

**HIGH COURT OF JUDICATURE AT ALLAHABAD
AMENDMENT (Admin. 'G-II') SECTION
NOTIFICATION**

NO...1063...VIII(a)
(Correction Slip No.127)

Dated: 21-11-2023

In exercise of the power conferred by the Article 227 of the Constitution of India and Section 122 of the Code of Civil Procedure, 1908 read with Section 21 of General Clauses Act, 1897, the High Court of Judicature at Allahabad with the previous publication of 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.

**DRAFT RULES
THE GENERAL RULES (CIVIL) (AMENDMENT), 2022.**

1. Short title and Commencement.- (1) These rules shall be called "The General Rules (Civil) (Amendment), 2022."

(2) These rules shall come into force on the date of their final publication in the Official Gazette.

2. Definitions.- The Rule means '**The General Rules (Civil), 1957**'.

3. Amendment in Rule 273 of Chapter XI - The existing rule 273 of chapter XI of the rules shall be substituted as follows:

EXISTING	PROPOSED AMENDMENTS/SUBSTITUTION
<p>273. Head of Account-The following are the heads of account under which the money received and paid under this chapter is classified:</p> <p>(1) Civil Court Deposits and Repayments including-</p> <p>(i) Sums paid under decrees and orders;</p> <p>(ii) Sums deposited under Order XX, Rule 14, and Order XXIV Rule. 1 of the Code, and Section 83 of the T.P. Act (No. IV of 1882);</p> <p>(iii) Sums deposited under Order XXI, Rule 34, or paid under Order XXI, Rule 85;</p> <p>(iv) Sums deposited under Section 379 (1) of Act XXXIX of 1925;</p> <p>(v) Sums deposited in lieu of security, and</p> <p>(vi) Sums deposited under the Land Acquisition Act (1 of 1894).</p>	<p>273. Head of Account-The following are the heads of account under which the money received and paid under this chapter is classified:</p> <p>(1) Civil Court Deposits and Repayments including-</p> <p>(i) Sums paid under decrees orders and awards including interim awards;</p> <p>(ii) Sums deposited under Order XX, Rule 14, and Order XXIV Rule. 1 of the Code, and Section 83 of the T.P. Act (No. IV of 1882);</p> <p>(iii) Sums deposited under Order XXI, Rule 34, or paid under Order XXI, Rule 85;</p> <p>(iv) Sums deposited under Section 379 (1) of Act XXXIX of 1925;</p> <p>(v) Sums deposited in lieu of security, and</p> <p>(vi) Sums deposited under the Land Acquisition Act (1 of 1894).</p>

(vii) Sums deposited Under Section 30(1), 30(2) of Act No. XIII of 1972.	(vii) Sums deposited Under Section 30(1), 30(2) of Act No. XIII of 1972.
(viii) Sums deposited Under Order 15 Rule V of Civil Procedure Code.	(viii) Sums deposited Under Order XV Rule 5 of Civil Procedure Code.
(ix) Deposition Fees	(ix) Deposition Fees
(2) Cash and proceeds of sale of Intestate Property and Repayments.	(2) Cash and proceeds of sale of Intestate Property and Repayments.
(3) Payments and refunds under-	(3) Payments and refunds under-
(i) Fines, Section 480 of Act V of 1898;	(i) Fines, Section 480 of Act V of 1898;
(ii) Stamp duties and penalties, section 35 of Act II of 1899;	(ii) Stamp duties and penalties, section 35 of Act II of 1899;
(4) Petty cash accounts, including-	(4) Petty cash accounts, including-
(i) Travelling and other expenses of witnesses,	(i) Travelling and other expenses of witnesses,
(ii) Subsistence money for judgment-debtors;	(ii) Subsistence money for judgment-debtors;
(iii) Sums paid under the rules framed by the State Government under Section 27 Act XVIII of 1876 and Order XXI, Rule 43;	(iii) Sums paid under the rules framed by the State Government under Section 27 Act XVIII of 1876 and Order XXI, Rule 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 travelling and other expenses.	(x) Money deposited by a party or parties applying for local inspection by the Presiding Officer towards his travelling and other expenses.

4. Amendment in Rule 275 of Chapter XI - The existing rule 275 of Chapter XI of the rules shall be substituted as follows:

275. Payments to or through a Court-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 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.

*Note 1-*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 1.- Ed.

Note 2- Postage stamps shall not be received.

Note 3- Money shall be deposited and reimbursed in full denominations of rupees and fractions of rupees shall be rounded off.

275. Payments to or through a Court-*Payments of money to, or through, a Civil Court shall preferably be made through electronic mode/demand drafts/bankers cheques drawn on a recognized bank or by credit upon the treasury, in cash. Where specifically permitted such deposit may be made through postal order. 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 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.*

Provided: No amount in excess of Rs. 2000 may be deposited through Postal Orders.

*Note 1-*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 1.- Ed.

Note 2- Postage stamps shall not be received.

Note 3- Money shall be deposited and reimbursed in full denominations of rupees and fractions of rupees shall be rounded off.

Note 4- Any amount deposited under clauses (i) to (viii) of Rule 273(1) shall be received in a designated bank account with an approved bank and each deposit shall be retained in a case specific, interest-bearing term deposit.

Explanation:

In this Chapter, the words: -

1. 'approved bank' mean a bank included in the Second Schedule to the Reserve Bank of India Act, 1934, authorized to do business with the Government of India and/or the Government of Uttar Pradesh, approved by the Chief Justice from time to time.

2. 'designated bank account' mean the respective bank account at each 'approved bank' so designated by the Registrar General of the High Court of Judicature at Allahabad, from time to time, to receive deposits.

3. 'case specific interest-bearing term deposit' mean the term deposit prepared, bearing the details of the case in which the money may have been received in a designated bank account, to be renewed periodically subject to final order of the Court.

5. Amendment in Rule 276 of Chapter XI - The existing rule 276 of Chapter XI of the rules shall be substituted as follows:

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:

Provided that the money shall be remitted through electronic mode if the account number of the receiving court or establishment is available.

276. Remittance from one Court or Tribunal to another - All moneys shall be remitted from one Court or Tribunal to another Court or Tribunal only through electronic mode.

6. Amendment in Rule 277 of Chapter XI - The existing rule 277 of Chapter XI of the rules shall be substituted as follows:

277. Deposits in cash-Direct

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receipts of money which fall under head of Account (1) of Rule 273 shall, as far as possible, be avoided by courts, but where the distance between the court and the treasury is such that, in the opinion of the District Judge, inconvenience to applicants would arise, he may sanction the receipt by the Receiving Officer of cash deposits not exceeding Rs. 50 each:

Provided that where remittances to the nearest sub-treasury are not made daily by the Receiving Officer of any court, the limit of cash receivable under a single deposit shall be Rs. 10.

Cash, however, must be received when tendered under Head of Account (1) in the following cases-

(1) When the court is over 5 miles from the nearest treasury.

(2) When the money is payable into court under any of the following provisions of law, namely, Section 55, Order XX, Rules 11 and 14, and Order XXI, Rules 84 and 85 of the Code, and Section 379 (1) of Act XXXIX of 1925, and is tendered after the hour prescribed in Rule 279.

(3) When the proceeds of movable property, sold in execution through the officer of a civil court, under Order XXI, Rule 77, cannot be paid into the treasury on the day of sale.

Repayments of money falling under Head of Account (1) shall be made through the treasury.

N.B.-Also consult Appendix XVII of Financial Hand Book, Volume V, Part I.

receipts of money which fall under head of Account (1) of Rule 273 shall, as far as possible, be avoided by courts, but where the distance between the court and the treasury is such that, in the opinion of the District Judge, inconvenience to applicants would arise, he may sanction the receipt by the Receiving Officer of cash deposits not exceeding **Rs. 5000 each:**

Provided that where remittances to the nearest sub-treasury are not made daily by the Receiving Officer of any court, the limit of cash receivable under a single deposit shall be **Rs. 1000/-**.

Cash, however, must be received when tendered under Head of Account (1) in the following cases-

(1) When the court is over 5 miles from the nearest treasury.

(2) When the money is payable into court under any of the following provisions of law, namely, Section 55, Order XX, Rules 11 and 14, and Order XXI, Rules 84 and 85 of the Code, and Section 379 (1) of Act XXXIX of 1925, and is tendered after the hour prescribed in Rule 279.

(3) When the proceeds of movable property, sold in execution through the officer of a civil court, under Order XXI, Rule 77, cannot be paid into the treasury on the day of sale.

Repayments of money falling under Head of Account (1) shall be made through the treasury.

N.B.-Also consult Appendix XVII of Financial Hand Book, Volume V, Part I.

7. Amendment in Rule 279 of Chapter XI - The existing rule 279 of Chapter XI of the rules shall be substituted as follows:

279. Time for receipt of deposits-The time during which cash payable into court may be received is from the opening of the court until a time which shall, except as hereinafter provided, be

one hour in advance of the time fixed for the closing to the public of the treasury; and the accounts for the day shall then be made up. But even after this hour cash payable under Head of Account (1) must be received in the cases mentioned in Rule 277; such transactions shall be entered in the accounts bearing date of the next open day; but the receipts given to the payer shall also show (as a denominator) the actual date of payment, e.g., November 7/6:

Provided that the District Judge, having regard to local circumstances, may prescribe the hours during which money may be received in any court within his jurisdiction.

one hour in advance of the time fixed for the closing to the public of the treasury; and the accounts for the day shall then be made up. But even after this hour cash payable under Head of Account (1) must be received in the cases mentioned in Rule 277; such transactions shall be entered in the accounts bearing date of the next open day; but the receipts given to the payer shall also show (as a denominator) the actual date of payment, e.g., November 7/6:

Provided that the District Judge, having regard to local circumstances, may prescribe the hours during which money may be received in any court within his jurisdiction.

Provided further, money may be deposited through electronic mode, by midnight(Indian Standard Time) of the last date of such deposit.

8. Amendment in Rule 283 of Chapter XI - The existing rule 283 of Chapter XI of the rules shall be substituted as follows:

283. Mode of payment of money into Court-Payment of money into Court shall ordinarily be made by electronic mode, or, with the permission of the concern court or authority, by 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.

283. Mode of payment of money into Court-***Payment of money into Court under clauses (i) to (viii) of Rule 273 (1) shall ordinarily be made by electronic mode, or demand draft or bankers' cheque. With permission of the concerned Court such money may be deposited in cash, by means of a tender upon a printed triplicate form.***
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 (1) 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 Order XXIV, Rule 1, or by a *morigagor* 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 3147/4418(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.

Note (1) 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 Order XXIV, Rule 1, or by a *morigagor* 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 3147/4418(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.

9. Amendment in Rule 289 of Chapter XI - The existing rule 289 of Chapter XI of the rules shall be substituted as follows:

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 passbook 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.

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.

And the sums so levied shall be sent to the treasury for credit to

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 passbook 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.

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.

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.

Note 2-Proceeds of sales effected under orders of the Commissioner under the last para of Sec. 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.

Note 3-Sums entered in columns 11 to 19 of the Pass book shall not be brought into the Cash-book.

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Note 3-Sums entered in columns 11 to 19 of the Pass book shall not be brought into the Cash-book.

Note 4- The money receivable under clauses (i) to (viii) of Rule 273 (1) shall be deposited in an approved bank.

Note 5- Wherever, money deposited under clauses (i) to (viii) of Rule 273 (1) is not or cannot be disbursed immediately, it shall be retained in a case specific interest-bearing term deposit.

10. Amendment in Rule 291 of Chapter XI - The existing rule 291 of Chapter XI of the rules shall be substituted as follows:

291. Advice List.- Every receipt of deposit, either direct 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. Items received under cover of the Receiving Officer's Pass-book shall be entered in a lump sum the Treasury Advice List so maintained.

N.B. See also Rule 310, post-Ed.

291. Advice List.- Every receipt of deposit, either direct 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. Items received under cover of the Receiving Officer's Pass-book shall be entered in a lump sum the Treasury Advice List so maintained.

Provided : Every receipt of deposit made under clauses (i) to (viii) of Rule 273 shall be compared by the receiving officer of the Court, at the end

of each month, with the register of deposits, to be maintained for that purpose.

N.B. See also Rule 310, post-Ed.

11. Insertion of Second Proviso in Rule 295 in Chapter XI- Second Proviso shall be inserted in Rule 295 of Chapter XI as follows-

Provided that any amount deposited under clause (I) to (viii) of Rule 273 (1) Shall be paid out to the account of person entitled through electronic mode or as provided by the order of the court.

12. Insertion of Rule 296-A in Chapter XI.- Rule 296-A shall be inserted in Chapter XI of the Rules as follows:

296-A. All money lying in deposit under head (1)(i) to (1)(viii) of Rule 273 of this Chapter, from a date before the enforcement of The General Rules Civil (Amendment) Rules, 2022, shall be drawn from the Treasury and placed in 'case specific interest-bearing term deposit' with the 'approved bank'.

By order of the Court



(Rajeev Bharti)
Registrar General

No. | 5 | 2 | / VIII(a) / 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-H Section.

By order of the Court


20/11/23
(Rajeev Bharti)
Registrar General