (Parts I and II).

(2) The Government Securities Manual, and

(3) Civil Service Regulations, Part IV, Chapters 15 to 21 relating to pensions and G.O. No.G-II-26 /X-912-1949, dated March 15, 1950 containing general instructions about preparation of pension papers.

On the expiry of four months the District Judge should satisfy himself whether the Munsif has acquired a sufficient knowledge of the above rules and regulations and send a report to the High Court.

The Munsif should also be given an opportunity to inspect the various offices and familiarize himself with the office routine.

Other officers who have not undergone such training are also expected to make themselves familiar with all the rules, circulars and books mentioned above.

as Civil Judge (Junior Division) shall be required to undergo training during the period of probation at the Judicial Training & Research Institute, Lucknow or elsewhere for such period as may be prescribed by the Court from time to time.

(2) The syllabus for the training shall be such as may from time to time be prescribed by the Director, Judicial Training & Research Institute with the prior approval of the Court.

(3) At the end of the period of training the Director, Judicial Training & Research Institute shall send his report to the Court about the conduct and performance of the probationers during the training. Where the Director is of the opinion that any officer has not successfully completed the training, he shall forward his opinion to the Court alongwith the relevant material.

(4) On receipt of any report referred in sub rule (3) The Court shall consider the same and may pass appropriate orders, including extension of period of training and probation.

Substitution of Rule 644

(137) For Rule 644 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| Column 1 | Column 2 |
|--|--|
| (Existing Rule) | (Rule as hereby substituted) |
| 644. Report regarding absence of Judicial Officers. Whenever a District Judge, an | 644. Report regarding absence of Judicial Officers. Whenever a District Judge, an |

Additional District Judge or Additional Sessions Judge without leave previously obtained absents himself from his Court, such absence and the cause thereof shall be reported to the High Court by the next day. Such absence shall not be for more than two working days in any one month and shall count as casual leave.

A Judge of a Court of Small Causes, Civil Judge or Munsif shall, in similar circumstances, make a report to the District Judge or the Additional District Judge, as the case may be. Such absence shall also be subject to the above conditions and shall count as casual leave.

Additional District Judge or Additional Sessions Judge without leave previously obtained absents himself from his Court, such absence and the cause thereof shall be reported to the High Court by the next day. Such absence shall not be for more than two working days in any one month and shall count as casual leave.

A Judge of a Court of Small Causes, Civil Judge (**Senior Division**) or **Civil Judge (Junior Division)** shall, in similar circumstances, make a report to the District Judge or the Additional District Judge, as the case may be. Such absence shall also be subject to the above conditions and shall count as casual leave.

645.Substitution of Rule 645

(138) For Rule 645 of the said Rules, set out in column 1 below, the Rule as set out in column 2 shall be substituted, namely:-

| <p style="text-align: center;">Column 1 (Existing Rule)</p> | <p style="text-align: center;">Column 2 (Rule as hereby substituted)</p> |
|--|--|
| <p>645. Communication of adverse remarks to Judicial Officers. (i) Communication to the Judicial Officers for adverse remarks made against them in their confidential report shall be regulated as follows:-</p> <p>(1)(a) Remarks whether commendatory or critical made on the work and conduct of Judicial Officers, should be communicated as a whole to the officers concerned by the District Judges in writing and acknowledgment obtained, soon after the dispatch to the High Court.</p> <p>(b) Adverse remarks should invariably be communicated to the officer concerned so that they may not be ignorant of the short-comings pointed out therein, but only those defects need be pointed out which can be remedied. A note that the adverse remarks have been communicated should be made at the end of the remarks and this should be done before despatching the same to the High Court.</p> <p>(c) Where a report is built upon the individual opinion as noted of different</p> | <p>645.Communication of remarks to Judicial Officers. (i) Communication to the Judicial Officers for remarks made against them in their confidential report shall be regulated as follows:</p> <p>(1)(a) Remarks made on the work and conduct of Judicial Officers, should be communicated as a whole to the officers concerned by the District Judges in writing and acknowledgment be obtained. A note that the remarks have been communicated should be made at the end of the remarks and this should be done before dispatching the same to the High Court.</p> <p>(b) Where a report is built upon the individual opinion as noted of different superiors in gradation, it is only the opinion as accepted by the highest authority which need be considered from the point of view of communication.</p> <p>(c) Where the criticism is to be withheld the final authority to consider the report</p> |

superiors in gradation, it is only the opinion as accepted by the highest authority which need be considered from the point of view of communication.

(d) Where the criticism is to be withheld the final authority to consider the report should record instructions, with reasons, according to the nature of the defect discussed, as to the period for which communication is to be kept back.

(e) The reporting Officer should specifically state whether the defect reported has already been brought in any other connection to the notice of the officer concerned.

(f) Remarks in cases in which the State Government or head of a department or other officer suspends judgment should not be communicated.

(g) Great attention should be paid to the manner and method of communication in order to ensure that the advice given and the warning or censure administered, whether orally or in writing shall, having regard to the temperament of the officer concerned, be most beneficial to him.

Provided that when an officer, particularly a junior one, is deficient in his work it is not always enough to make an entry to that effect in his character roll and to communicate it to him. Efforts should rather be made to give such officer an opportunity of learning and for effective improvement in his work. A District Judge should therefore, take more personal interest in the work of Judicial officers subordinate to him and in case the work of any such officer is not up to mark he should point out to him his failings and defects at a personal interview and help him with personal advice or put him in touch with one of the more experienced officer in the station.

(2) The above procedure should govern reports of a periodical nature. There are others which may either be:-

(i) reports of particular incidents or acts, which, if disciplinary action is taken, require either regular proceedings or definite censure after

should record instructions, with reasons, according to the nature of the defect discussed, as to the period for which communication is to be kept back.

(d) The reporting Officer should specifically state whether the defect reported has already been brought in any other connection to the notice of the officer concerned.

(e) Remarks in cases in which the State Government or head of a department or other officer suspends judgment should not be communicated.

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(2) The above procedure should govern reports of a periodical nature. There are others which may either be:-

(i) reports of particular incidents or acts, which, if disciplinary action is taken, require either regular proceedings or definite censure after the defense of the

the defense of the officer concerned officer concerned has been taken;
 has been taken;
 (ii) reports in reply to inquiries whether (ii) reports in reply to inquiries whether an
 an officer who has not been well officer who has not been well reported on
 reported on in the past has improved in the past has improved and is fit for
 and is fit for promotion; or promotion; or
 (iii) reports in answer to requests for (iii) reports in answer to requests for
 opinions as to the fitness of an officer opinions as to the fitness of an officer for a
 for a particular appointment etc. No particular appointment etc. No special
 special instructions are necessary in instructions are necessary in respect of
 respect of item (i). As to items (ii) and item (i). As to items (ii) and (iii) the
 (iii) the remarks should not be remarks should not be communicated
 communicated unless they disclose unless they disclose facts or allegations
 facts or allegations which in the which in the opinion of the State
 opinion of the State Government Government should be conveyed to the
 should be conveyed to the officer officer concerned. If such remarks were
 invariably communicated there is little invariably communicated there is little
 doubt that reporting officers would be doubt that reporting officers would be
 discouraged from giving unreserved discouraged from giving unreserved
 advice, and opinions of value would advice, and opinions of value would
 thereby be lost. thereby be lost.

By order of the Court


(Registrar General)

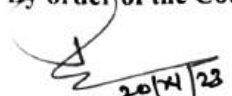
No. 15/20 /VIIIb/Admin G-II/ Allahabad:

Dated: 21/11/2023

Copy forwarded for information & necessary action to:-

1. The Principal Secretary, (Law)& L.R., Government of U.P. Lucknow
2. All the District Judges, State of Uttar Pradesh.
3. The Director, Institute of Judicial Training and Research, Vineet Khand, Gomti Nagar, Lucknow.
4. The Senior Registrar, High Court of Judicature, Lucknow Bench, Lucknow.
5. The Member Secretary, U.P. State Legal Service Authority, III Floor, Jawahar Bhawan Annexe, Lucknow.
6. P.S. To All the Hon'ble Judges at Allahabad and also at Lucknow Bench, Lucknow.
7. The Chief Documentation Officer cum Chief Librarian, High Court of Judicature at Allahabad.
8. Section Officer, Admin-II Section.

By order of the Court


(Registrar General)