

PART B—RULES UNDER SECTION 20, CLAUSES

(i) AND (ii)

Rules made by the High Court under the power conferred by section 20, clauses (i) and (ii) of the Court Fees Act, 1870, confirmed by the State Government regarding the fees chargeable for serving and executing processes issued by the High Court in its appellate jurisdiction and by the Civil and Criminal Courts established within the local limits of such jurisdiction.

RULES

1. The Civil Courts of the Punjab, shall, for the purpose of levying process fees, be divided into three grades as shown in the annexed table :-

Grades of Court for purposes of process fee.

Grade	Civil Courts
First ..	The High Court
Second ..	District Courts
Third ..	Courts subordinate to the District Court.

^[1]NOTE.— 1. The Disciplinary Committee of a Bar Council mentioned in Section 42 of the Advocates Act, 1961 (No. 25 of 1961) shall be deemed to be a Civil Court of the First Grade for the purposes of this rule.

^[2]2. For the purposes of this rule, a Tribunal established under section 12 of Punjab Act VIII of 1925) (the Sikh Gurdwaras Act of 1925) and the Motor Accidents Claims Tribunal, constituted under section 110 of the Motor Vehicles Act, 1939, shall be deemed to be a Civil Court of the Second Grade.

3. The Court of a Sub-Judge, invested with appellate powers, is deemed to be a District Court for the purposes of all appeals preferred and is therefore a court of the second grade.

[1] Added vide Correction Slip No. 17 Rules/XIX.A.12 dated 06.04.1966

[2]Substituted vide Correction Slip No. 19 Rules/XIX.A.12 dated 23.05.1966

Process fee for each Court.

^[1]2. Process fee for the service of the processes including summons, notices or other process shall be levied in each Court, Civil and Criminal @ Rs. 50 only (Rs. Fifty only) in each case at the time of institution. This fee will not include the charges for registered cover. In appropriate case, the Court may also ask for additional fee to the extent of Rs. 25 for any misc. application filed during the pendency of the proceedings.

Separate process to issue for each person to be served.

^[1]3. A separate process shall be issued for each person summoned or arrested, or upon whom a notice is served. In a case in which it is desired to attach the property of more than one person (judgment-debtors or their sureties), in the same village/city, a combined warrant of attachment shall be issued.

^[2]4. Deleted.

^[2]5. Deleted.

Processes issued by and sent to Courts in India to be served free of charge.

6. A process issued by any Court in India whether of Civil or Criminal jurisdiction, shall be served free of charge by any Court in the Punjab if it be certified on the process that the proper fee has been levied under the rules in force in the territory in which the Court issuing the process is situated. When any Court in the Punjab, whether of Civil or Criminal jurisdiction, transmits a process for service or execution to any Court beyond its jurisdiction, a certificate shall be endorsed on the process that the fee chargeable under rule 2 or rule 4, as the case may be, has been levied.

Travelling allowance of process-servers.

7. Ordinarily process-servers should travel on foot when proceeding to serve or execute processes; but in special cases, the judge of the Court issuing the process, may

[1] Substituted vide Correction Slip No. 129/113 Rules/II.D.4 dated 14.11.2003

[2] Deleted vide Correction Slip No. 129/113 Rules/II.D.4 dated 14.11.2003

permit the journey to be made by railway. In such cases the permission should be in writing and the railway fare should be charged to the budget heads. Travelling allowance of process-servers under process-serving establishment is not charged to the person at whose instance the process is issued.