

**The Himachal Pradesh Subordinate Courts
Typists (Grant of License, Registration and Control) Rules, 2001**

HIGH COURT OF HIMACHAL PRADESH, SHIMLA – 171001

No. HHC/Rules.22(31)/84

Dated 01.06.2001

NOTIFICATION

The Hon'ble the Chief Justice and Judges of the High Court of Himachal Pradesh in exercise of the powers vested in them under Section 29 of the Himachal Pradesh Courts Act, 1976 and all other powers enabling hereunto are pleased to make the following Rules regulating the grant of license, Registration and Control of Typists engaged to work in the premises of the Subordinate Courts:-

Short Title	1	These Rules may be called “The Himachal Pradesh Subordinate Courts Typists (Grant of License, Registration and Control) Rules, 2001.”
Extent	2	They shall apply to the Typists engaged in typing work in the Subordinate Court premises in the State of Himachal Pradesh.
Commencement	3	They shall come into force with immediate effect.
Definitions	4	<p>In these Rules, unless there is anything contrary or repugnant in the subject or context:</p> <ul style="list-style-type: none">(a) 'Chief Justice' means the Chief Justice of the High Court of Himachal Pradesh;(b) 'Civil District' or 'District' means a Civil District or District as defined under Section 2 (a) of the Himachal Pradesh Courts Act, 1976.(c) 'District Judge' means the District Judge of a District as defined in Section 2 (b) of the Himachal Pradesh Courts Act, 1976.(d) 'High Court' means the High Court of Himachal Pradesh.

		<p>(e) 'Registrar' means the Registrar General of the High Court of Himachal Pradesh and includes the Registrar (Vigilance); District & Sessions Judge (Rules), District & Sessions Judge (Inspection), Addl. Registrar, Deputy Registrar and Assistant Registrar or any other officer exercising functions delegated to him under these rules.</p> <p>(f) 'Screening Committee' means the committee headed by the District Judge of which Senior Sub-Judge-cum-Chief Judicial Magistrate and Addl. Chief Judicial Magistrate-cum-Judicial Magistrate I-Class nominated by the District Judge shall be members.</p> <p>(g) 'Subordinate Court' means a court subordinate to the High Court exercising Civil or Criminal Jurisdiction.</p> <p>(h) 'Subordinate Court premises' means the premises in which a subordinate court or group of subordinate courts situate.</p> <p>(i) 'Typist' for the purpose of these rules shall means a person selected by the screening committee to be engaged in typing work in the subordinate Court premises under these rules;</p>
License compulsory	5	No person shall engage himself in the work of typing in the subordinate court premises unless he/she has been duly licensed under these rules;
Number of Typists and Place of work	6	The number of licenses to be granted under these rules shall be determined by the District

		Judge keeping in view the requirement of the Court(s) concerned and the availability of space;
[Use of electronic gadgets by the Typists	6-A	<p>(a) Such authorized typists can use electronic gadgets, requiring continued supply of electricity to the space for performance of his work only after prior approval of the District Judge concerned;</p> <p>(b) The District Judge before granting such approval to the authorized typist(s), shall evaluate the viability of installation of electric connectivity in the earmarked/designated place and also that such installation does not pose any danger to the court premises or any other property in the vicinity.</p> <p>(c) The typists shall pay the installation as well as electricity consumption charges, as per applicable rates.</p> <p>The license of any typist, who fails to pay the charges due, shall liable to be cancelled/ withdrawn forthwith.</p> <p>The typist shall be responsible for the upkeep/maintenance and safety of electric installations being used by him at the allotted space.]¹</p>
Field of work	7	A licensed typist shall engage himself in the typing work pertaining to the proceedings in the subordinate courts and shall not undertake any other work in the subordinate court premises;

¹ Inserted vide Substituted vide Himachal Pradesh Subordinate Courts Typists (Grant of Licence, Registration and Control) (2nd Amendment-2016) Rules, 2001 dated 05.11.2016

Eligibility and Qualifications	8	<p>A person fulfilling the following conditions shall be eligible for grant of license to work as typist under these rules;</p> <ul style="list-style-type: none"> (i) is a citizen of the Republic of India; (ii) is a matriculate or equivalent from a recognized University or Board of school education; (iii) has completed 18 years of age; and (iv) has successfully qualified the test under Rule 11 of these Rules.
Disqualifications	9	<p>No person shall be eligible for grant of license as a typist if he/she;</p> <ul style="list-style-type: none"> (a) is a Government or quasi government servant or is engaged in any other employment, trade, business or professional etc; (b) is or has been in the service of any legal practitioner as a licensed Clerk within a period of six months preceding the grant of license ; (c) has been declared a tout; (d) has been convicted for an offence involving moral turpitude; (e) has been dismissed from public or private employment; (f) is an ex-typist whose license has been cancelled under these rules or any other relevant rules then in force; (g) is an un-discharged solvent; or (h) is an ex-petition writer whose license has been suspended/cancelled/revoked under

			Rules 20 and 35 of the "High Court of Himachal Pradesh petition writer (Grant of License and Conduct) Rules, 1989".
Notification of vacancies	10		The District Judge shall notify the number of vacancies of typists to be filled in at a particular station and shall invite applications by affixation of a notice on the Notice Boards of his court, the subordinate court, where the vacancy exists and at such other place(s) as he may consider appropriate and shall prescribe the date within which applications should reach his office;
Registration and Grant of License	11		<p>(a) A person desirous of engaging himself in the work of typing in the subordinate court premises shall apply to the District Judge in the prescribed form (Annexure 'A') along with two passport size photographs duly attested. Such application shall be accompanied by a certificate issued by an authority competent to issue such a certificate in respect of a government employment to the effect that the applicant bears a good moral character.</p> <p>(b) The applicant shall be required to take a test in typing to be conducted by the screening committee with a minimum typing speed of 40 words per minute with 90% accuracy.</p> <p>(c) The type test shall be conducted on a date to be fixed by the District Judge and it shall be notified to all the candidates whose applications have been found to be in order at least 15 days in advance and</p>

		<p>shall also be displayed on the notice boards of his court, the subordinate court where the vacancy exists and at such other place(s) as he may consider appropriate.</p> <p>(d) on the basis of the type test a select list shall be drawn by the screening committee, keeping in view the vacancies to be filled in at a particular station along with a waiting panel which shall be valid for a period of one year. The District Judge shall grant license to the selected candidate(s) in the prescribed form (Annexure 'B').</p> <p>(e) The entries regarding grant of License shall be entered in the register in the prescribed form (Annexure 'C'). One copy of the photograph of the license shall be affixed on the register at appropriate place.</p>
Term of license	12	The term of license shall be one year.
Renewal of license	13	<p>(a) The license shall be renewed yearly subject to the condition that the work and conduct of the typist during the preceding year has been found to be satisfactory by the Presiding Officer of the subordinate court and the President of the Bar concerned.</p> <p>(b) Application for renewal of license shall be made to the District Judge in the prescribed form (Annexure 'D') at least fifteen days before the date of expiry of the license but not later than 15 days after the</p>

		<p>said date.</p> <p>(c) No application for renewal of license shall be entertained after 15 days of the expiry of the license except on sufficient cause having been shown for failure to apply for renewal within the time prescribed hereinabove.</p>
Charges	14	<p>The charges for typing work shall be such as may be prescribed by the Chief Justice from time to time and shall be payable under a receipt to be issued by the typist, who shall maintain a printed receipt book with counter foil duly numbered.</p>
Inspection	15	<p>(a) The receipt books maintained by the typist along with license shall be produced for inspection between the first and the last day of July every year and at the time of renewal of the license.</p> <p>(b) The inspection shall be carried out at the District head-quarters by the Senior Sub Judge and at the Sub Divisional head-quarters, by the Senior most Judicial Officer posted in the Sub Division. In case a typist fails to comply with the conditions of license, the inspecting Judge shall report the matter to the District Judge who after examining the same shall take steps for suspension of the license after giving reasonable opportunity to show cause to the typist.</p> <p>(c) Notwithstanding anything contained in these rules, the District Judge may, at any</p>

			time, call for the receipt books being maintained by a typist for inspection and to take appropriate action as may be deemed fit and proper under these rules.
Termination of License	of	16	<p>License of a Typist who;</p> <ul style="list-style-type: none"> (i) for any reason is found not capable of efficiently discharging the Functions assigned under these rules; or (ii) habitually remains absent during the court hours or is absent from the station for a period exceeding one week without prior permission of the presiding officer/Sufficient cause shall be liable for termination by an order of the District Judge. <p>Provided that before, taking any action, the District Judge shall give reasonable opportunity to show cause to the typist.</p>
Cancellation of License for misconduct	of	17	<p>The license of a typist shall be liable to be cancelled, if he/she is found guilty of misconduct; or engages in any other employment, trade, business or profession etc.</p> <p>Provided that before, taking any action under this rule, the District Judge may hold such inquiry as he may deem fit after giving reasonable opportunity to show cause to the typist.</p> <p>Explanation:- For the purpose of this rule 'Misconduct' shall include any one or more of the following acts of commission or omission on the part of a typist:-</p>

		<ul style="list-style-type: none"> (a) is found guilty of having suppressed any material fact having bearing on the registration as a typist under these rules or; (b) is found indulging in touting or; (c) is found having received payment from a litigant in excess of the rates fixed or; (d) is found unfit to practice as such by reason of any fraudulent or improper conduct or; (e) is found to have tampered with any document/petition etc. presented or to be presented in the court or the record of the Court whether Judicial or administrative; (f) is declared an insolvent or; (g) is convicted for an offence involving moral turpitude or; (h) commits breach of any of the conditions prescribed in these Rules or; (i) is found guilty of conduct unbecoming of a registered typist.
Cessation of work	18	A typist may at any time before the expiry of the period of license resign by giving one month's notice in advance to the District Judge.
Surrender	19	<p>A Typist:-</p> <ul style="list-style-type: none"> i) who resigns or; ii) who enters Government or private employment or engages himself in any other employment, trade, business or profession etc. or; iii) whose license has been suspended, terminated or cancelled under these rules

		<p>or;</p> <p>iv) whose license has not been renewed after the period of expiry;</p> <p>shall forthwith surrender his license to the District Judge and a note of such surrender with reasons therefor shall be made in the register. The typist shall thereupon stand de-registered.</p>
Vacation of seat	20	On termination of license by afflux of time or otherwise, the licensee shall vacate the seat assigned to him in the subordinate court premises forthwith and not later than 24 hours without any let or hindrance.
Transitory Provisions	21	<p>(a) The typists presently working in the subordinate court premises shall have to get themselves registered as such in accordance with these rules within 30 days from the commencement thereof, failing which they shall not be entitled to have access thereto to continue with their work.</p> <p>Provided that such typists shall not be required to qualify the Typing test prescribed under rule 11 (b) above.</p> <p>(b) The typists who have applied for registration under these rules within the time prescribed under clause (a) above shall be permitted to continue with their work pending registration under these rules.</p>
Appeal	22	An appeal shall lie against any order passed by the screening committee or the District Judge under these rules to the Chief Justice and the orders passed thereon shall be final.

Residuary powers	23	Nothing in these rules shall be deemed to effect the powers of the Chief Justice to make such orders from time to time as may be deemed fit in regard to all matters forming part of the subject matter of these rules and all matters incidental or ancillary thereto not specifically provided for herein or in regard to matters as have not been provided for or have not been sufficiently provided for herein.
		<p>BY ORDER OF HON'BLE THE CHIEF JUSTICE AND HON'BLE JUDGES</p> <p>DISTRICT & SESSIONS JUDGE(RULES)</p>

ANNEXURE 'A'

FORM OF APPLICATION

Paste Photo

1. Name :
2. Date of Birth :
3. Father's Name :
4. Nationality :
5. Permanent Address :
6. Address for correspondence :
- [6-A. Paste photograph of the applicant alongwith details of Aadhaar card/Ration Card/Passport and photocopy thereof]²
7. Educational qualifications (attach a certified copy of Matric/Hr. Secondary certificates and Diploma from a recognized I.T.I., if any) :
8. Experience (attach experience : certificate from the Institution where the applicant had been working last or from the Advocate with whom he has worked) :
9. Whether has ever been declared tout :
10. Whether is an un-discharged insolvent :
11. Whether has been convicted for an offence involving moral turpitude, if so, :

² Substituted vide Himachal Pradesh Subordinate Courts Typists (Grant of Licence, Registration and Control) (1st Amendment-2013) Rules, 2001 dated 14.11.13

when? Give particulars of the case.

12. Whether has been dismissed from any public or private employment :
13. Whether is an ex-petition writer whose license has been has been suspended/cancelled/ revoked under : Rules 20 and 35 of the "High Court of Himachal Pradesh Petition Writers (Grant of License and Conduct) Rules, 1989."
14. Whether is an ex-typist whose license has been terminated/cancelled under these rules; if so, give particulars. :
15. Whether is holding a public/private office or engages himself in any other employment, trade, business or : profession.

Dated _____

Signature of the applicant

Certified that the contents of the above application are true to my knowledge.
No part of the statement made therein is false. Character certificate is enclosed.

Applicant

ANNEXURE 'B'

FORM OF LICENSE

- (i) Name of licensee : _____
- (ii) Father's Name : _____
- (iii) Permanent address _____
- (iv) Description of the seat which he is allowed to occupy for typing work : _____
- (v) Period for which the license is granted : _____
- (vi) Date and No. of registration : _____
- (vii) License valid upto : _____

Attested by the
Presiding
Officer

- (viii) Passport size photograph : _____

Date :

'SEAL'

(Signature of the
District Judge)

- (ix) The photograph of the applicant be pasted on the Licence to be issued.

- i) Renewal upto _____
- ii) _____
- iii) _____

District Judge
Date

Note:- Please see the terms and conditions of license overleaf.

TERMS AND CONDITIONS

The Typist shall-

- (i) during the tenure of license carry on his work only on such seat as is assigned to him/her and nowhere else;
- [(i)(a) He should prominently display the copy of license while sitting in the premises of the Court.]³
- (ii) carry out his/her work in a manner causing the least disturbance and maintain due cleanliness;
- (iii) work in such a manner that persons are not allowed to gather around him/her so as to cause general disturbance and obstruction;
- (iv) Present the license for renewal/inspection as prescribed under these Rules, but renewal shall not be claimed as a matter of right;
- (v) make his/her services available in the High Court premises at the prescribed seat on every working day from 9.00 A.M. to 5.00 P.M;
- (vi) type out material with utmost decency and accuracy;
- (vii) re-type at his/her own cost any material typed by him/her when required to do so by the person employing him/her with the approval of the District Judge/Subordinate Judge, as the case may be;
- (viii) not remain absent without sufficient cause and the prior permission of the District Judge/Subordinate Judge, as the case may be;
- (ix) not charge in excess of the rates fixed;
- (x) undertake to vacate the seat allotted to him/her under the license without let or hindrance within 24 hours, when called upon to do so;
- (xi) abide by all the provisions of the rules.

³ Substituted vide Himachal Pradesh Subordinate Courts Typists (Grant of Licence, Registration and Control) (1st Amendment-2013) Rules, 2001 dated 14.11.13

ANNEXURE 'C'

FORM OF REGISTER

Sr. No.	Name and Address	Date of grant of license	Date of Registration	Date of Renewal	Date of Suspension/ Termination/ Cancellation, if any	Date on which license is surrendered	Date of de-registration/ surrender with reasons	Signature of the District Judge	Remarks	Photograph
1	2	3	4	5	6	7	8	9	10	

ANNEXURE 'D'

FORM OF APPLICATION FOR RENEWAL

1. Name of the applicant :
2. Registration No. :
3. Date of original registration :
4. Date upto which the license is presently valid :
5. Date of previous renewal(s), if any :
6. Period for which renewal is required :

Date.....

(Signature)
of the Applicant

Certified that the work and conduct of the applicant as typist during the previous year(s) has been found to be satisfactory and nothing adverse has come to my notice.

Date:

President
Bar Association

Certified that the work and conduct of the applicant as typist during the previous year adverse has come to my notice.

Date:

Presiding Officer

Forwarded to the District Judge
under Rule 13(b) of the H.P. Subordinate Courts Typists (Grant of License, Registration and Conduct) Rules, 2001.