

HIGH COURT OF JAMMU AND KASHMIR

(Office of the Registrar Vigilance at Jammu)

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CIRCULAR

No: 46

Date: 21/2/2017

A number of complaints from licensed petitioner writers have been received in this Commission, whereby growing menace of unscrupulous activities of unauthorized clerks and agents working in different court complexes of the State has been highlighted.

A number of Circulars have been issued by the Hon'ble High Court from time to time to regulate the functioning of the petition writers to curb the activities of unauthorized agents/clerks but it has been observed that these Circulars have not been adhered to by the Pr. District and Sessions Judges/Sub Judges/Munsiffs at Muffasil level in their respective Court complexes.

In the aforesaid backdrop, all the Pr. District and Sessions Judges/Sub Judges/ Munsiffs are impressed upon to regulate the activities of stamp vendors, petition writers and typists working within their respective Court complexes and ensure strict implementation of Circular No.2 dated 10.04.2002, issued by the High Court (Copy enclosed). Action taken report, be submitted to this Commission within a month.

SD/

(Sanjay Dhar)

Registrar Vigilance

No: 603-608/Rv

Date: 21-2-2017

Copy of above forwarded to:

1. All Pr. District and Sessions Judges.
2. All Sub Judges posted at Muffasil level.
3. All Munsiffs posted at Muffasil level.

..... for information and necessary action.

4. I/C NIC for uploading on High Court Website.

Registrar Vigilance

21/2/17

HIGH COURT OF JAMMU AND KASHMIR AT JAMMU.

CIRCULAR

No:-2

Dt.: 10.04.2002

Complaints have been pouring in that persons not licensed as Petition-Writers/Para Legals are operating from the court premises and inducing the litigant public believe that they are a part of legal paraphernalia. The menace of late has assumed alarming proportions. Such persons operate with impunity, charging heavy fees and offering legal advice without having any legal knowhow or competence. The menace can be adequately fought by strict enforcement of J&K Petition Writers Licensing and Conduct (Revised) Rules 1971. Attention of all officers in particular is invited to Rules, 32,33,43 of the afore stated rules. Rule-32 requires every petition-writer to sign and seal with his official stamp, every petition written by him and enter on it a number which it bears in his register. Rule-33 debars that the licensed petition- writer from dictating the petition or cause petitions to be written by a person who is not a licensed petition writer. The petition writer is required not to engage any person other than a licensed petition-writer in to write petitions. Rule-43 provides that a copy of the document required to be pasted in any register in the office of Sub-Registrar on admitting the document for registration be written by the petition writer himself and or no other person. Strict enforcement of the Rules obviously shall be helpful in exclusion of persons other than the licensed petition writers/para legals from the court premises; as the judicial officers by not entertaining the petitioners/documents/copies of documents scribed by such persons are likely to drive out the persons from the court premises.

Hon'ble the Acting Chief Justice has desired that all Principal District and Sessions Judge and Sub Judges/Munsiffs at Tehsil and other Headquarters shall take immediate steps to identify the persons other than licensed petition-writers/para legals operating from the court premises and take adequate and appropriate steps for exclusion of such elements from said premises. Hon'ble the Acting Chief Justice has also desired that all the Presiding Officers of the Courts in the State shall ensure strict enforcement of the petition- writer's J&K Petition Writers Licensing and Conduct (Revised) Rules. 1971.

By order

Sd/-
Registrar Vigilance