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22-5-1884
N. 992.
HIGH COURT OF JUDICATURE,
MADRAS, 20th March 1884.

FROM

J. A. DAVIES, Esquire,
Ag. Registrar of the High Court of Judicature
at Madras.

TO

THE HONORABLE E. F. WEBSTER,
Chief Secretary to Government.

SIR,

I am directed to forward for the sanction of Government a copy of the Copyist Rules as amended by the High Court. I also submit, for convenience of comparison, a copy of the original Rules dated 7th December 1882.

2. The Rules, as originally framed, were based on the authority of G. O. dated 20th May 1881 and 27th October 1882, Nos. 803 and 1181, and were brought into force in all the Civil Courts of the Presidency from their re-opening after the last annual recess (between May and August 1883), and District Judges were requested to report on their working within six months of their introduction.

3. These reports have now been received, and they show that the new system has everywhere been a great success in a financial point of view, while, as an administrative reform also, it has been very favourably reported on by a large majority of the Judges.

4. Several of the reports contain suggestions for the amendment of one or other of the Rules, and these, as well as the difficulties and inconveniences brought to notice from time to time in the course of their working, have been borne in mind in framing the new Rules.

5. To two of the amendments now made I am to invite the particular attention of Government, as they undoubtedly require its special sanction.

6. The first is the provision in amended Rule 3 that the orders of this Court providing or altering establishments and contingent allotments should be accepted by the Accountant General as a final and sufficient sanction. This rule, even as it originally stood, made this Court the final controlling authority in such matters, and para 2 of G. O. dated 20th May 1881 shows that Government required nothing more. The Accountant General (G. O. dated 23rd March 1883, No. 875) nevertheless insisted upon the confirmation of Government being also obtained. The result has been that this Court has had to apply to Government not only in the case of first sanctions, but also of subsequent revisions. This course entails delay and much additional correspondence, seeing that, from the nature of their constitution, these special establishments require to be frequently adjusted with reference to actual requirements. Rule 30 makes it incumbent on the District Judge to scrutinize the expenditure every month and to reduce the establishment, if necessary, and this Court takes care to sanction no expenditure which is not fully covered by the net receipts after all necessary deductions have been allowed for. With these checks, any further confirmation such as that required by the Accountant General seems quite unnecessary.

7. The other important amendment is the provision made in Rule 29 for pensions to the higher class of men employed in the Copyist establishments, namely, the Superintendents, Examiners and Readers. When the original Rules were made, the Court expected that in many cases persons who had already earned pensions would be appointed to these posts, and it was thought advisable at all events to postpone declaring them pensionable until the financial results of the scheme were known. Now the result of 6 months' working clearly shows that the Fund admits of its being charged with such pensions and will still show a large balance to the credit of Government. Statement A annexed, compiled from the reports, shows that every District has a large surplus, the total for all the Districts put together being Rupees 38,737 for the whole period, or Rupees 6,312 per mensem. Allowing, however, for the receipts coming in during only ten and a half months of the year owing to the annual recess taken by the Courts, while the establishments will have to be maintained for all the twelve months, the average monthly surplus should be reduced to Rupees 5,523. But it is now proposed to strengthen the establishments already sanctioned at a net additional cost of Rupees 1,471 per mensem, and, without taking into account the increased receipts likely to follow, there will still be a surplus of Rupees 4,052. Again setting off against this 9 per cent of the receipts on account of the cost of manufacturing the Copy stamp paper and supplying it to Collectors and for the discount allowed to the Stamp Vendors, there remains a net surplus of Rupees 2,713 per mensem, out of which to make a provision for pensions. The above results are shown in Statement B hereto annexed.

8. As regards the rate of contribution required on account of these pensions, this Court has been referred by the Accountant-General to the principle of calculation laid down in Revised Rule 3, Section 8b of the Civil Pension Code. This rule presupposes that the contribution would be paid by the employé out of his salary, and accordingly lays down that such contribution should be calculated at 1-11th of the gross salary, but in the present case the employé would enjoy the full benefit of his salary and the fund would pay the contribution which, it is calculated, would be as much as 1-10th of the salary. At this rate the pensionary contribution to be charged against the Fund for the whole of the pensionary establishment at its increased strength would be Rupees 313, which is only one-ninth of the net surplus mentioned in the preceding paragraph. The Court therefore feels assured that there will always be a sufficient surplus to meet the pensionary charges now proposed.

9. On the other hand, the large net profit left after paying all charges suggests the desirability either of reducing the stamp fee by adding to the number of words to be written on each page or of raising the salaries of the establishment, but the Court must defer its decision on these questions till the results of the working of the amended Rules have been clearly ascertained by sufficient experience.

10. The Court, as at present advised, does not think that pensions need be provided for the Copyists. It is only persons who have no prospects of better employment that eke out a livelihood by copying, and the alteration now made in Rule 24d in their favor (see para 11, 5c) appears to the Court sufficient, without the inducement of a pension, to attract eligible men to the work.

11. Of the other amendments, it is necessary to allude only to such of the proposed changes as affect the main features of the system as laid down in the original Rules, and these are accordingly indicated below.

(1). The restriction contained in original Rule 4d as to the non-employment of an Examiner except where there are more than 4 Copyists will now be confined to cases where there is only one Copyist (amended Rule 5a). The salary of the Examiner, however, will depend on the funds available (21a).

(2). The system of counting by lines for purposes of computation of stamps, provided for as an alternative by original Rule 13a, will now be abolished; and that of counting by words always insisted on as in English Offices (amended Rule 14).

(3). In the case of maps, &c., which require skilled labour, fees will be received in cash and paid in whole to the person (whoever he may be) employed to prepare the copy (original Rule 13d now altered into Rule 14b).

(4). The special procedure provided in original Rule 16 for applications made to a District Munsif's Court for copies of records which have been forwarded to the District Court will now be abolished. On the other hand, it may be noted that under a recent rule of Court outlying Munsifs will retain their records for 90 days, and parties requiring copies can apply to the Munsif within that period.

(5). (a) A uniform rate of salary (Rupees 20) will now be assigned to Examiners, except where the funds available will only provide a smaller salary;

(b) The pay of Superintendents will also be fixed instead of varying according to service as heretofore;

(c) Copyists will be allowed a salary proportioned to the work done by them without limitation of amount; and

(d) The salary of an Attender, not to exceed Rupees 10, will now for the first time be provided for (original Rule 25 now altered into Rule 24).

(6). Extra remuneration to Officers on the regular establishment for examining work will no longer be allowed (original Rule 28 now altered into Rule 27); and

(7). Rule 32 making the Copyist Rules applicable to copies supplied in printed form has been expanded, separate rules having been drafted therefor and submitted to Government for sanction with my letter dated 5th Instant, No. 769.

12. In conclusion, it is trusted that the several amendments proposed will commend themselves to Government, and I am to request, in that case, that the Rules now submitted may be sanctioned as a whole at an early date.

I have the honor to be,
Sir,
Your Most Obedient Servant,

J. D. Davis
Ag. Registrar,
Appellate Side.

Statement showing the actual receipts, charges and surplus in each of the Districts of the Presidency under the Copyist Rules of the 7th December 1832 for the period during which the Rules have been worked, and the average of such receipts, &c., *per mensem* for the whole Presidency.

District.	Period during which the rules have been worked.	Receipts.	Charges.	Surplus.
		Rs.	Rs.	Rs.
Arcot (North)	6 Months	2,933	1,604	1,329
Arcot (South)	5 Months	2,833	1,608	1,230
Bellary	6½ Months	2,263	1,182	1,081
Canara (South)	7 Months	4,630	2,579	2,051
Chingleput... ..	6 Months	2,003	1,201	802
Coimbatore... ..	6½ Months	4,795	2,852	1,943
Cuddapah	6½ Months	1,712	1,119	593
Ganjam	6 Months	2,161	1,156	1,005
Godavari	6 Months	4,478	3,005	1,473
Kistna	6 Months	2,321	1,412	909
Kurnool	6 Months	871	513	358
Madura	6 Months	7,800	4,716	3,084
Malabar (North)	6½ Months	8,206	4,337	3,869
Malabar (South)	6 Months	12,372	7,101	5,271
Nellore	6 Months	2,143	1,432	716
Salem	6 Months	2,432	1,398	1,034
Tanjore (North)	6 Months	6,259	3,245	3,014
Tanjore (South)	6 Months	7,252	4,000	3,252
Tinnevely	7 Months	6,866	4,073	2,793
Trichinopoly	6½ Months	3,769	2,272	1,497
Visagapatam	5 Months	3,129	1,756	1,373
Total...	...	91,288	52,561	38,727
Total Average per mensem...	...	14,873	8,561	6,312

HIGH COURT OF JUDICATURE,
MADRAS, 20th March 1884.

Ag. Registrar,
Appellate Side.

Statement showing the net profit left under the Copyist Rules after allowing for the proposed increase of strength, cost of manufacturing Stamp paper and supplying it to Collectors, discount to Stamp vendors and contribution for the proposed pensions.

	Rs.	Rs.
Average monthly surplus as per Statement A.	6,312	66,279
Total surplus for a year of 10½ months.		
Average monthly surplus, the year being taken as one of 12 months.	5,523	
<i>Deduct.</i> Net increase proposed to be allowed, Superior Service Rs. 1415. Inferior Service Rs. 56. Total ...Rs. 1,471.	1,471	
Surplus	4,052	
<i>Deduct.</i> Cost of manufacturing stamp paper and supplying it to Collectors (See Proceedings of the Board of Revenue, 20th August 1883, No. 2540, page 13) at 2,948 Rs. for 74,225 Rupees, (i. e.), a little less than 4 per cent, being taken exactly at 4 per cent on Rupees 14,873 (Receipts as per Statement A.) Rs. 595 Discount to Stamp Vendors at 5 per cent on Rupees 14,873 as above Rs. 744 Total ... 1,339		
Net surplus		2,713
<i>Deduct.</i> Contribution for Pensions (Revised Rule 3, Section 8 b of the Civil Pension Code) at 1-10th of the following, 1 First Class Superintendent Rs. 50. 3 Second " at Rs. 40 Rs. 120. 8 Third " at Rs. 30 Rs. 240. 1 Assistant Superintendent Rs. 20. 123 Examiners at Rs. 20 Rs. 2,460. 16 Readers at Rs. 15 Rs. 240. Total Rs. 3,130.		313
Net Profit		2,400

HIGH COURT OF JUDICATURE,
MADRAS, 20th March 1884.

Ag. Registrar,
Appellate Side.

JUDICIAL {1884} DEPARTMENT.

No.

FROM

THE ACTING REGISTRAR OF THE
HIGH COURT OF JUDICATURE,
Madras.

TO

THE CHIEF SECRETARY
TO GOVERNMENT,
Fort St. George.

Dated March 20th.

Issued do. 22^d } 1884.

Recd.

No. 992.

COPYIST RULES.—Submitting amended
Rules for sanction,

10.14-7-00:1662 h
 13-9-01:1896 h
 28-11-02:1988 h
 18-12-02:2173 h
 28-3-03:075
 C. 25 959/84

Judicial { 1884. } Department

No. 4

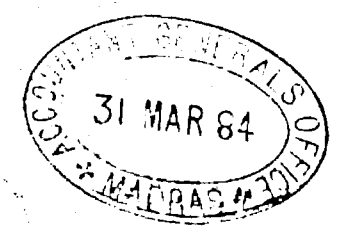
FROM

THE REGISTRAR OF THE HIGH COURT
 OF JUDICATURE AT MADRAS,
 Appellate Side.

Dated 20 March
 Received

} 1884

No. 992
 Encs. Two.



Submitting for sanction
 Copyist Rules as amended
 on 20 March 84.

Referred to the Accountant
 General for his remarks
 on the proposals made
 in paragraphs 6 & 7.

By order.
 Assistant Secy.
 9. 3. 84.

DEPARTMENT.

48
 Fort St. George,
 Accountant-General's Office,
 6 May 1884

No. 1412

From

H. F. Chigistam Esq.
 ACCOUNTANT-GENERAL

TO THE GOVERNMENT OF MADRAS,

To

THE Chief Secretary to Government,
 Judicial Department.

SIR,

With reference to Mr. Acting Assistant
 Secretary Hammick's Endorsement N^o 725 dated
 27th March 1884, referring to my former letter
 N^o 992 dated 20th Idem from the Acting Registrar,
 High Court, Appellate Side, in connection with the
 Copyist's Establishment; I have the honor, as signified
 from 6 of the Registrar's letter and Rule 3 of
 the amended Copyist's Rules, respectfully to state
 that all Establishments require the sanction of
 Government; and to observe that with the timidity
 which the High Court now possesses of the
 requirements of each District, there should be
 no great difficulty in deciding with some degree
 of confidence upon the nature and strength of
 the Establishments which are necessary, at any
 rate of that portion of the Establishment which
 is likely to be permanent. As regards Copyists
 it would be perhaps sufficient to sanction
 the maximum number of regular copyists,
 any number of extra copyists being entertained
 by the District Judges under the general
 sanction of the High Court given in Rule 1
 on their being satisfied that the receipts

from

from the Copyist service justify the expenditure.

2. It is impossible for this Office to exercise any check as regards receipts over the returns which Rule 30 requires should be forwarded, to the Treasury Officers, and I would suggest therefore that their submission be discontinued. The receipts in connection with stamps, which alone this Office can check, are the receipts from the sale of stamps, not those for which the Court makes credit when the stamp papers are presented at the Court.

3. With reference to para 7 of the Registrar's letter and to Rule 29 of the amended Copyist Rules, I have the honor to state that if Government are prepared to declare the appointments of Superintendent, Assistant Superintendent, Examiner and Reader to be permanent appointments, service in them would then be pensionable inasmuch as it would be permanent service under Government, and also paid from the General Revenue. Vido Sections 70-91 of the Civil Pension Code.

I have the honor to be
Your obedient servant
J. J. [Signature]
Accountant General.

Judicial (188) DEPT
11

Recd. Hqs Ct. letter & rules.
... from acct general. 5 p

Order 22 May 1884
The amended rules now submitted are sanctioned

Subject to the following modifications
In Rule 3 ^{following} words for "The orders of the Hqs Court sanctioning" —
"Sanctioned" will be struck out
In Rule 30. the following words will be omitted "to the Local Treasury Officer and," and to read also

2 With reference to the remarks in para 3 of the Acct General's letter, the Govt are pleased to declare the appointments of Superintendent, Assistant Superintendent, Examiner and Reader to be permanent appointments & those for pensionable qualifying their respective holders for pension.

The above alterations are in accordance with the suggestions of the acct general.

From THE ACCOUNTANT-GENERAL, Madras,
To THE Chief Secretary to Government Judicial Dept.

No. 1413
Dated 6 May 1884.
Received
No. 1222

Subject.
Submitting his remarks on letter from the Registrar Hqs Court appellate side in connection with the entertainments of Copyists Etc.

15/5/84
[Signature]
[Signature]
[Signature]

22ND MAY 1884, No. 1264, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following papers:—

From J. A. DAVIES, Esq., Acting Registrar of the High Court of Judicature at Madras, Appellate Side, to the Chief Secretary to Government, dated Madras, 20th March 1884, No. 992.

I am directed to forward, for the sanction of Government, a copy of the copyist rules as amended by the High Court. I also submit, for convenience of comparison, a copy of the original rules, dated 7th December 1882.

2. The rules, as originally framed, were based on the authority of G.Os., dated 20th May 1881 and 27th October 1882, Nos. 803 and 1181, and were brought into force in all the Civil Courts of the Presidency from their reopening after the last annual recess (between May and August 1883), and District Judges were requested to report on their working within six months of their introduction.

3. These reports have now been received, and they show that the new system has everywhere been a great success in a financial point of view, while, as an administrative reform also, it has been very favorably reported on by a large majority of the Judges.

4. Several of the reports contain suggestions for the amendment of one or other of the rules, and these, as well as the difficulties and inconveniences brought to notice from time to time in the course of their working, have been borne in mind in framing the new rules.

5. To two of the amendments now made I am to invite the particular attention of Government, as they undoubtedly require its special sanction.

6. The first is the provision in amended rule 3, that the orders of this Court providing or altering establishments and contingent allotments should be accepted by the Accountant-General as a final and sufficient sanction. This rule, even as it originally stood, made this Court the final controlling authority in such matters, and paragraph 2 of G.O., dated 20th May 1881, shows that Government required nothing more. The Accountant-General (G.O., dated 28th March 1883, No. 875,) nevertheless insisted upon the confirmation of Government being also obtained. The result has been that this Court has had to apply to Government not only in the case of first sanctions, but also of subsequent revisions. This course entails delay and much additional correspondence, seeing that, from the nature of their constitution, these special establishments require to be frequently adjusted with reference to actual requirements. Rule 30 makes it incumbent on the District Judge to scrutinize the expenditure every month and to reduce the establishment if necessary, and this Court takes care to sanction no expenditure which is not fully covered by the net receipts after all necessary deductions have been allowed for. With these checks, any further confirmation such as that required by the Accountant-General seems quite unnecessary.

7. The other important amendment is the provision made in rule 29 for pensions to the higher class of men employed in the copyist establishments, viz., the superintendents, examiners, and readers. When the original rules were made, the Court expected that in many cases persons who had already earned pensions would be appointed to these posts, and it was thought advisable at all events to postpone declaring them pensionable until the financial results of the scheme were known. Now the result of six months' working clearly shows that the fund admits of its being charged

with such pensions and will still show a large balance to the credit of Government. Statement A annexed, compiled from the reports, shows that every district has a large surplus, the total for all the districts put together being Rs. 33,737 for the whole period, or Rs. 6,312 *per mensem*. Allowing, however, for the receipts coming in during only ten-and-a-half months of the year owing to the annual recess taken by the courts, while the establishments will have to be maintained for all the twelve months, the average monthly surplus should be reduced to Rs. 5,523. But it is now proposed to strengthen the establishments already sanctioned at a net additional cost of Rs. 1,471 *per mensem*, and, without taking into account the increased receipts likely to follow, there will still be a surplus of Rs. 4,052. Again, setting off against this 9 per cent. of the receipts on account of the cost of manufacturing the copy stamp paper and supplying it to Collectors and for the discount allowed to the stamp vendors, there remains a net surplus of Rs. 2,713 *per mensem* out of which to make a provision for pensions. The above results are shown in statement B hereto annexed.

8. As regards the rate of contribution required on account of these pensions, this Court has been referred by the Accountant-General to the principle of calculation laid down in revised rule 3, section 8 (b) of the Civil Pension Code. This rule presupposes that the contribution would be paid by the employé out of his salary, and accordingly lays down that such contribution should be calculated at one-eleventh of the gross salary, but in the present case the employé would enjoy the full benefit of his salary and the fund would pay the contribution, which, it is calculated, would be as much as one-tenth of the salary. At this rate the pensionary contribution to be charged against the fund for the whole of the pensionary establishment at its increased strength would be Rs. 313, which is only one-ninth of the net surplus mentioned in the preceding paragraph. The Court, therefore, feels assured that there will always be a sufficient surplus to meet the pensionary charges now proposed.

9. On the other hand, the large net profit left after paying all charges suggests the desirability either of reducing the stamp fee by adding to the number of words to be written on each page or of raising the salaries of the establishment, but the Court must defer its decision on these questions till the results of the working of the amended rules have been clearly ascertained by sufficient experience.

10. The Court, as at present advised, does not think that pensions need be provided for the copyists. It is only persons who have no prospects of better employment that eke out a livelihood by copying, and the alteration now made in rule 24d in their favor (see paragraph 11, 5c) appears to the Court sufficient, without the inducement of a pension, to attract eligible men to the work.

11. Of the other amendments, it is necessary to allude only to such of the proposed changes as affect the main features of the system as laid down in the original rules, and these are accordingly indicated below:—

- (1) The restriction contained in original rule 4a as to the non-employment of an examiner except where there are more than four copyists will now be confined to cases where there is only one copyist (amended rule 5a). The salary of the examiner, however, will depend on the funds available (24a).
- (2) The system of counting by lines for purposes of computation of stamps, provided for as an alternative by original rule 13a, will now be abolished, and that of counting by words always insisted on as in English offices (amended rule 14).
- (3) In the case of maps, &c., which require skilled labor, fees will be received in cash and paid in whole to the person (whoever he may be) employed to prepare the copy (original rule 13d now altered into rule 14b).
- (4) The special procedure provided in original rule 16 for applications made to a District Munsif's Court for copies of records which have been forwarded to the District Court will now be abolished. On the other hand, it may be noted that under a recent rule of Court outlying munsifs will retain their records for ninety days, and parties requiring copies can apply to the munsif within that period.

- (5) (a) A uniform rate of salary (Rs. 20) will now be assigned to examiners, except where the funds available will only provide a smaller salary;
- (b) the pay of superintendents will also be fixed instead of varying according to service as heretofore;
- (c) copyists will be allowed a salary proportioned to the work done by them without limitation of amount; and
- (d) the salary of an attender, not to exceed Rs. 10, will now for the first time be provided for (original rule 25 now altered into rule 24).
- (6) Extra remuneration to officers on the regular establishment for examining work will no longer be allowed (original rule 28 now altered into rule 27); and
- (7) Rule 32 making the copyist rules applicable to copies supplied in printed form has been expunged, separate rules having been drafted therefor and submitted to Government for sanction with my letter, dated 5th instant, No. 769.

12. In conclusion it is trusted that the several amendments proposed will commend themselves to Government, and I am to request, in that case, that the rules now submitted may be sanctioned as a whole at an early date.

ENCLOSURES.

A.—STATEMENT showing the actual receipts, charges, and surplus in each of the districts of the presidency under the copyist rules of the 7th December 1882 for the period during which the rules have been worked, and the average of such receipts, &c., *per mensem* for the whole presidency.

District.	Period during which the rules have been worked.	Receipts.	Charges.	Surplus.
		RS.	RS.	RS.
Arcot (North)	6 months.	2,933	1,604	1,329
Arcot (South)	5 do.	2,838	1,608	1,230
Bellary	6½ do.	2,263	1,182	1,081
Canara (South)	7 do.	4,630	2,579	2,051
Chingleput	6 do.	2,003	1,201	802
Coimbatore	6½ do.	4,795	2,852	1,943
Cuddapah	6½ do.	1,712	1,119	593
Ganjam	6 do.	2,161	1,156	1,005
Godavari	6 do.	4,478	3,005	1,473
Kistna	6 do.	2,321	1,412	909
Kurnool	6 do.	871	513	358
Madura	6 do.	7,800	4,716	3,084
Malabar (North)	6½ do.	8,206	4,337	3,869
Malabar (South)	6 do.	12,372	7,101	5,271
Nellore	6 do.	2,148	1,432	716
Salem	6 do.	2,482	1,398	1,084
Tanjore (North)	6 do.	6,259	3,245	3,014
Tanjore (South)	6 do.	7,252	4,000	3,252
Tinnevely	7 do.	6,868	4,073	2,793
Trichinopoly	6½ do.	3,769	2,272	1,497
Vizagapatam	5 do.	3,129	1,756	1,373
Total		91,288	52,561	38,727
Total average <i>per mensem</i>		14,873	8,561	6,312

MADRAS,
20th March 1884.

(Signed) J. A. DAVIES,
Acting Registrar, Appellate Side.

B.—STATEMENT showing the net profit left under the copyist rules after allowing for the proposed increase of strength, cost of manufacturing stamp paper and supplying it to Collectors, discount to stamp vendors, and contribution for the proposed pensions.

Average monthly surplus as per statement A	Rs.	Rs.
Total surplus for a year of 10½ months	6,312	66,279
Average monthly surplus, the year being taken as one of twelve months	5,523	
Deduct—		
Net increase proposed to be allowed—		
Superior service	Rs. 1,415	
Inferior service	58	
	1,471	
Deduct—		
Surplus ..	4,052	
Cost of manufacturing stamp paper and supplying it to Collectors (see Proceedings of the Board of Revenue, 20th August 1883, No. 2540, page 13) at 2,948 rupees for 74,225 rupees, (i.e., a little less than 4 per cent., being taken exactly at 4 per cent. on Rs. 14,873 (receipts as per Statement A))	595	
Discount to stamp vendors at 5 per cent. on Rs. 14,873 as above	744	
	1,339	
Deduct—		
Net surplus ..		2,713
Contribution for pensions (revised rule 3, section 8 (b) of the Civil Pension Code) at one-tenth of the following:—		
1 First-class superintendent	Rs. 50	
3 Second-class superintendents at Rs. 40 each	120	
8 Third-class superintendents at „ 30 „	240	
1 Assistant superintendent ..	20	
123 Examiners, at Rs. 20 each	2,460	
16 Readers, at Rs. 15 each ..	240	
Total ..	3,130	313
Net profit ..		2,400

MADRAS,
20th March 1884.

(Signed) J. A. DAVIES,
Acting Registrar, Appellate Side.

From H. F. CLOGSTOUN, Esq., Accountant-General, to the Chief Secretary to Government, dated Fort St. George, 6th May 1884, No. 1413.

Treasury Account Department.

With reference to Mr. Acting Assistant Secretary Hammick's endorsement, No. 725, dated 29th March 1884, referring to me for remarks letter, No. 992, dated 20th idem, from the Acting Registrar, High Court, Appellate Side, in connection with the copyist establishment, I have the honor, as regards paragraph 6 of the Registrar's letter and rule 3 of the amended copyist rules, respectfully to state that all establishments require the sanction of Government, and to observe that with the knowledge which the High Court now possesses of the requirements of each district there should be no great difficulty in deciding with some degree of confidence upon the nature and strength of the establishments which are necessary at any rate of that portion of the establishment which is likely to be permanent. As regards copyists, it would be perhaps sufficient to sanction the maximum number of regular copyists, any number of extra copyists being entertained by the District Judges under the general sanction of the High Court given in rule 4 on their being satisfied that the receipts from the copyist service justify the expenditure.

2. It is impossible for this office to exercise any check as regards receipts over the returns which rule 30 requires should be forwarded to the Treasury officers, and I would suggest therefore that their submission be discontinued. The receipts in connection with stamps, which alone this office can check, are the receipts from the sale of stamps, not those for which the Court takes credit when the stamp papers are presented at the Court.

3. With reference to paragraph 7 of the Registrar's letter and to rule 29 of the amended copyist rules, I have the honor to state that, if Government are prepared to declare the appointments of superintendent, assistant superintendent, examiner, and reader to be permanent appointments, service in them would then be pensionable inasmuch as it would be permanent service under Government and also paid from the General Revenues (*vide* sections 70—91 of the Civil Pension Code).

ORDER—dated 22nd May 1884, No. 1264, Judicial.

The amended rules now submitted are sanctioned subject to the following modifications:—In rule 3 the following words—“The orders of the High Court sanctioning or altering such establishment or contingent provision shall be final and shall be accepted by the Account department as sufficient authority for disbursing salaries to the extent sanctioned”—will be struck out. In Rule 30 the following words will be omitted: “to the Local Treasury Officer and” and the word “also.”

2. With reference to the remarks in paragraph 3 of the Accountant-General's letter, the Government are pleased to declare the appointments of superintendent, assistant superintendent, examiner, and reader to be permanent appointments and therefore qualifying their respective holders for pension.

(True Extra.)

Chief Secretary.

To the Honorable the Judges of the High Court, with C. L.
Accountant-General.

Annexure.]

ANNEXURE

Copyist Rules, dated 7th December 1882 as amended on the 20th March 1884.

The Madras Government having, in communication with the High Court, resolved that all copies, which are not printed, of judicial records, other than the records referred to in rule 14b, shall hereafter be transcribed by enrolled copyists in the Civil Courts, and that payment for copies so transcribed shall be made in the form of one or more impressed stamp papers of the value of two annas each, the High Court has framed the following rules in the exercise of the powers conferred in section 652 of the Code of Civil Procedure and all other powers enabling it in that behalf.

1. On and after the first day of April 1883 the payment of fees in cash by applicants for copies shall be discontinued, except in the case provided for in rule 14b. Existing system abolished.
2. A fixed number of copyists shall be enrolled for each court of civil jurisdiction. Where two or more courts are situated at the same station (as for instance, a District and District Munsif's Court, a District, Subordinate, and District Munsif's Court, or a Subordinate and District Munsif's Court), and where the circumstances render it feasible, a fixed number of copyists shall be enrolled in one central office for the preparation of copies for all such courts at that station. No person shall be enrolled as a copyist unless he is able to write a legible hand and copy not less than 12 sheets of 140 words *per diem*. Copyists to be enrolled.
3. The copyist establishment, inclusive of examiners, readers, and superintendent, if any, to be entertained for each office, together with a provision for contingencies, shall be fixed by the District Judge, subject to the orders of the High Court. The number of enrolled copyists how to be fixed.
4. It shall be competent to District Judges without the previous sanction of the High Court to employ temporary copyists, examiners, and readers when circumstances of special emergency render such a course necessary. Such temporary establishments shall be paid out of the contingent provision. Temporary establishments.
5. Where a central office has been established, and where the funds allow, a superintendent and one or more examiners and readers will be appointed. Where the District Judge thinks it necessary and the funds allow of the expenditure, an attender or superior peon may also be appointed. Superintendents, examiners, &c., to be entertained.
- (a) Where no central office has been established, and where the copyists are two or more in number, an examiner may also be appointed.
6. Registers in the forms given in the appendix shall be opened and regularly kept in the case of a central office by the superintendent and in any other case by the examiner, or, where there is no examiner, by such officer as the court shall direct. These registers shall be examined once every week, in a central office, by such officer as the District Judge shall direct, and in any other case by the head ministerial officer of the court. Registers to be kept.
7. Every application for a copy shall be addressed to the Judge of the court in which the document is for the time being retained, but where an application is made in any court for copies of a record or of any portion of a record which has in due course been forwarded to the District Court, the application shall be endorsed and returned to the applicant for presentation in the District Court. Procedure to be observed in applying for copies.

8. The application shall be presented by the party, his pleader, or the latter's authorized gumastah, to the superintendent or head ministerial officer, as the case may be, between the hours of 11-30 A.M. and 3 P.M., and it shall set out the party's name, and his position in the suit or proceeding, and shall contain a description of the document of which a copy is required. Form of application.

9. Applications not complying with the requirements of rule 8 are not to be received until amended in respect of the matters in which they are defective. Applications not in form not receivable.

10. All other applications shall be received and at once entered in register A. Entry of applications in register A.

11. Copies of the Judge's minutes, of correspondence not strictly judicial, or generally of any confidential proceedings, will not be granted. Persons requiring copies of records connected with any civil suit or proceedings to which they were not parties may move the court *by petition* to furnish them with the same.

12. Where, in the case of an application entered in register A, doubts arise as to whether the document of which a copy is applied for is one of which a copy can or ought to be granted, the superintendent or head ministerial officer, as the case may be, shall lay the application before the Judge. If the application is refused by the Judge, the application with the order of refusal endorsed thereon shall be returned to the applicant, and the order of refusal shall be noted in register A. Applications how to be dealt with when compliance is doubtful.

13. In the case of every other application, and of every application allowed by the Judge under rule 12, it shall be the duty of the superintendent, examiner or such other officer as the court may direct, forthwith to forward the application with register B to the clerk in charge of the records of which copies are applied for, who shall affix his initials in acknowledgment of receipt in the appropriate column of that register. The original records shall thereupon be at once put up with the application and sent to the superintendent, examiner or other officer, as the case may be. In no case is such application to be returned to the copyist department without the records, unless the originals are not forthcoming, in which case the application will be returned to the superintendent, examiner or other officer, as the case may be, with a certificate endorsed thereon to that effect, attested by the returning clerk's initials. This certificate shall thereupon be signed by the superintendent, examiner or other officer, as the case may be, and the application returned to the applicant, a note of the same being made in register A. Collection of records for copying.

14. On the receipt of the originals, the superintendent, examiner or other officer, as the case may be, shall enter the date in the register A, and shall note on the application the number of words contained in each document and the number of stamp papers of the value of 2 annas required for copying the same, calculated at the rate of one sheet for every 140 words, or a fraction of 140 words. Estimate of stamp papers payable.

(a) For the purposes of this rule, five figures shall be taken as equivalent to one word.

(b) Where the copies applied for are of maps, plans and genealogical trees, they shall be prepared by skilled labor. A reasonable fee (proportionate to the skill, labor and time occupied in preparing the copy) shall in each case be fixed by the court and deposited in cash by the party applying, in the same manner as for a commissioner under the Code of Civil Procedure, and the whole of such fee shall be paid to the person employed in preparing the copy, he supplying his own materials. When an enrolled copyist is appointed to prepare the copy, he shall do the work out of office hours or take leave without pay to do it.

15. Every day between the hours of 3 and 5 P.M. a list showing the applications in which the records have been received, and the number of stamp papers required, shall be prepared and affixed to the court's notice-board. Such list shall remain suspended for three days. If the required stamp papers have not been deposited by 3 P.M. on the fourth day, counting that on which the list was suspended, the application will be struck off. Between the hours of 3 and 5 P.M., on each of the intermediate days, the applications upon which the requisite deposits have been made shall be struck off the list. Lists so put up shall remain filed in the copyist department for six months and shall then be destroyed.

16. All stamp papers deposited shall be at once entered in register A, and the Entry in register A of charges deposited. preparation of the required copies shall, as far as possible, be undertaken in accordance with the serial order of applications. Provided that the superintendent, examiner or other officer, as the case may be, shall, on the application of the parties, give precedence to the preparation of copies urgently required to be filed or used for the purposes of instituting suits or proceedings or for the purposes of pending suits or proceedings.

17. Copies must be transcribed on that side only of the paper which bears the stamp. Copies to be written on stamped side only.

18. When the copy applied for has been transcribed by the copyist, it shall be compared by the examiner, or where there is no examiner, by such officer as the court shall direct, aided by a reader or by some one of the copyists; but in no case shall a copy be read to the examiner, or the examination in any way assisted in, by the copyist who prepared the copy. Examination of copies.

19. The superintendent, examiner or such other officer as the court may direct, shall be responsible that the work of copying and the work of reading to the examiner are distributed as equally as possible amongst the enrolled copyists. To ensure copies being fully and legibly written, no more than 16 sheets should, as a rule, be given to each copyist per day. At the close of each day, all original papers and all copies not delivered to the parties, as well as all stamp papers not yet used for copies, shall be taken back from the copyists and secured for the night by the superintendent, examiner or such other officer as the court may direct. Superintendent's responsibilities as to work.

20. All copies made and issued by the courts after the date on which these rules come into force shall be authenticated copies, and the grant of unauthenticated copies will from the same date be discontinued. The certificate that the copies are true copies shall be signed by the superintendent, examiner or other officer, as the case may be, and he shall also initial every alteration or correction made therein. The practice of making erasures by removing (i.e., scratching out or otherwise effacing) words written by mistake is strictly prohibited in regard to all copies to be made after the date on which these rules come into force: instead of erasing the incorrect word, the word is simply to be struck through with one line by the pen and the correct word written on above the word so struck through; e.g.—

District
The Civil Court decreed in favor of ^{defendant} plaintiff.*

21. When the copies are ready for delivery, the originals shall be returned to the record-keeper or the clerk from whom they were obtained, and his initials taken in the appropriate column of register C. Return of records after copying.

* In the case of stamp papers deposited under rule 16 becoming spoiled or otherwise unfit for use, renewals and re-funds can be obtained as in the case of non-judicial stamps under the authority of G.O.s., dated 17th April and 6th May 1883, Nos. 453 and 553, Revenue department.

Hours for delivery of copies.

22. Copies ready will be delivered to the applicants concerned between the hours of 10-30 and 11-30 A.M. and 3 and 5 P.M.

Endorsement of dates on copies.

23. Every copy shall bear an endorsement showing the following dates:—

- (1) Application made,
- (2) Stamp papers called for,
- (3) Stamp papers deposited,
- (4) Copy ready, and
- (5) Copy delivered.

Rate of salaries.

24. (a) The salary of an examiner shall be Rs. 20 *per mensem* where funds permit.

(b) The salary of a superintendent shall be as follows:—

- (1) Rs. 30, where the copyists of two courts are amalgamated in one office;
- (2) Rs. 40, where the copyists of three courts are amalgamated in one office, and
- (3) Rs. 50, where the copyists of more than three courts are amalgamated in one office; and, if necessary, the High Court will sanction an assistant superintendent also on a salary not exceeding Rs. 20.

(c) In any case in which the High Court may sanction the appointment of a reader, his salary shall be Rs. 15 *per mensem*.

(d) The salary of an enrolled copyist shall be proportioned to the amount of work done by him, provided that no enrolled copyist shall receive less than Rs. 10 *per mensem*. It will be open to all copyists to earn, as provided in rule 27, without limitation of amount, allowances in excess of Rs. 10.

(e) The salary of an attender, where appointed, shall not exceed Rs. 10 *per mensem*.

25. The salaries of the copyist establishment shall be drawn once a-month by Salaries—how to be drawn and disbursed. a bill, in the same form as that used for the regular establishment's pay, on the nearest Government treasury, and the amount so drawn shall be distributed by the head ministerial officer of the court to which the copyist establishment is attached, and the signatures of the payees taken in the same manner as those of the payees of the regular establishment.

26. The charge of 2 annas (per stamp paper of 140 words) includes, besides the cost of the paper on which the stamp is impressed, the cost of copying, examining and certifying to the correctness of the copy. Items of expenditure covered by the stamp paper.

27. The amount of allowances, if any, due to each copyist in excess of the minimum prescribed by rule 24 (d), shall for each month be ascertained from and accounted for in register D. For the purpose of calculating such *extra* payments, if any, the hire debitable in register D on account of the copyists' work shall be at the rate of nine pies for 140 words. But *extra* allowances under this rule shall always be subject to a recovery being made up to the amount of any excess paid to the copyist in either or both of the two last working months in order to make up his minimum salary. Copyists' allowances—how calculated.

28. Stationery, inclusive of pen, ink, pencils, blotting paper, rulers, &c., will be furnished to the copyist establishment from the supply received by the court on indent from the superintendent of stationery. The estimated cost of such stationery will be debited monthly in register D to the copyist establishment. Supply of stationery.

30. Monthly statements of the receipts and charges in the form appended shall be forwarded, in the case of a court not connected with a central office being other than a district court, to the District Judge, and a compiled statement for all the courts of the district shall be forwarded by the district court to the High Court. Where it appears from the monthly statements that the receipts on account of copies do not fully cover the charges or that the number of copyists is unnecessarily large, it will be the duty of the District Judge to revise the copyist establishment so as to avoid loss to Government.

Rescission of former rules.

31. All former rules on the subject of copies and copyists are hereby rescinded.

32. The above rules apply, with the exception stated in rule 34, to all copyist establishments in, and to all copies to be

Extent to which these rules apply. Subordinate Judges' courts and District Munsifs' courts, court of small causes and cantonment courts of small causes. They do not apply to the copyists of, or to the copies to be furnished by, the courts of magistrates or of revenue officers.

33. Nothing contained in the above rules shall apply to printed copies or to
 Exceptions. copies which, under any provision of law
 required to grant free of cost. As to printed copies separate rules have been made
 Copies to be granted free of cost shall be made by the regular establishments of the
 courts.

Exceptions.

required to grant free of cost. As to printed copies separate rules have been made. Copies to be granted free of cost shall be made by the regular establishments of the courts.

Month and day of application.	General No.	Number of suit or case and designation of court.	Name of applicant.	Description of paper.	Original ready.	CHARGES PAID.		Initials of copyist.	Copy ready.	Copy delivered.	Signature of the applicant.
						Stamp.	Date.				
1	2	3	4	5	6	7	8	9	10	11	12

REGISTER D showing the account current of the copyist establishment and the amount of salary due to each copyist on the establishment for the month of 188

Date	Application number	STAMP PAPERS ACTUALLY RE-PAID.		COPYIST A.		COPYIST B.		COPYIST C.		COPYIST D.		COPYIST E.		TOTAL OF ALL COPYISTS' WORK.		Remarks
		Number.	Value.	No. of words copied.	Amount earned at 9 pias for 140 words.	No. of words copied.	Amount earned at 9 pias for 140 words.	No. of words copied.	Amount earned at 9 pias for 140 words.	No. of words copied.	Amount earned at 9 pias for 140 words.	No. of words copied.	Amount earned at 9 pias for 140 words.	No. of words copied.	Amount earned at 9 pias for 140 words.	
1		3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
1884.																
1st April ..																
2nd do. ..																
30th do. ..																
Total ..		1,304	163 0 0	61,620	17 4 0	44,815	15 0 1	30,155	10 1 7	26,850	9 0 0	24,540	8 4 0	178,010	59 9 8	
Add amount payable under rule 24 (d) to make up minimum salary ..											1 0 0		1 12 0		2 12 0	
Total ..					17 4 0		15 0 1		10 1 7		10 0 0		10 0 0		62 5 8	

14

Balance ..	16 4 0	0 8 0	13 12 1	10 0 0	10 0 0	10 0 0	60 0 1
Deduct amount recoverable under rule 27 for March 1884.							
Balance ..	16 4 0	13 12 1					60 0 1
							40 0 0
							20 0 0
							15 0 0
							7 0 0
							2 0 0
Total ..	163 0 0						144 0 1
Deduct expenditure ..	144 0 1						
Net balance in favor of Government.	18 15 11						

15

* This being deducted from Ra. 1-8-0, paid to this copyist in excess, there remains Ra. 1-5-5 still to be recovered.

27

PART I.										PART II.*				
Name of court.	Number of permits on the roll.	Value of stamp papers received.	CHARGES.						Surplus.	Value of stamp papers actually expended.	Over-pay-ments to make up minimum salary (rule 34c).	Recoveries (rule 27).	Remarks.	
			Fixed salary (rule 24) of		Net extra allowances (rule 27).	Cost of stationery (rule 28).	Contingent expenditure (rule 4).	Total.						
			Copyists.	Other establishment.										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.		

* Part II should be filled in only in copies submitted to the district court and the High Court.

24-1-09
5.3.20

Gobt. of {1884} Madras.
JUDICIAL.

Issued

Recd.

Encl.

G.O., 22nd May 1884, No. 1264.

MAY.

Copyist Rules.

Passing with certain modifications copyist rules as amended by the High Court, and declaring the appointments of superintendent, assistant superintendent, reader, and examiner to be permanent and hence pensionable.

Original Rules

B

31

PROCEEDINGS OF THE HIGH COURT OF JUDICATURE AT MADRAS.

dated 26th 7th December 1882

The Madras Government having, in communication with the High Court, resolved that all copies of judicial records shall hereafter be transcribed by enrolled Copyists in the Civil Courts, and that payment for copies shall be made in the form of one or more impressed stamp papers of the value of 2 annas each, and not in cash as hitherto, the High Court has framed the following rules in the exercise of the powers conferred in Section 652 of the Code of Civil Procedure, and all other powers enabling it in that behalf.

Existing system abolished. 1. On and after the 1st day of April, 1883, the payment of fees in cash by applicants for copies shall be discontinued.

2. A fixed number of Copyists shall be enrolled for each Court of Civil Jurisdiction. Where two or more Courts are situated at the same station (as for instance, a District and District Munsif's Court, a District, Subordinate, and District Munsif's Court, or a Subordinate and District Munsif's Court), and where the circumstances render it feasible, a fixed number of Copyists shall be enrolled in one Central Office for the preparation of copies for all such Courts at that station.

No person shall be enrolled as a Copyist unless he is able to write a legible hand and not less than 12 sheets of 140 words *per diem*.

3. The number of Copyists to be enrolled (a) for each Court, and (b) for a Central Office, shall be fixed by the District Judge, subject to the confirmation of the High Court. The number so fixed may, at any time, be reduced by the District Judge; but it shall not be increased without the previous sanction of the High Court. Provided that it shall be competent to District Judges, without reference to the High Court, to employ *extra* Copyists in circumstances of pressure or emergency.

4. Where a Central Office has been established, and where the funds allow, a Superintendent and one or more Examiners and Readers will also be appointed. Where the District Judge thinks it necessary and the funds allow of the expenditure, an Attender or superior peon may also be appointed.

(a.) Where no Central Office has been established, and where the Copyists exceed four in number, an Examiner may also be appointed.

(b.) In all other cases, no special Examiners shall be appointed; but it shall be the duty of the Head Ministerial Officer of the Court to see that copies are duly examined, either by himself personally, or by some other responsible Ministerial Officer.

5. Registers in the forms given in the Appendix shall be opened and regularly kept, in the case of a Central Office, by the Superintendent, and in any other case, by either the Examiner or the senior Copyist. These Registers shall be examined once every week, in a Central Office, by

such Officer as the District Judge shall direct, and in any other case, by the Head Ministerial Officer of the Court.

6. Every application for a copy shall be addressed to the Judge of the Court in which the document is for the time being retained, and shall be presented by the party, his pleader, or the latter's authorized gumastah, to the Superintendent or Head Ministerial Officer, as the case may be, between the hours of 11-30 A. M. and 3 P. M.

7. Every application for a copy shall set out the party's name, and his position in the suit or proceeding, and shall contain a description of the document, of which a copy is required.

8. Applications not complying with the requirements of Rules 6 and 7 are not to be received until amended in respect of the matters in which they are defective.

9. All other applications shall be received and at once entered in Register A.

10. Copies of the Judge's minutes, of correspondence not strictly judicial, or generally of any confidential proceedings, will not be granted.

11. Where, in the case of an application entered in Register A, doubts arise as to whether the document of which a copy is applied for, is one of which a copy can or ought to be granted, the Superintendent or Head Ministerial Officer, as the case may be, shall lay the application before the Judge. If the application is refused by the Judge, the application with the order of refusal endorsed thereon shall be returned to the applicant, and the order of refusal shall be noted in Register A.

12. In the case of every other application, and of every application allowed by the Judge under Rule 11, it shall be the duty of the Superintendent or Head Ministerial Officer, as the case may be, forthwith to forward the application with Register B to the clerk in charge of the records of which copies are applied for, who shall affix his initials in acknowledgment of receipt in the appropriate column of that Register. The original records shall thereupon be at once put up with the application and sent to the Superintendent, or to the Head Ministerial Officer, as the case may be. In no case is such application to be returned to the Copyists' Department without the records, unless the originals are not forthcoming, in which case the application will be returned to the Superintendent or Head Ministerial Officer, with a certificate endorsed thereon to that effect, attested by the returning clerk's initials. This certificate shall thereupon be signed by the Superintendent or Head Ministerial Officer, as the case may be, and the application returned to the applicant, a note of the same being made in Register A.

13. On the receipt of the originals, the Superintendent or Head Ministerial Officer, as the case may be, shall enter the date in Register A, and shall note on the application the number of stamp papers of the value of 2 annas, calculated at the rate of one sheet for every 140 words, required for the copy or copies.

(a.) To facilitate the computation of the stamp papers required under this rule, 20 lines may be taken as equivalent to 140 words.

(b.) A fraction of a sheet shall also, for purposes of computation, be taken as a whole sheet, and no payment of a lesser value than a 2 anna-paper shall be receivable.

(c.) In computing the charge leviable for copies of figured statements, 5 figures shall be taken as equivalent to one word and 35 figures as equivalent to one line.

(d.) In the case of maps, plans, and genealogical trees, a reasonable fee (proportionate to the skill, labor, and time occupied in preparing the copy) shall be fixed by the Court, and from such fee, the Court shall, for the purpose of Rule 28, allot to the Copyist such special remuneration as may appear reasonable and proper.

14. Copies must be transcribed on one side only of the sheets supplied to the Courts.

15. Every day, between the hours of 3 and 5 P. M., a list of the applications in which the records were received, and the number of stamp papers required, shall be prepared and affixed to the board. Such list shall remain suspended for three days. If the required stamp papers have not been deposited by 3 P. M. on the fourth day, counting that on which the list was suspended, the application will be struck off. Between the hours of 3 and 5 P. M., on each of the intermediate days, the applications upon which the requisite deposits have been made shall be struck off the list. Lists so put up shall remain filed in the Copyists' Department for six months and shall then be destroyed.

16. Where application is made in an outlying District Munsif's Court for copies of a record or of any portion of a record, which has in due course been forwarded by the District Munsif to the District Court, the application shall be forwarded to the District Court; and it shall thereupon be the duty of the proper officer of the District Court to inform the local Court of the number of two-anna papers required for the copy. When the required number of stamp papers have been forwarded to the District Court, the copy shall be made in due course as provided in these rules, and shall be forwarded by post to the local Court for delivery to the applicant.

Where the procedure above prescribed would entail delay, and where the applicant prefers to apply to the District Court direct, the application may be endorsed and returned to him for presentation in the District Court.

17. All stamp papers paid in shall be at once entered in Register A, and the preparation of the required copies shall, as far as possible, be undertaken in accordance with the serial order of application. Provided that the Superintendent or Head Ministerial Officer shall, on the application of the parties, give precedence to the preparation of copies required to be filed or used for the purposes of instituting suits or proceedings or for the purposes of pending suits or proceedings.

18. When the copy applied for has been transcribed by the Copyist, it shall be compared by the Examiner or Head Ministerial Officer, aided by a Reader or by some one of the Copyists; but in no case shall a copy be read to the Examiner, or the examination in any way assisted in, by the Copyist who prepared the copy.

(a). Where in any Court not connected with a Central Office, less than three Copyists are enrolled, the work of reading shall, if necessary, be done by the clerks of the Court; but no clerk so reading shall be entitled to any fees for such work.

19. The Superintendent or Head Ministerial Officer, as the case may be, shall be responsible that the work of copying and the work of reading to the Examiner are distributed as equally as possible amongst the enrolled Copyists. To ensure copies being fully and legibly written, no more than 16 sheets should, as a rule, be given to each Copyist per day. At the close of each day, all original papers and all copies not delivered to the parties, as well as all stamp papers not yet used for copies, shall be taken back from the Copyists and secured for the night by the Superintendent or Head Ministerial Officer, as the case may be.

20. All copies made and issued by the Courts after the date on which these rules come into force shall be authenticated copies, and the grant of unauthenticated copies will from the same date be discontinued. The certificate that the copies are true copies shall be signed by the Superintendent or Head Ministerial Officer, as the case may be. The practice of making erasures by removing (i. e., scratching out or otherwise effacing) words written by mistake is strictly prohibited in regard to all copies to be made after the date on which these rules come into force: instead of erasing the incorrect word, the word is simply to be struck through with one line by the pen, and the correct word written on above the word so struck through—(e. g.)—

^{District} ^{defendant,}
The Civil Court decreed in favor of ^{plaintiff.}

21. When the copies are ready for delivery, the originals shall be returned to the Record-keeper or the clerk from whom they were obtained, and his initials taken in the appropriate column of Register B.

22. Copies ready will be delivered to the applicants concerned between the hours of 10-30 and 11-30 A. M. and 3 and 5 P. M.

23. Every copy shall bear an endorsement showing the following dates:—

1. Application made,
2. Originals ready,
3. Stamp papers deposited,
4. Copy ready, and
5. Copy delivered.

24. Persons requiring copies of records connected with any Civil or Proceedings to which they were not parties, may move the Court by petition to furnish them with the same.

25. The salaries of the Examiner in a Court not connected with a Central Office shall be Rs. 20 *per mensem*.

(a). The salaries of an Examiner in a Central Office shall be Rs. 25 *per mensem*.

(b). The salary of a Superintendent in a Central Office shall be on the following scale, according to service:—

1. Rs. 30 to 35, where the Copyists of two Courts are amalgamated in one Office;

2. Rs. 40 to 45, where the Copyists of three Courts are amalgamated in one office, and

3. Rs. 50 to 60, where the Copyists of more than three Courts are amalgamated in one office; or if the District Judge should think it preferable, an Assistant Superintendent on a salary of Rupees 20 may be engaged.

(c). In any case in which the High Court may sanction the appointment of a Reader, his salary shall be Rupees 15 *per mensem*.

(d). The salary of an enrolled Copyist shall be proportioned to the amount of work done by him, provided that no enrolled Copyist shall receive a smaller salary than Rupees 10 *per mensem*, or, in the case of a District Munsif's Court, a larger salary than Rupees 12 *per mensem*, and in every other case, a larger salary than Rs. 15 *per mensem*.

26. The salaries of the Copyists' Establishment shall be drawn once a month by a bill, in the same form as that used for the regular Establishment's pay, on the nearest Government Treasury, and the amount so drawn shall be distributed by the Head Ministerial Officer of the Court to which the Copyist Establishment is attached, and the signatures of the payees taken in the same manner as those of the payees of the regular Establishment.

27. The charge of 2 annas (per stamp paper of 140 words) includes, besides the cost of the paper on which the stamp is impressed, the cost of copying, examining and certifying to the correctness of the copy.

28. The amount of salary, if any, due to each Copyist in excess of the minimum prescribed by Rule 25 (d), shall for each month be ascertained from and accounted for in Register D. For the purpose of calculating such extra payments (if any), the hire debitable in Register D on account of the Copyists' work shall be at the rate of nine pies per sheet of 140 words. Where the work of examining is performed by the Head or other Ministerial Officer as prescribed in Rule 4 (a), the Head or other Ministerial Officer will be entitled to remuneration at the rate of 3 pies for every 140 words examined. The balance of 1 anna and 3 pies, or of 1 anna, will be carried to the credit of Government as a fund from which to pay the salaries of the Copyist Establishments.

29. Ink and pens will be furnished to the Copyist Establishments from the supply received by the Court on indent from the Superintendent of Stationery. The estimated cost of such ink and pens will be debited monthly in Register D to the Copyist Establishments.

30. Service on the Copyist Establishment, whether as Copyist, Examiner, Copyists' Establishment not Superintendent, Assistant Superintendent, Reader, or Attender, shall confer no qualification for pension from Government.

31. Monthly statements of the Receipts and Charges on account of copies calculated on the principle provided in Rule 28 shall be forwarded to the Local Treasury Officer, and in the case of a Court not connected with a Central Office being other than a District Court, also to the District Judge. Where it appears from the monthly statements that the receipts on account of copies do not fully cover the charges or that the number of Copyists is unnecessarily large, it will be the duty of the District Judge to revise the Copyist Establishment so as to avoid loss to Government.

32. Where copies are supplied in a printed form (i.e., Judgments, Orders, &c.,) the charges prescribed in the above rules will apply. Payment for printed copies must be made in the form of two-anna stamp papers.

33. All former rules on the subject of Copies and Copyists are hereby rescinded.

34. The above rules apply, with the exception stated in Rule 35, to all Copyist Establishments in, and to all Copies to be furnished by, District and Sessions Courts, Subordinate Judges' Courts and District Munsifs' Courts and also to the Presidency Court of Small Causes, and Cantonment Courts of Small Causes. They do not for the present apply to the Copyists of, or to the Copies to be furnished by, the Courts of Magistrates or of Revenue Officers.

35. Nothing contained in the above rules shall apply to copies which, under any provision of law for the time being in force, the Courts are required to grant free of cost. Such copies shall ordinarily be made by the regular Establishments of the Courts; but in cases in which it may be necessary to employ the Copyist Establishments to make such copies, the hire of the Copyists shall be paid in cash out of contingent funds, and the amount credited to Register D.

REGISTER A.

Showing the Receipt and Disposal of Applications for Copies in the { Court of
Central Office. }

Month and day of Application.	General Number.	Number of Suit or Case and designation of Court.	Name of Applicant.	Description of Paper.	Original ready.	CHARGES PAID.			Initials of Copyist.	Copy ready. livered.	Signature of the Applicant.
						Stamp.	Date.				
1	2	3	4	5	6	7	8	9	10	11	12

REGISTER D.
Showing the Account Current regarding the Copyists' Establishment and the amount of Wages due to each Copyist on the Establishment for the month of

Date.	Application Number.	Stamp Papers ACTUALLY RE- FERRED.		Copyist A.		Copyist B.		Copyist C.		Copyist D.		Copyist E.		TOTAL OF ALL COPYIST WORK.		Result.
		Number.	Value.	No. of words copied.	Amount earned at 9 pies per 140 words.	No. of words copied.	Amount earned at 9 pies per 140 words.	No. of words copied.	Amount earned at 9 pies per 140 words.	No. of words copied.	Amount earned at 9 pies per 140 words.	No. of words copied.	Amount earned at 9 pies per 140 words.	No. of words copied.	Amount earned at 9 pies per 140 words.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
1883.																
1st January																
2nd do.																
3rd do.																
Total		1,600	200											25,000	75	
Deduct expenditure																
Net balance in favor of Government																
Total		1,600	200												179	

Decree No. 1. to High Court Letter No. 992 dated 20 March 1884.

Draft of Amended Rules

Copyist Rules dated 7th December 1882, as amended on the 20th March 1884.

THE Madras Government having, in communication with the High Court, resolved that all copies, which are not printed, of judicial records, other than the records referred to in Rule 14 b, shall hereafter be transcribed by enrolled Copyists in the Civil Courts, and that payment for copies so transcribed shall be made in the form of one or more impressed stamp papers of the value of 2 annas each, the High Court has framed the following rules in the exercise of the powers conferred in Section 652 of the Code of Civil Procedure, and all other powers enabling it in that behalf.

1. On and after the 1st day of April, 1883, the payment of fees in cash by applicants for copies shall be discontinued, except in the case provided for in Rule 14 b.

2. A fixed number of Copyists shall be enrolled for each Court of Civil Jurisdiction. Where two or more Courts are situated at the same station (as for instance, a District and District Munsif's Court, a District, Subordinate, and District Munsif's Court, or a Subordinate and District Munsif's Court), and where the circumstances render it feasible, a fixed number of Copyists shall be enrolled in one Central Office for the preparation of copies for all such Courts at that station. No person shall be enrolled as a Copyist unless he is able to write a legible hand and copy not less than 12 sheets of 140 words per diem.

3. The Copyist establishment, inclusive of Examiners, Readers, and Superintendent, if any, to be entertained for each Office, together with a provision for contingencies, shall be fixed by the District Judge, subject to the orders of the High Court. The orders of the High Court sanctioning or altering such establishment or contingent provision shall be final and shall be accepted by the Account Department as sufficient authority for disbursing salaries to the extent sanctioned.

4. It shall be competent to District Judges without the previous sanction of the High Court to employ temporary Copyists, Examiners and Readers when circumstances of special emergency renders such a course necessary. Such temporary establishments shall be paid out of the contingent provision.

5. Where a Central Office has been established, and where the funds allow, a Superintendent and one or more Examiners and Readers will be appointed. Where the District Judge thinks it necessary and the funds allow of the expenditure, an Attender or superior peon may also be appointed.

(a.) Where no Central Office has been established, and where the Copyists are two or more in number, an Examiner may also be appointed.

6. Registers in the forms given in the Appendix shall be opened and regularly kept, in the case of a Central Office, by the Superintendent and in any other case, by the Examiner, or where there is no Examiner, by such Officer as the Court shall direct. These Registers shall be examined once every week, in a Central Office, by such Officer as the District Judge shall direct, and in any other case, by the Head Ministerial Officer of the Court.

7. Every application for a copy shall be addressed to the Judge of the Court in which the document is for the time being retained, but where an application is made in any Court for copies of a record or of any portion of a record, which has in due course been forwarded to the District Court, the application shall be endorsed and returned to the applicant for presentation in the District Court.

8. The application shall be presented by the party, his pleader, or the latter's authorized Gumastah, to the Superintendent or Head Ministerial Officer, as the case may be, between the hours of 11-30 A. M. and 3 P. M., and it shall set out the party's name, and his position in the suit or proceeding, and shall contain a description of the document of which a copy is required.

9. Applications not complying with the requirements of Rule 8 are not to be received until amended in respect of the matters in which they are defective.

10. All other applications shall be received and at once entered in Register A.

11. Copies of the Judge's minutes, of correspondence not strictly judicial, or generally of any confidential proceedings, will not be granted. Persons requiring copies of records connected with any civil suit or proceedings to which they were not parties may move the Court by petition to furnish them with the same.

12. Where, in the case of an application entered in Register A, doubts arise as to whether the document of which a copy is applied for is one of which a copy can or ought to be granted, the Superintendent or Head Ministerial Officer, as the case may be, shall lay the application before the Judge. If the application is refused by the Judge, the application with the order of refusal endorsed thereon shall be returned to the applicant, and the order of refusal shall be noted in Register A.

13. In the case of every other application, and of every application allowed by the Judge under Rule 12, it shall be the duty of the Superintendent, Examiner or such other Officer as the Court may direct, forthwith to forward the application with Register B to the clerk in charge of the records of which copies are applied for, who shall affix his initials in acknowledgment of receipt in the appropriate column of that Register. The original records shall thereupon be at once put up with the application and sent to the Superintendent, Examiner or other Officer, as the case may be. In no case is such

application to be returned to the Copyist Department without the records, unless the originals are not forthcoming, in which case the application will be returned to the Superintendent, Examiner or other Officer, as the case may be, with a certificate endorsed thereon to that effect, attested by the returning clerk's initials. This certificate shall thereupon be signed by the Superintendent, Examiner or other Officer, as the case may be, and the application returned to the applicant, a note of the same being made in Register A.

14. On the receipt of the originals, the Superintendent, Examiner or other Officer, as the case may be, shall enter the date in the Register A, and shall note on the application the number of words contained in each document and the number of stamp papers of the value of 2 annas required for copying the same, calculated at the rate of one sheet for every 140 words, or a fraction of 140 words.

(a.) For the purposes of this rule, 5 figures shall be taken as equivalent to one word.

(b.) Where the copies applied for are of maps, plans and genealogical trees, they shall be prepared by skilled labour. A reasonable fee (proportionate to the skill, labor and time occupied in preparing the copy) shall in each case be fixed by the Court and deposited in cash by the party applying, in the same manner as for a Commissioner under the Code of Civil Procedure, and the whole of such fee shall be paid to the person employed in preparing the copy, he supplying his own materials. When an enrolled Copyist is appointed to prepare the copy, he shall do the work out of office hours or take leave without pay to do it.

15. Every day between the hours of 3 and 5 P. M., a list showing the applications in which the records have been received, and the number of stamp papers required, shall be prepared and affixed to the Court's notice-board. Such list shall remain suspended for three days. If the required stamp papers have not been deposited by 3 P. M. on the fourth day, counting that on which the list was suspended, the application will be struck off. Between the hours of 3 and 5 P. M., on each of the intermediate days, the applications upon which the requisite deposits have been made shall be struck off the list. Lists so put up shall remain filed in the Copyist Department for six months and shall then be destroyed.

16. All stamp papers deposited shall be at once entered in Register A, and the preparation of the required copies shall, as far as possible, be undertaken in accordance with the serial order of applications. Provided that the Superintendent, Examiner or other Officer, as the case may be, shall, on the application of the parties, give precedence to the preparation of copies urgently required to be filed or used for the purposes of instituting suits or proceedings or for the purposes of pending suits or proceedings.

Copies to be written on stamped side only.

17. Copies must be transcribed on that side only of the paper which bears the stamp.

18. When the copy applied for has been transcribed by the Copyist, it shall be compared by the Examiner, or where there is no Examiner, by such Officer as the Court shall direct, aided by a Reader or by some one of the Copyists; but in no case shall a copy be read to the Examiner, or the examination in any way assisted in, by the Copyist who prepared the copy.

19. The Superintendent, Examiner or such other Officer as the Court may direct, shall be responsible that the work of copying and the work of reading to the Examiner are distributed as equally as possible amongst the enrolled Copyists. To ensure copies being fully and legibly written, no more than 16 sheets should, as a rule, be given to each Copyist per day. At the close of each day, all original papers and all copies not delivered to the parties, as well as all stamp papers not yet used for copies, shall be taken back from the Copyists and secured for the night by the Superintendent, Examiner or such other Officer as the Court may direct.

20. All copies made and issued by the Courts after the date on which these rules come into force shall be authenticated copies, and the grant of unauthenticated copies will from the same date be discontinued. The certificate that the copies are true copies shall be signed by the Superintendent, Examiner or other Officer, as the case may be, and he shall also initial every alteration or correction made therein. The practice of making erasures by removing (i. e. scratching out or otherwise effacing) words written by mistake is strictly prohibited in regard to all copies to be made after the date on which these rules come into force: instead of erasing the incorrect word, the word is simply to be struck through with one line by the pen, and the correct word written on above the word so struck through—(e. g.)—

District

defendant.

The Civil Court decreed in favor of Plaintiff.

21. When the copies are ready for delivery, the originals shall be returned to the Record-keeper or the clerk from whom they were obtained, and his initials taken in the appropriate column of Register C.

Return of records after copying.

Hours for delivery of copies.

22. Copies ready will be delivered to the applicants concerned between the hours of 10-30 and 11-30 A. M. and 3 and 5 P. M.

Endorsement of dates on copies.

23. Every copy shall bear an endorsement shewing the following dates:—

1. Application made,
2. Stamp papers called for,
3. Stamp papers deposited,
4. Copy ready, and
5. Copy delivered.

*In the case of stamp papers deposited under Rule 15 becoming spoiled or otherwise unfit for use, renewals and refunds can be obtained as in the case of non-judicial stamps under the authority of G. O. dated 17th April and 6th May 1883, Nos. 463 and 563, Revenue Department.

Rate of Salaries.

24. (a). The salary of an Examiner shall be Rs. 20 *per mensem* where funds permit.

(b). The salary of a Superintendent shall be as follows:—

1. Rs. 30, where the Copyists of two Courts are amalgamated in one Office;
2. Rs. 40, where the Copyists of three Courts are amalgamated in one Office, and
3. Rs. 50, where the Copyists of more than three Courts are amalgamated in one Office; and, if necessary, the High Court will sanction an Assistant Superintendent also on a salary not exceeding Rs. 20.

(c). In any case in which the High Court may sanction the appointment of a Reader, his salary shall be Rupees 15 *per mensem*.

(d). The salary of an enrolled Copyist shall be proportioned to the amount of work done by him, provided that no enrolled Copyist shall receive less than Rupees 10 *per mensem*. It will be open to all Copyists to earn, as provided in Rule 28, without limitation of amount, allowances in excess of Rupees 10.

(e). The salary of an Attender, where appointed, shall not exceed Rupees 10 *per mensem*.

25. The salaries of the Copyist Establishment shall be drawn once a month by a bill, in the same form as that used for the regular establishment's pay, on the nearest Government Treasury, and the amount so drawn shall be distributed by the Head Ministerial Officer of the Court to which the Copyist Establishment is attached, and the signatures of the payees taken in the same manner as those of the payees of the regular establishment.

26. The charge of 2 annas (per stamp paper of 140 words) includes, besides the cost of the paper on which the stamp is impressed, the cost of copying, examining and certifying to the correctness of the copy.

27. The amount of allowances, if any, due to each Copyist in excess of the minimum prescribed by Rule 24(d), shall for each month be ascertained from and accounted for in Register D. For the purpose of calculating such *extra* payments, if any, the hire debitable in Register D on account of the Copyists' work shall be at the rate of nine pies for 140 words. But *extra* allowances under this rule shall always be subject to a recovery being made up to the amount of any excess paid to the Copyist in either or both of the two last working months in order to make up his minimum salary.

28. Stationery, inclusive of pen, ink, pencils, blotting paper, rulers, &c., will be furnished to the Copyist Establishment from the supply received by the Court on indent from the Superintendent of Stationery. The estimated cost of such Stationery will be debited monthly in Register D to the Copyist Establishment.

29. Service on the Copyist Establishment as Superintendent, Assistant Superintendent, Examiner or Reader, shall qualify for pension, but not service as a Copyist or Attender.

30. Monthly statements of the Receipts and Charges in the form appended shall be forwarded to the Local Treasury Officer, and, in the case of a Court not connected with a Central Office being other than a District Court, also, to the District Judge; and a compiled statement for all the Courts of the District shall be forwarded by the District Court to the High Court. Where it appears from the monthly statements that the receipts on account of copies do not fully cover the charges or that the number of Copyists is unnecessarily large, it will be the duty of the District Judge to revise the Copyist Establishment so as to avoid loss to Government.

31. All former rules on the subject of Copies and Copyists are hereby rescinded.

32. The above rules apply, with the exception stated in Rule 34, to all Copyist Establishments in, and to all copies to be furnished by, District and Sessions Courts, Subordinate Judges' Courts and District Munsifs' Courts and also to the Presidency Court of Small Causes and Cantonment Courts of Small Causes. They do not apply to the Copyists of, or to the copies to be furnished by, the Courts of Magistrates or of Revenue Officers.

33. Nothing contained in the above rules shall apply to printed copies or to copies which, under any provision of law for the time being in force, the Courts are required to grant free of cost. As to printed copies, separate rules have been made. Copies to be granted free of cost shall be made by the regular establishments of the Courts.

REGISTER A.

Showing the Receipt and Disposal of Applications for Copies in the { Court of } at { Central Office. }

Month and day of Application.	General No.	Number of Suit or Case and designation of Court.	Name of Applicant.	Description of Paper.	Original ready.	CHARGES PAID.			Initials of Copyist.	Copy ready.	Copy delivered.	Signature of the Applicant.
						Stamp.	Date.					
1	2	3	4	5	6	7	8	9	10	11	12	

REGISTER D.

Showing the Account Current of the Copyist Establishment and the amount of Salary due to each Copyist.
on the Establishment for the month of 188 .

REGISTER D.

Date.	Application Number.		STAMP PAPERS ACTUALLY EX- PENDED.		Copyist A.		Copyist B.		Copyist C.		Copyist D.		Copyist E.		TOTAL OF ALL COPYIST'S WORK.		REMARKS.
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	
			Number.	Value.	No. of words copied.	Amount earned at 9 pies for 140 words.	No. of words copied.	Amount earned at 9 pies for 140 words.	No. of words copied.	Amount earned at 9 pies for 140 words.	No. of words copied.	Amount earned at 9 pies for 140 words.	No. of words copied.	Amount earned at 9 pies for 140 words.	No. of words copied.	Amount earned at 9 pies for 140 words.	
1881.	1st April	...															
	2nd do.	...															
	•	•															
	30th do	...															
	Total...	...	1,804	163 0 0	51,520	17 4 0	44,815	15 0 1	80,155	10 1 7	28,880	9 0 0	24,640	8 4 0	1,78,010	59 9 8	
	*Add amount payable under Rule 24 (d) to make up minimum salary	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total...	...	...	...	...	17 4 0	...	16 0 1	...	10 1 7	...	10 0 0	...	10 0 0	...	62 5 6	

[illegible]

* This being deducted from Rs. 13-0, paid to this Copyright in excess, there remains Rs. 1-9-5 still to be recovered.

Statement of Receipts and Charges on account of Copyist Establishment in the Court of
of for the month of 188 . in the District

[illegible]

• Part II should be filled in only in copies submitted to the District Court and the High Court.

2. L. to High Comdr. letter of No. 492, dated 23rd March 1884

Grade 1222/506

Order 50
Letter
Collection

PAPER, No.

7-12-30

W
G.O. DATED 22nd Ma
No. 1264.

First copy sent to Press.

Returned for signature.

Despatched in print.

[Despatch A

(Copyist's initials)
certain made
rules as and
High Court,
the appropr
Arab Suph.
To be perma
pensionable

15-5-

16-5-14 ✓

17-5-

14.1-09 ✓

25-1-16.1

W

1-2-24 ✓