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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DIRECTORATE OF REGISTRATION & STAMP REVENUE

Writers' Buildings, 'F' Block, Top Floor, Calcutta-700 001

No. 2336

Calcutta, the 4th April, 2000.

NOTIFICATION

In exercise of the power conferred by section 80GG of the Registration Act, 1908 (16 of 1908), and in supersession of all previous notifications on the subject, the Inspector-General of Registration, West Bengal, hereby makes the following rules:—

THE WEST BENGAL REGISTRATION (COPY WRITERS) RULES, 1999

1. **Short title, extent and commencement.**—(1) These rules may be called the West Bengal Registration (Copy Writers) Rules, 1999.

(2) They shall extend to the whole of West Bengal.

(3) Rules 23 and 24 shall come into force at once; and the remaining provisions of these rules shall be deemed to have come into force on the 1st day of January, 1983.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

(1) "Copy Writer" means a person who prepares in the prescribed form true copies of documents to be presented for registration under the West Bengal Registration (Filing of True Copies) Rules, 1979, and holds a licence under these rules;

(2) "Form" means a Form appended to these rules;

(3) "licensing authority" means the District Registrar as defined in section 2 of the Registration Act, 1908 (16 of 1908).

3. **Prohibition of unlicensed persons.**—No person who is not a licensed Copy Writer duly appointed by the licensing authority under these rules shall engage himself in the profession of a Copy Writer.

4. **Bar to hold Deed Writer's licence and Copy Writer's licence simultaneously.**—No person holding a Deed Writer's licence shall simultaneously hold a Copy Writer's licence.

5. **Persons eligible for licence.**—A Copy Writer's licence may be granted to a person,—

(i) who is citizen of India;

(ii) who has completed eighteen years of age, but is below 35 years of age, on the date of notification inviting applications for licence;

(iii) who has passed the School Final or its equivalent examination:

Provided that any person applying for a Copy Writer's licence under rule 6 shall be eligible for such licence if such person has passed class VI examination for promotion to class VII and has gained experience as an assistant to a Deed Writer in his profession for not less than three years on the date of application;

- (iv) who has passed the Copy Writer's Licensing Test conducted by the licencing authority;
- (v) who writes neatly, legibly and correctly;
- (vi) whose conduct is good; and
- (vii) who is not debarred by any of the conditions as laid down in rule 7.

6. If any Copy Writer dies in harness or becomes incapacitated due to old age or otherwise having his/her family in immediate need of assistance, his/her spouse or any one of his/her sons/daughters/near relations may, with the written consent through an affidavit, duly affirmed by the spouse and all the other eligible sons/daughters who are entitled to be considered for grant of Copy Writer's licence under these rules, apply through proper channel to the Inspector-General of Registration, West Bengal, for a Copy Writer's licence under such special circumstances as may be specified in the application. The Inspector-General of Registration and Commissioner of Stamp Revenue, West Bengal, may, by order, direct a Registrar to issue a licence to the applicant, provided the applicant fulfils the conditions laid down in rule 5, other than the conditions referred to in clause (ii) and clause (iv), of that rule.

7. **Disqualifications.**—(1) A Copy Writer's licence shall not be granted to a person,—

- (a) if he has been declared by a competent court to be of unsound mind; or
- (b) if he has been convicted for any criminal offence or any proceeding is pending against him in any criminal court; or
- (c) if he is a deaf-mute; or
- (d) if he is a leper or suffers from an incurable contagious disease; or
- (e) if his licence has at any time been cancelled and the order cancelling the licence has not been quashed by the competent authority; or
- (f) if he is engaged in any gainful occupation or employment.

(2) In the case of refusal to grant a licence, the licensing authority shall record his reasons for refusal and communicate a copy of the order to the person applying for licence.

8. **Application for licence.**—Application for a Copy Writer's licence in Form No. 1 shall be made in the candidate's own hand-writing to the District Registrar through the local Registering Officer with testimonials and attested copies of certificates. If the District Registrar is satisfied that the applicant is fit to be a Copy Writer according to the provisions of these rules, he shall direct the applicant to pay the prescribed licence fee. On payment of the licence fee, the candidate's name shall be entered in the register of Copy Writers in Form No. 2 against the particular Registration Office and a licence in Form No. 4 shall be issued to him through the Registering Officer concerned. The name of the Copy Writer with necessary particulars shall, at the same time, be communicated to the Registering Officer for entry in the register of Copy Writers in Form No. 3 maintained by him. The licence shall take effect from the date of issue and shall remain valid till the 31st December of the year of issue.

9. **Renewal of licence.**—(1) A licence issued under these rules may be renewed on year to year basis by the District Registrar, subject to good conduct, satisfactory work and physical fitness, duly certified by the Registering Officer under whose superintendence and control the Copy Writer works, by an endorsement on the body of the renewal application, on payment of the prescribed renewal fee. The application for renewal shall be filed to the Registering Officer in the month of November each year together with the Treasury Challan or Bank Draft or Money Order Receipt showing the remittance of renewal fee. The Registering Officer shall forward the application to the concerned District Registrar with necessary endorsement as required under this rule with his remarks, if any.

(2) Every application for renewal may be filed on or before the 31st day of December of the year of issue with late fee, provided the applicant succeeds in establishing that the delay was unavoidable.

(3) An application for such renewal may be made beyond the 31st day of December to the Inspector-General of Registration and Commissioner of Stamp Revenue, West Bengal, through proper channel together with the receipt of deposit of application fee of Rs. 50/- (Rupees fifty) only. If the Inspector-General of Registration and Commissioner of Stamp Revenue, West Bengal, is satisfied with the evidences furnished by the applicant and is of opinion that the delay may be condoned, he shall issue a separate order directing the District Registrar to renew the licence, if the applicant deposits late fee of Rs. 15/- (Rupees fifteen) only for the delay for each month or part thereof to be computed from the date following the 30th day of November.

10. **Conditions of renewal.**—(1) A licence shall not be renewed—
- if the licensee fails or has failed to observe any of the conditions of his licence or to comply with the direction of making deposit of renewal fees as provided in rule 9; or
 - during the period for which the licence has been suspended; or
 - if the licensee becomes physically unfit or mentally unbalanced to perform the duties of a Copy Writer.
- (2) (a) The name of the Copy Writer, the renewal of whose licence is refused by the District Registrar under any provision of these rules, shall be struck off from the registers maintained by the District Registrar as well as by the Registering Officers concerned.
- (b) A Copy Writer, who fails to apply for renewal within the stipulated period, may however apply for a fresh licence.

11. **Appeal against an order of refusing the grant or renewal of licence.**—An appeal against an order refusing the grant or renewal of licence shall lie to the Inspector-General of Registration and Commissioner of Stamp Revenue, West Bengal, within a period of thirty days from the date of communication to the person concerned of the order. The decision of the Inspector-General of Registration and Commissioner of Stamp Revenue, West Bengal, shall be final.

12. **Conditions attached to Copy Writer's licence.**—The following conditions shall be deemed to be attached to the Copy Writer's licence:—

- the licensee shall abide by the rules relating to the licensing of Copy Writers;
- the licensee shall not demand or receive any remuneration in excess of the amount specified in rule 24 for the service rendered by him as a Copy Writer;
 - if the licensee is found by any Registering Officer to have demanded or received remuneration in excess of the amount specified in rule 24 or has failed to maintain a register in Form No. 5 as required under clause (c) or did not issue a receipt in Form No. 6 as required under clause (d), he shall be debarred by such Registering Officer from writing out copies of documents, under intimation to the District Registrar concerned:
Provided that subject to the provisions of sub-clause (iii), such order of the Registering Officer shall cease to be operative after a period of 45 days from the date of passing of the order unless it is confirmed by the District Registrar;
 - a licensee so debarred from writing out copies in terms of sub-clause (ii) by any Registering Officer, may submit his prayer for restoration of his right to write out copies of documents to the District Registrar who granted him the licence, through the Registering Officer who debarred him from writing out copies, giving specific reasons for his non-compliance with the provisions of this clause and clauses (c) and (d);
 - the District Registrar, after giving adequate opportunity to the Copy Writer, who is accused of guilt, may either restore the right of Copy Writer to write out copies of documents or may take action under rule 20 as he thinks proper or fit;
- the licensee shall maintain a register in Form No. 5 which shall be open to inspection at all times by the Registering Officer and any of the Inspecting Officers. The register, when completed, shall be preserved for a period of two years;
- the licensee shall issue a receipt in Form No. 6 to the party showing the money received as provided in these rules. The carbon copy, which shall contain the signature of the party as a token of his receiving the receipt, shall be preserved for a period of two years;
- the licensee shall exhibit the rates of remuneration of a Copy Writer in a conspicuous place of his office in the local language;
- the licensee shall produce his licence before the Registering Officer or any Inspecting Officer on demand;
- the licensee shall prepare true copies of documents to be presented for registration in accordance with the instructions that may be issued from time to time by the licensing authority.

13. **Issue of duplicate licence.**—(1) When the licence issued to a Copy Writer is worn out, it may be replaced on payment of the prescribed fee by a duplicate licence on the prayer of the Copy Writer concerned. The original worn out licence shall be cancelled.

(2) When the licence issued to a Copy Writer is lost, it may be replaced by a duplicate licence in the prescribed printed form on the prayer of the Copy Writer concerned on payment of the prescribed fee.

(3) All fees for the first licence, duplicate of a lost licence, renewal of licence, or replacement of a worn out licence shall be paid to the District Registrar in cash or through the Treasury or by Postal Money Order or by Bank Draft.

14. **List of Copy Writers.**—A list of licensed Copy Writers shall be hung up at a conspicuous place in the registration office.

15. **Rights and duties of Copy Writer.**—(1) A licensed Copy Writer shall be allowed to sit in the office precincts.

(2) He shall work under the control and supervision of the Registering Officer.

(3) He will enter office either on being summoned by the Registering Officer or in connection with his specified work of preparing true copy.

(4) A Copy Writer shall confine himself to the work of preparing true copies of documents to be presented for registration. He shall not engage himself in the act of canvassing for any Deed Writer.

16. **Attestation of copy.**—Every true copy prepared by a Copy Writer shall be attested by him in the following manner:—

“True copy prepared by XY (name in full) having licence No. of under Z (name of the Registration Office).

.....
Signature of the Copy Writer.”

17. **Cancellation of Copy Writer's licence.**—(1) A licence granted under these rules to a Copy Writer may be cancelled by the District Registrar, if—

(a) his licence has been suspended thrice during the course of two consecutive years:

Provided that where the suspension of the licence is for demanding or receiving remuneration in excess of the amount specified in these rules, the licence may be cancelled if it has been suspended twice during the course of two consecutive years;

(b) he becomes disqualified on any of the grounds specified in rule 7.

(2) The District Registrar shall have powers to cancel the licence of a Copy Writer who is guilty of the breach of any of the provisions of these rules or of his licence or of any misconduct.

(3) The District Registrar shall cancel the licence of a Copy Writer after a regular proceeding. In such a proceeding generally, charge shall be formally framed, copy of the charge shall be made over to the Copy Writer concerned, evidence shall be recorded in his presence, adequate opportunity shall be allowed to him to defend himself by adducing witnesses and, finally, there shall be written orders with appropriate reasons.

18. **Appeal against cancellation of Copy Writer's licence.**—A Copy Writer, aggrieved by any order of the District Registrar cancelling his licence, may prefer an appeal to the Inspector-General of Registration and Commissioner of Stamp Revenue, West Bengal, within 30 (thirty) days of the date of the order.

19. **Suspension of a Copy Writer's licence.**—A licence granted under these rules to a Copy Writer may be suspended if he—

(1) fails to maintain the Register or to issue receipts as required under rule 12;

(2) contravenes any of the provisions of these rules or any of the conditions of his licence or is found guilty of disobedience to any lawful order passed under these rules;

(3) is found guilty of abetment or participation in any illegal transaction with any member of the staff of the Registration Office;

(4) conducts or behaves himself improperly in the Registration Offices.

20. **Suspending authority, procedure of suspension and appeal.**—(1) (a) A licence granted under these rules to a Copy Writer may be suspended by the District Registrar for a period not exceeding two years at a time.

(b) The Registering Officer under whose direct control and supervision the Copy Writer works may recommend suspension of the licence to the concerned District Registrar, stating therein the facts and circumstances of any violation of any of these rules by the Copy Writer. If the District Registrar, on due consideration of the recommendation made by the Registering Officer concerned, finds that a prima facie case has been made out against the licensee, he may dispose of the matter within a period of one month from the date of receipt of the report in accordance with the provisions of sub-rule (2).

(2) An order of suspension shall be issued after a regular proceeding. The Copy Writer accused of guilt shall be given adequate opportunity to be heard and defend himself. The decision of the suspending authority shall be recorded in writing and a copy of it shall be furnished to the Copy Writer concerned.

(3) An appeal against the order of suspension shall lie to the Inspector-General of Registration and Commissioner of Stamp Revenue, West Bengal, within 30 (thirty) days from the date of suspension.

21. Copy Writer's licensing test.—(1) An examination to be called "Copy Writer's Licensing Test" shall be conducted by the licensing authority of each district. The time and place of the examination and also the language in which the candidates shall be examined shall be notified in such manner as the licensing authority considers appropriate and necessary;

(2) The test shall relate to the transcription of documents and may include any other subject as may be prescribed by the licensing authority;

(3) An examination fee as provided in these rules shall be levied on each application.

22. The number of Copy Writers for each office.—The number of Copy Writers for a particular Registration Office shall be fixed by the District Registrar according to its needs. Normally, there shall be one Copy Writer for three hundred deeds per year.

Note : In calculating the number of average annual registration, the number of documents registered in the preceding three years shall be taken into account for calculation. Government documents and the documents prepared by Advocates shall be excluded.

23. Fees.—(1) The fees under these rules shall be as follows:—

(a) Licence Fee	Rs. 10.00
(b) Licence Renewal Fee (Annual)	Rs. 5.00
(c) Late Fee (For Renewal of Licence)	Rs. 5.00
(d) Duplicate Licence Fee	Rs. 3.00
(e) Examination Fee for admission to the Copy Writer's Licensing Test	Rs. 5.00

(2) All the fees, as referred to in sub-rule (1) shall be paid to the District Registrar by Treasury Challan or by Postal Money Order or by Bank Draft and in no circumstances the fees shall be received in cash.

24. Remuneration.—The rate of remuneration shall be as follows:—

- (1) for copying 100 words or part thereof Rs. 3.00, subject to the minimum of Rs. 15.00;
- (2) for preparing typed copy by licensed Copy Writer, the charge shall be the same as in clause (1);
- (3) for comparing 100 words or part thereof, each comparer shall get Rs. 2.00, subject to a minimum of Rs. 10.00.

25. Transfer of Copy Writers.—(1) Normally, licence granted to a Copy Writer against any particular registration office shall not be transferred to another registration office. If, for the change of jurisdiction of a registration Sub-District, the interest of any licensed Copy Writer is adversely affected, the District Registrar may consider to transfer the licence of such Copy Writer, at his option, to the office of the newly changed registration Sub-District or vice versa.

(2) The Inspector-General of Registration and Commissioner of Stamp Revenue, West Bengal, in exceptional circumstances and for reasons to be recorded in writing, transfer the licence of a Copy Writer from one district to another.

26. Suspension, cancellation, revocation and/or granting of licence under certain circumstances.—

(1) Notwithstanding anything contained in these rules, the Inspector-General of Registration and Commissioner of Stamp Revenue, West Bengal, may, on his own motion or otherwise, call for the records of any case relating to grant of licence, and if it so appears to him that licence has been granted or not granted in contravention of these rules or if it so appears to him that the licensing authority was biased or influenced in granting or not granting the licence, he may pass such order including order of suspension, cancellation, revocation and/or granting of licence, as he may deem fit and proper, after giving the reasons therefor in writing:

Provided that no such order shall be passed without giving the person or persons so affected an opportunity of being heard and without calling for a report from the licensing authority.

(2) An appeal against any order under sub-rule (1) shall lie to the Government in the Finance (Taxation) Department, if preferred within thirty days from the date of communication of the order passed under that sub-rule.

FORM No. 1

(See rule 8.)

Application for Licence of Copy Writers

- 1. Name of Applicant :
- 2. Father's Name :
- 3. Permanent Address (Village, Thana, Post Office, Sub-Registry Office, District) :
- 4. Present Address (Village, Thana, Post Office, Sub-Registry Office, District) :
- 5. Educational Qualifications :
- 6. Languages which the applicant can read and write :
- 7. Previous experience in writing of deeds, if any, and type writing :
- 8. Office for which licence is applied :
- 9. Date of application :

Note : Two passport size photographs to be attached.

Signature of the Applicant.

"Declaration of the Applicant

I, Shri, do hereby solemnly affirm that the above particulars are correct and that I am not engaged in any gainful occupation and no criminal offence is pending against me in any Criminal Court and I have not been convicted for any criminal offence at any time."

Date :

Signature of the Applicant.

Registrar's Order

Date :

Signature of Registrar.

FORM No. 2

(See rule 8.)

Register of Licensed Copy Writers to be maintained at the Sadar Office

Serial No.	Name, father's name and photograph of the licensee	Address	Licence No.	Date of issue of licence	Date of renewal of licence	Amount of fees for fresh licence or for renewal, with particulars of payment	Remarks

FORM No. 3

(See rule 8.)

Register of Licensed Copy Writers to be maintained at the Sub-Offices

Serial No.	Name and father's name	Address	Licence No.	Date of issue of licence	Date of renewal of licence	Remarks

FORM No. 4

(See rule 8.)

Licence of Copy Writer

GOVERNMENT OF WEST BENGAL

(State Emblem)

Office of the District Registrar

Copy Writer's Licence

Name

Father's Name

Full Address

.....

Passport size photograph

Under the powers conferred by the West Bengal Registration (Copy Writers) Rules, 1999, the District Registrar is pleased to issue licence to to practise as a Copy Writer in (Place) (name of office). His licence No.

*District Registrar***Endorsements of Renewal**

Serial No.	Date	Amount remitted and particulars of remittance	Renewed		Signature and designation of renewing authority	Remarks, if any
			From	To		

FORM No. 5

[See rule 11(c).]

Register to be maintained by licensed Copy Writer

Serial No.	Number of words copied	Nature of document copied	Name of the executant and claimant	Total fee realised	Name of the Payee	Remarks

FORM No. 6

[See rule 11(d).]

Receipt to be issued by the Copy Writer

Serial No. :
 Serial No. in the Copy Writer's register :
 Name of the Office :
 No. of words copied :
 Fees realised :
 Date :

Signature of the Copy Writer :

Licence No.

Note : Carbon copy to be retained with the signature of the presentant at the back.

B. K. MAJUMDAR,
*Inspector-General of Registration
 and
 Commissioner of Stamp Revenue,
 West Bengal.*

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GOVERNMENT OF WEST BENGAL
DIRECTORATE OF REGISTRATION & STAMP REVENUE

Writers' Buildings, Kolkata-700 001

No. 02/IGR

Kolkata, the 27th February, 2004.

NOTIFICATION

In exercise of the power conferred by section 80GG of the Registration Act, 1908 (16 of 1908), the Inspector General of Registration, West Bengal, hereby makes the following amendments in the West Bengal Registration (Copy Writers') Rules, 1999. These rules shall extend to whole of West Bengal and shall come into force with immediate effect.

Amendments

In the said rules,—

for rule 24, *substitute* the following rule:—

24. Remuneration.—The rate of remuneration shall be as follows:—

- (1) For copying 100 words or part thereof Rs. 6.00, subject to the minimum of Rs. 30.00;
- (2) For preparing typed copy by licensed Copy Writer, the charge shall be the same as in clause (1);
- (3) For comparing 100 words or part thereof, each comparer shall get Rs. 4.00, subject to a minimum of Rs. 20.00.

S. ROY,
Inspector General of Registration
and
Commissioner of Stamp Revenue,
West Bengal.