

# *The Punjab Copying Fees Act, 1936*

*Punjab Act 5 of 1936*

h1100

*Received the assent of his Excellency the Governor on the 4th November, 1936 and that of his Excellency the Viceroy and Governor General on the 24th November, 1936, and was first published in the Punjab Gazette Extraordinary on the 27th November, 1936.*

## **LEGISLATIVE HISTORY 6**

- Amended in part by Adaptation of Laws Order, 1950
- Amended in part by Adaptation of Laws (Third Amendment) Order, 1951
- Amended by Haryana Adaptation of Laws (State and Concurrent Subjects) Order, 1968.

**An Act to facilitate the recovery of fees payable for copies made or supplied of records in offices under the control of Revenue, Judicial and other officers of Government.**

**Preamble.** - Whereas it is expedient to facilitate the recovery of fees payable for copies made or supplied of records kept in offices under the control of Revenue, Judicial and other officers of Government in the [Haryana]

and whereas the previous sanction of the Governor-General, required under sub-section (3) of section 80-A of the Government of India Act, has been obtained; it is hereby enacted as follows:-

**1. Short title, extent and commencement.** - (1) This Act may be called the Punjab Copying Fees Act, 1936.

(2) It extends to [Haryana].

(3) It shall come into force on [such date] as the [State] Government may by notification appoint in this behalf.

## **Object & Reasons6**

**Statement of Objects and Reasons.** - "Under the system which prevails at present in regard to the supply of copies of records by Revenue, Judicial and other departments of Government, the applicant has to make a preliminary deposit with his application. The amount can be deposited either direct into the treasury at headquarters or can be sent by money order. This system is considered to be a source of great inconvenience particularly to the poor and more ignorant persons living in villages at a distance from headquarters. In order to remove this grievance, it is proposed to introduce a system by which copies will be supplied per V.P.P. through post. But the system can be successful only if there are adequate safeguards against the rejection of V.P. parcels by the addressees and consequent loss to Government. It is, therefore, proposed that Government should be empowered to recover as arrears of land revenue the dues in respect of a copy, of whatever description it may be, supplied at the applicant's request. At present the power exists only, in regard to charges leviable for copies of records made under the

provisions of the Punjab Land Revenue Act, 1887. The proposal was recommended by a Conference held in March, 1936, between the Financial Commissioner, Revenue, and two Hon'ble Judges of the High Court with the object of improving generally the present arrangements, which have been criticized as unsatisfactory by the Legislative Council, in regard to the supply of copies to the litigant public."

see Punjab Government Gazette Extraordinary, 1936, pages 67-68; and for proceedings in Council, see Punjab Legislative Council Debates, Volume XXXIX, pages 180-182.

**2. Definition.** - In this Act "record" includes any portion of a record and any document, plan, map or other paper attached thereto or forming part of the record of any suit or appeal, enquiry or trial or other proceeding in any court or office.

**3. Mode of recovery of fees.** - When any copy of any record has been made at the request of any applicant or his agent and such applicant or his agent has refused to accept delivery of the same or when any copy has been supplied to any such applicant or his agent, and the fee or any portion of the fee leviable for the supply of such copy remains unpaid the said fee or portion thereof may be recovered from the applicant as if it were an arrears of land revenue:

Provided that a pleader presenting such an application on behalf of a client will not be held personally responsible where the application bears the signature or thumb-impression of such client.