

**MANUAL OF OFFICE PROCEDURE  
ON JUDICIAL SIDE**

### **DISCLAIMER**

The practice directions and other information contained in the Manual are meant only for internal use and for guidance of the staff of the Supreme Court Registry, and are not enforceable in any Court of Law or any other forum. The practice directions herein are subject to change at any time.

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**SUPREME COURT OF INDIA  
MANUAL OF OFFICE PROCEDURE  
(Judicial Side)**

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**MANUAL OF OFFICE PROCEDURE  
ON JUDICIAL SIDE**

**CHAPTER I**

**HISTORICAL PERSPECTIVE**

**CONSTITUTION OF SUPREME COURT, SUPREME COURT  
REGISTRY, ATTORNEY GENERAL AND ADVOCATES**

On the 28<sup>th</sup> of January, 1950, two days after India became a Sovereign Democratic Republic, the Supreme Court came into being. The inauguration took place in the Chamber of Princes in the Parliament building which also housed India's Parliament, consisting of the Council of States and the House of the People. It was here, in this Chamber of Princes, that the Federal Court of India had sat for 12 years between 1937 and 1950. This was to be the home of the Supreme Court for years that were to follow until the Supreme Court acquired its own present premises.

After its inauguration on January 28, 1950, the Supreme Court commenced its sittings in a part of the Parliament House. The Court moved into the present building in 1958. The building is shaped to project the image of scales of justice. The Central Wing of the building is the Centre Beam of the Scales.

The original Constitution of 1950 envisaged a Supreme Court with a Chief Justice and 7 puisne Judges - leaving it to Parliament to increase this number. In the early years, all the Judges of the Supreme Court sat together to hear the cases presented before them. As the work of the Court increased and arrears of cases began to accumulate, Parliament increased the number of Judges from 8 in 1950 to 11 in 1956, 14 in 1960, 18 in 1978 and 26 in 1986. As the number of Judges has increased, they sit in smaller Benches of two and three - coming together in larger Benches of 5 and more only when required to do so or to settle a difference of opinion or controversy.

The Supreme Court of India comprises of the Hon'ble the Chief Justice and not more than 25 other Hon'ble Judges appointed by the President of India. Supreme Court Judges retire upon attaining the age of 65 years. In order to be appointed as a Judge of the Supreme Court, a person must be a citizen of India and must have been, for atleast five years, a Judge of a High Court or of two or more such Courts in succession, or an Advocate of a High Court or of two or more such Courts in succession for at least 10 years or he must be, in the opinion of the President, a distinguished jurist. Provisions exist for the appointment of a Judge of a High Court as an Ad-hoc Judge of the Supreme Court and for retired Judges of the Supreme Court or High Courts to sit and act as Judges of that Court.



The proceedings of the Supreme Court are conducted in English only. Supreme Court Rules, 1966 are framed under Article 145 of the Constitution to regulate the practice and procedure of the Supreme Court.

(i) **SUPREME COURT ADVOCATES**

There are three categories of Advocates who are entitled to practise before the Supreme Court of India:

(a) **Senior Advocates**

These are Advocates who are designated as Senior Advocates by the Supreme Court of India or by any High Court. The Court can designate any Advocate, with his consent, as Senior Advocate if in its opinion by virtue of his ability, standing at the Bar or special knowledge or experience in law the said Advocate is deserving of such distinction. A Senior Advocate is not entitled to appear without an Advocate-on-Record in the Supreme Court or without a junior in any other court or tribunal in India. He is also not entitled to accept instructions to draw pleadings or affidavits, advise on evidence or do any drafting work of an analogous kind in any court or tribunal in India or undertake conveyancing work of any kind whatsoever but this prohibition shall not extend to settling any such matter as aforesaid in consultation with a junior.

(b) **Advocates-on-Record**

Only these Advocates are entitled to file any matter or document before the Supreme Court. They can also file an appearance or act for a party in the Supreme Court.

(c) **Other Advocates**

These are Advocates whose names are entered on the roll of any State Bar Council maintained under the Advocates Act, 1961 and they can appear and argue any matter on behalf of a party in the Supreme Court provided they are instructed by an Advocate-on-Record but they are not entitled to file any document or matter before the Court.

**Appearance in Court**

A person represented by an advocate is not permitted to argue in person, though he can remain present in the Visitors Gallery, after obtaining the requisite pass for this purpose. A person not represented by an Advocate can however argue his case in person and for this purpose, he can remain present in the Court, where his matter is listed.

ii) **ESTABLISHMENT/MACHINERY OF THE SUPREME COURT REGISTRY ON THE JUDICIAL SIDE**

The Judges of Supreme Court are assisted and day-to-day work of the Court is managed by a Registry headed by the Court Administrator-cum-Registrar General and the work of the Registry has been divided into 45 sections. Division of Judicial work in various sections is based mainly on geographical basis i.e. State/High Court wise. However, there are some sections dealing exclusively with special subject categories such as Writ Petitions and Public Interest Litigations. Also, there are ancillary judicial sections such as Filing Section where all the cases are filed, Listing and Computer Sections dealing with listing of cases, Record Room, Paper-Book Section, Decree Sections, where final decrees are drawn in terms of the

In exercise of the powers conferred by Article 145 of the Constitution of India and all other powers enabling it in this behalf, the Supreme Court with the approval of the President made the Supreme Court Rules, 1966. The work on the judicial side is mainly performed as per the provisions of the Supreme Court Rules, 1966.

iii) The powers of the Court in relation to the following matters may be exercised by the Registrar under Order VI, Rule 1 of Supreme Court Rules 1966 :-

- 1 Applications for discovery and inspection.
- 2 Applications for delivery of interrogatories.
- 3 Applications for substituted service, or for dispensing with service of notice of the appeal on any of the respondents to the appeal under rule 10 of Order XV.
- 4 Applications for time to plead, for production of documents, and generally relating to the conduct of cause, appeal or matter save those coming under rule 2 of this Order.
- 5 Applications for leave to take documents out of the custody of the Court.
- 6 Questions arising in connection with the payment of court-fees.
- 7 Applications by third parties for return of documents.
- 8 Applications for grant of copies of records to third parties.
- 9 Applications for the issue of a certificate regarding any excess court-fee paid under a mistake.

- 10 Applications for requisitioning records from the custody of any Court or other authority.
  - 11 Applications for condoning delay in paying deficit court-fees or delay in representation.
  - 12 Applications for condonation of delay in filing statement of case: Provided that where the Registrar does not think fit to excuse the delay, he shall refer the application to the Court for Orders.
  - 13 Applications for appointment and for approval of a translator or interpreter.
  - 14 Applications for withdrawal of appeal by an appellant prior to his lodging the petition of appeal.
  - 15 Applications for substitution, except where the substitution would involve setting aside an abatement.
  - 16 Applications for production of documents outside Court premises.
  - 17 Applications for change or discharge of advocate on record.
  - 18 Applications to withdraw suits.
  - 19 Applications for payment into Court.
  - 20 Applications for payment out of Court of money or security, or interest or dividend on securities.
  - 21 Applications for extending returnable dates of warrants.
  - 22 Applications to appoint or discharge a next friend or guardian of a minor or a person of unsound mind and direct amendment of the record thereon.
  - 23 Application for refund of security deposit or part thereof, or for payment out of security deposit.
- {\*\*\*} Deleted w.e.f. 2-7-1983.
- 25 Applications for consolidation of appeals and writ petitions for purposes hearing and preparation of record.

- 26 Applications for directions regarding preparation of record.
- 27 Applications for exemption from filing of certified copies of judgments, decrees, orders, certificates or orders granting certificate.

Provided that applications for exemption from filing of certified copies of judgments or orders accompanying a special leave petition shall be posted before the Court along with the Special Leave Petition.

- 28 Application for condonation of delay in re-filing, provided the delay does not exceed 90 days from the date of notifying the defects.
- 29 Application for condonation of delay in filing process fee.
- 30 Issue of fresh summons and notices.
- 31 Application for extension of time for filing pleadings, provided that the Registrar shall not grant more than two extensions for the same purpose.
- 32 Application for cancellation of date on the written joint request of the appearing parties, provided the matter has not appeared in the final cause-list, on the date of filing of application.
- 33 Application for amendment of pleadings with the consent of all the appearing parties, or where the other side has not appeared.
- 34 Office Report for renewal of Fixed Deposit Receipts and Bank Guarantees.
- 35 Application for exemption from filing official translation.
- 36 Application for exemption from filing process fee and/or spare copies.
- 37 All uncontested Interlocutory Applications of formal nature.
- 38 Any matter which in accordance with orders or directions issued by the Court, is required to be dealt with by the Registrar.
- 39 Imposing costs on the party in default of compliance of the orders

passed by the Registrar.

iv) The powers of the Court in relation to the following matters may be exercised by a Single Judge sitting in Chambers under Order VI, Rule 2 of Supreme Court Rules 1966:-

- 1 Applications by advocate on record for leave to withdraw.
- 2 Applications for leave to compromise or discontinue an appeal where permissions was granted to sue as an indigent person.
- 3 Applications for striking out or adding party or for intervention in a suit, appeal or other proceeding.
- 4 Applications for separate trials of causes of action.
- 5 Applications for separate trials to avoid embarrassment.
- 6 Rejection of plaint.
- 7 Applications for setting down for judgment in default of written statement.
- 8 Applications for better statement of claim or defence.
- 9 Applications for particulars.
- 10 Applications for striking out any matter in a pleading.
- 11 Applications for amendment of pleading and for enlargement of time to amend any pleading.
- 12 Applications to tax bills returned by the Taxing Officer.
- 13 Applications for review of taxation.

14 Applications for enlargement or abridgement of time except applications for condonation of delay in filing Special Leave Petitions.

15 Applications for issue of commissions.

[\*\*\*] Deleted w.e.f. 2-7-1983

17 Applications for assignment of security Bonds.

18 Questions arising in taxation referred by the Taxing Officer.

19 Applications for orders against clients for payment of costs.

20 Applications for taxations and delivery of bill of costs and for delivery by an advocate of documents and papers.

21 Applications for registration of advocates as advocates on record.

22 Applications for leave to proceed as an indigent person.

23 Applications for grant of bail where the petitioner is confined in jail.

24 Applications for stay of execution of a sentence or order in criminal proceedings.

25 Applications by accused persons in custody for being produced before the Court at the hearing of the appeal.

26 Consent applications in interlocutory matters.

27 Applications by accused persons for engagement of advocate under rule 25 of Order XXI.

28 Fixing the remuneration of a guardian ad litem.

[\*\*\*] Deleted



[\*\*\*] Deleted

- 31 Summons for non-prosecution under Order XV, Rule 30 of Supreme Court Rules.
- 32 Office Report on default.
- 33 Application for exemption from paying court fee.
- 34 Application for condonation of delay in seeking substitution and application for substitution where it would involve setting aside an abatement.
- 35 Application for condonation of delay in re-filing where the delay exceeds 90 days from the date of notifying the defects.
- 36 Application for refund of security.
- 37 Application for withdrawal of any appeal/petition with the consent of all the appearing parties or where the other side has not appeared.
- 38 Application for exemption from surrendering.

(v.) **Offices of the Court: Sitting and Vacation etc.**

- (a) Except during vacation and on Saturdays and holidays, the offices of the Court, shall, subject to any order by Hon'ble the Chief Justice, be open daily from 10 A.M. to 5 P.M. but no work unless of urgent nature, shall be admitted after 4.30 P.M.
- (b) The offices of the Court shall, except during vacation, be open on Saturdays from 10.00 A.M. to 1.00 P.M. but no work, unless of an urgent

nature, shall be admitted after 12 Noon.

(c) Except on the days which are holidays both for the Court and the offices of the Court, the offices of the Court shall be open during summer vacation and Christmas and New Year holidays of the Court at such times as the Chief Justice may direct.

(d)(i) The Court shall sit in two terms annually, the first commencing from the termination of the summer vacation and ending with the day immediately preceding such day in December as the Court may fix for the commencement of the Christmas and New Year holidays and the second commencing from the termination of the Christmas and New Year holidays and ending with the commencement of the summer vacation.

(d)(ii) The period of the summer vacation shall be seven weeks.

(d)(iii) The length of the summer vacation of the Court and the number of holidays for the Court and the offices of the Court shall be such as may be fixed by the Chief Justice and notified in the official Gazette so as not to exceed one hundred and three days (excluding Sundays) not falling in the vacation and during holidays.

(e) The Court shall not ordinarily, sit on Saturdays, nor on any other days notified as Court holidays in the Official Gazette.

(f) The Chief Justice may appoint one or more Judges to hear during

summer vacation or winter holidays, all matters of an urgent nature which under these rules may be heard by a Judge sitting singly, and, where ever necessary, he may likewise appoint a Division Court for the hearing of urgent cases during the vacation which require to be heard by a Bench of Judges.

## **CHAPTER II**

### **JURISDICTION OF THE SUPREME COURT**

The jurisdiction of the Supreme Court can broadly be categorised as (1) Appellate Jurisdiction (2) Original Jurisdiction, and (3) Advisory Jurisdiction.

#### **A. APPELLATE JURISDICTION**

##### **Appeals permitted under the Constitution**

(i) **Article 132 of the Constitution** provides for an appeal to the Supreme Court from any judgment, decree or final order of a High Court, whether in civil, criminal or other proceedings, if the High Court certifies that the case involves a substantial question of law as to the interpretation of the constitution.

(ii) **Article 133 of the Constitution** provides for an appeal to the Supreme Court from any judgment, decree or final order in a civil proceeding of a High Court if the High Court certifies that the case involves a substantial question of law of general importance and in its opinion the said question needs to be decided by the Supreme Court.

Vide Circular dated 2nd December, 2006 fresh directions have been issued with regard to listing of the Statutory Appeals which are to the following effect:-

“When the Hon'ble Court condones the delay and issues notice it may be taken as admission of appeal and the same be listed for hearing on a regular day.

When the Hon'ble Court condones the delay and issues notice for admission then it should be put up for motion hearing on a miscellaneous day”.

(iii) **Article 134 of the Constitution** provides for an appeal to the Supreme Court from any judgment, final order or sentence in a criminal proceeding of a High Court if (a) it has on appeal reversed an order of acquittal of an accused person and sentenced him to death or (b) has withdrawn for trial before itself, any case from any Court subordinate to it and has in such trial convicted the accused and sentenced him to death or (c) it certifies that the case is a fit one for appeal to the Supreme Court.

**Appeal by Special Leave:**

**Article 136 of the Constitution** provides that the Supreme Court may in its discretion grant special leave to appeal from any judgment, decree,

determination, sentence or order in any case or matter passed or made by any Court or tribunal in the territory of India except the Court or tribunal constituted by or under any law relating to armed forces.

**Statutory Appeals:**

(i) **Section 379 of Code of Criminal Procedure, 1973** read with **Section 2 of the Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Act, 1970**, as amended by the **Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Amendment Act, 1972**, provides for an appeal to the Supreme Court from any judgment, final order or sentence in a criminal proceedings of a High Court, if the High Court (a) has on appeal reversed an order of acquittal of an accused person and sentenced him to death or to imprisonment for life or to imprisonment for a period of not less than ten years; (b) has withdrawn for trial before itself any case from any Court subordinate to its authority and has in such trial convicted the accused person and sentenced him to death or to imprisonment for life or to imprisonment for a period of not less than ten years.

(ii) **Section 130E of the Customs Act, 1962** provides for an appeal to the Supreme Court from any judgment of the High Court on a reference made under Section 130, in any case which the High Court certifies to be a fit one for appeal to the Supreme Court, or any order passed by the Appellate

Tribunal relating, amongst other things, to the determination of any question having relation to the rate of custom duty or the value of goods for the purpose of assessment.

(iii) **Section 35L of Central Excise and Salt Act, 1944** provides for an appeal to the Supreme Court from any judgment of the High Court delivered on a reference made under Section 35G, in any case which the High Court certifies to be a fit one for appeal to the Supreme Court, or any order passed by the Appellate Tribunal relating, amongst other things, to the determination of any question having a relation to the rate of duty of excise or to the value of goods for purpose of assessment.

(iv) **Section 23 of the Consumer Protection Act, 1986** provides for an appeal to the Supreme Court from an order made by the National Consumer Disputes Redressal Commission, entertaining complaints where the value of the goods or services and compensation, if any, claimed exceeds Rupees One Crore, and alongwith the appeal, a demand draft in favour of Registrar. Supreme Court is required to be deposited for the 50% of the amount awarded or Rs. 50,000/-, whichever is less.

(v) **Section 19(1)(b) of Contempt of Courts Act, 1971**; provides for an appeal to the Supreme Court, as of right, from any order or decision of Division Bench of a High Court in exercise of its jurisdiction to punish for

contempt.

(vi) **Section 38 of Advocates Act, 1961**; provides for an appeal to the Supreme Court from an order made by the Disciplinary Committee of the Bar Council of India under Section 36 or 37 of the said Act.

(vii) **Section 116A of Representation of People Act, 1951**; provides for an appeal to the Supreme Court on any question, whether of law or fact, from every order passed by a High Court under Section 98 or Section 99 of the said Act.

(viii) **Section 10 of the Special Court (Trial of offences relating to Transaction and Securities) Act, 1992**; provides for an appeal to the Supreme Court from any judgment, sentence or order not being interlocutory order, of the special court, both on fact and on law.

(ix) **Section 55 of the Monopolies and Restrictive Trade Practices Act, 1969**; provides for an appeal to the Supreme Court from certain orders passed by the Central Government or by MRTP Commission.

(x) **Section 18 of the Telecom Regulatory Authority of India Act, 1997**; provides for an appeal to the Supreme Court against any order not being an interlocutory order, of the Appellate Tribunal, on one or more of the grounds specified in Section 100 of Code of Civil Procedure.



(xi) **Section 15(z) of Securities and Exchange Board of India Act, 1992;** provides that any person aggrieved by any decision or order of the Securities Appellate Tribunal may file an appeal to the Supreme Court on any question of law arising out of such order.

(xii) **Section 261 of Income-tax Act, 1961;** provides for an appeal to the Supreme Court from any judgment of the High Court (delivered on a reference made under Section 256 against an order made under section 254 before 1st October, 1998 or on appeal made to the High Court in respect of an order passed under section 254 on or after that date), in any case which the High Court certifies to be a fit one for appeal to the Supreme Court.

(xiii) **Section 19 of Terrorists and Disruptive Activities (Prevention) Act, 1987;** provides an appeal to the Supreme Court from any judgment, sentence or order not being an interlocutory order, of a Designated Court, both on facts and on law. The Act has since been repealed.

(xiv) **Section 125 of the Electricity Regulation Act, 2003;** provides that any person aggrieved by any decision or order of the Appellate Tribunal may, file an appeal to the Supreme Court within sixty days from the date of communication of the decision or order of the Appellate Tribunal to him, on any one or more of the grounds specified in section 100 of the Code of Civil Procedure, 1908 (5 of 1908).

Provided that the Supreme Court may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the said period, allow it to be filed within a further period not exceeding sixty days.

(xv) **Section 14 of the Terrorist Affected Areas (Special Courts) Act, 1984** provides that notwithstanding anything contained in the Code, as appeal shall lie as a matter of right from any judgment, sentence or order, not being interlocutory order, of a Special Court to the Supreme Court both on facts and on law. Except as aforesaid, no appeal or revision shall lie to any court from any judgment, sentence or order of a Special Court. Every appeal under this section shall be preferred within a period of thirty days from the date of the judgment, sentence or order appealed from.

Provided that the Supreme Court may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period of thirty days.

**B. ORIGINAL JURISDICTION:****(I) Writs**

(i) **Article 32 of the Constitution** guarantees the right to move the Supreme Court for enforcement of fundamental rights. Supreme Court has power to issue directions or orders or writs including the writs in the nature of Habeas Corpus, Mandamus, Prohibition, Quo warranto and Certiorari, whichever may be appropriate, for enforcement of these rights.

**(ii) Original Suits**

**Article 131 of the Constitution** grants exclusive jurisdiction to the Supreme Court in any dispute between a) Government of India and one or more States or b) between Government of India and any State or States on one side and one or more other States on the other side c) between two or more States, insofar as such disputes involve any question on which the existence or extent of a legal right depends.

**(iii) Transfer of cases**

(a) **Article 139A(1) of the Constitution**, provides that where cases involving the same or substantially the same questions of law are pending before the

Supreme Court and one or more High Courts or before two or more High Courts and the Supreme Court is satisfied, on its own motion, or on an application made by the Attorney-General for India or by a party to any such case, that such questions are substantial questions of general importance, the Supreme Court may withdraw the case or cases pending before the High Court or the High Courts and dispose of all the cases itself.

**(b) Article 139A(2) of the Constitution**, provides that the Supreme Court may, if it deems it expedient so to do for the ends of justice, transfer any case, appeal or other proceedings pending before any High Court to any other High Court.

**(c) Section 25 of Code of Civil Procedure, 1908;** provides that Supreme Court may transfer any suit, appeal or other proceedings from a High Court or other civil court in one State to a High Court or other civil court to any other State.

**(d) Section 406 of Code of Criminal Procedure, 1973;** provides that Supreme Court may transfer any particular case or appeal from one High Court to another High Court or from a criminal court subordinate to one High Court to another criminal court of equal or superior jurisdiction, subordinate to another High Court.

**(iv) Election disputes:**

**Article 71 of the Constitution**, provides that all doubts and disputes relating to election of President or Vice-President are required to be enquired into and decided by the Supreme Court.

**(v.) ARBITRATION PETITIONS**

Under Section 11 of the Arbitration & Conciliation Act, 1996, Arbitration Petitions can be filed praying Hon'ble the Chief Justice of India or any person or institution designated by him for the appointment of arbitrator(s) and the decision on a matter entrusted by Sub-section(4), (5) or (6) of Section 11 to the Chief Justice of India or the person or institution designated by him to appoint arbitrator is final. In exercise of powers conferred on the Chief Justice of India under Sub-section(10) of Section 11, a scheme has been made and the Arbitration Petitions are dealt with accordingly.

Process Fee of Rs.15,000/- is payable on the Arbitration Petition.

**(vi.) CONTEMPT PETITIONS**

Under Article 129 of the Constitution of India, the Supreme Court is a Court of Record and has all the powers of such a Court including the power to punish for contempt of itself.

In exercise of the powers under Section 23 of the Contempt of Courts

Act, 1971 read with Article 145 of the Constitution of India and all other powers enabling it in this behalf, the Supreme Court with the approval of the President has made Rules to Regulate Proceedings for Contempt of the Supreme Court, 1975 which inter alia provide as under:

#### **PART-I**

2. (1) Where contempt is committed in view or presence or hearing of the Court, the contemner may be punished by the Court before which it is committed either forthwith or on such date as may be appointed by the Court in that behalf.

(2) Pending the determination of the charge, the Court may direct that the contemner shall be detained in such custody as it may specify:

Provided that the contemner may be released on bail on such terms as the Court may direct.

#### **PART-II**

3. In case of contempt other than the contempt referred to in rule 2, the Court may take action -

(a) *suo motu*, or

(b) on a petition made by Attorney General, or Solicitor General or

(c) on a petition made by any person, and in the case of a criminal contempt with the consent in writing of the Attorney General or the Solicitor

General.

4. (a) Every petition under rule 3(b) or (c) shall contain:-

(i) the name, description and place of residence of the petitioner or petitioners and of the persons charged;

(ii) nature of the contempt alleged, and such material facts, including the date or dates of commission of the alleged contempt as may be necessary for the proper determination of the case;

(iii) if a petition has previously been made by him on the same facts, the petitioner shall give the details of the petition previously made and shall also indicate the result thereof."

**C. ADVISORY JURISDICTION:**

(i) **Article 143(1) of the Constitution**, provides that if at any time it appears to the President that a question of law or fact has arisen, or is likely to arise, which is of such a nature and of such public importance that it is expedient to obtain the opinion of the Supreme Court upon it, he may refer the question to that Court for consideration and the Court may, after such hearing as it thinks fit, report to the President, its opinion thereon.

(ii) **Article 317 of the Constitution**, provides that the Chairman or any other member of a Public Service Commission can be removed from his office by order of the President, on the ground of misbehavior, after the Supreme Court on reference being made by the President, has on enquiry reported that he ought, on such ground, to be removed from his office.

**D. REFERENCES:**

(i) **Reference under Section 257 of Income-tax Act, 1961** provides that the Income-tax Appellate Tribunal can, through its President, refer to the Supreme Court, any question of law on which there is difference of opinion between different High Courts and the question requires to be resolved by the Supreme Court.



- (ii) **Reference under Section 7(2) of the Monopolies and Restrictive Trade Practices Act, 1969** provides that no member can be removed from his office on the ground of abusing his position or acquiring financial or other interest prejudicial to his functioning as a member unless Supreme Court on a reference being made by the Central Government, has reported that he ought on such ground to be removed.
- (iii) **Reference under Section 130A of the Customs Act, 1962, Section 35H of the Central Excise and Salt Act, 1944 and Section 82C of the Gold (Control) Act 1968** - Rules relating to Reference under Section 257 of the Income-Tax Act, 1961, shall, with necessary modifications and adaptations, apply to reference under this Act.
- (iv) **Reference under Section 7(2) of the Sick Industrial Companies (Special Provisions) Act, 1985** - Rules relating to reference under Section 7(2) of the Monopolies and Restrictive Trade Practices Act, 1969 shall, with necessary modifications and adaptations, apply to reference under this Act.

**E. REVIEWS :**

(i) **Article 137 of the Constitution**, provides that subject to provisions of any law and rules made under Article 145, the Supreme Court has the power to review any judgment pronounced or order made by it. Under Supreme Court Rules, 1966 such a petition is to be filed within thirty days from the date of judgment or order and as far as practicable, it is to be circulated, without oral arguments, to the same Bench of Judges who delivered the judgment or order sought to be reviewed.

(ii) As laid down by this Court in the case of **Rupa Ashok Hurrah vs. Ashok Hurrah 2002 (4) SCC 388** even after dismissal of a review petition under Article 137 of the Constitution, Supreme Court, may entertain a curative petition and reconsider its judgment/order, in exercise of its inherent powers in order to prevent abuse of its process, to cure gross miscarriage of justice and such a petition can be filed only if a Senior Advocate certifies that it meets the requirements of this case. Such a petition is to be first circulated, in chambers, before a Bench comprising of three seniormost Judges and such serving Judges who were members of the Bench which passed the judgment/order. subject matter of the petition. There is no limitation prescribed for filing a Curative Petition and the same court fee which was paid on Review Petition is payable on it.

**CHAPTER III****JAIL PETITIONS**

(i) **How to file** : If a person is in jail and not represented by an Advocate-on-Record, he can submit his petition, along with the certified copy of the impugned judgment, and written arguments which he desires to advance in support of his petition, to the Officer-in-charge of the jail where he is lodged. The Officer-in-charge of the jail forwards the petition along with affidavit to this Court. Copies of the High Court and Trial Court Judgment, and in case the petition has been filed after expiry of the prescribed period of limitation, an application for condonation of delay, is required to be filed with the petition. The date on which the petition is presented before the Jail Superintendent and is attested by him, is taken as the date of filing of the petition. The petition must contain a statement that no similar petition has been filed earlier against the same impugned order.

The procedure for processing of Jail Petitions is prescribed in the Circular dated 20<sup>th</sup> November, 2006 which reads as under :-

- 1 While dealing with Jail Petitions, it should always be borne in mind that the Rules contained in Supreme Court Rules, 1966 and practice directions/ instructions issued from time to time are to be

read in consonance with the fundamental rights of the prisoners and since a Jail Petition requires immediate attention of the Hon'ble Court, all efforts have to be made to ensure that it is numbered, processed and placed before the Hon'ble Court at the earliest possible.

- 2 In case An Appeal/ Petition involves a sentence of death, whether or not presented from Jail:-

(a) Intimation in this regard shall be sent immediately on the date receipt itself, by way of telegrams, to the Home Secretary of the State, High Court, Trial Court and the Jail Superintendent; and

(b) The Jailor (of the jail where the petitioner in question is lodged) shall be immediately contacted on telephone and if possible through fax, by the Assistant Registrar to ascertain whether and if so when the execution of the sentence is fixed. The information received on telephone and / or through fax shall be recorded in writing and urgently placed before the Hon'ble Court, along with the Office Report, seeking further directions.

- 3 As soon as a Jail Petition is received, the Section Officer shall get it diarised on the same day, in the computer system,

examine it, and shall urgently take the following steps:-

(a) issue a letter to Supreme Court Legal Services Authority to inform, by a date to be specified in the letter as to whether the petitioner has submitted a similar appeal/petition to it and the action taken thereupon; Supreme Court Legal Services Authority will be informed that, if no response is received from it by the stipulated date, it will be presumed that the petitioner has not approached them;

(b) If a similar appeal / petition has not been received by Supreme Court Legal Services Authority, the concerned section shall immediately put up the file to the Registrar to nominate an amicus curiae and send intimation in this regard in **Form 'A'** to the amicus curiae advising him to contact and seek instructions from the petitioner in jail, also endorsing a copy thereof to the latter;

Form 'A' is as under:-

TELEGRAPHIC ADDRESS: "SUPREMECO"

D.No.....Sec.....  
SUPREME COURT OF INDIA  
NEW DELHI  
DATED .....

FROM:

THE ASSISTANT REGISTRAR  
SUPREME COURT OF INDIA  
NEW DELHI

TO

.....  
.....  
.....

Versus ..Petitioner(s)/Appellant(s)  
..Respondent(s)

Sir,

The Petition/ Appeal mentioned above has been presented through Jail to this Court by the Petitioner(s) / Appellants(s) above-named. As the Petitioner(s)/ Appellant(s) is/are undefended, you are appointed as Amicus Curiae at State expense to argue the Petition / Appeal on behalf of the Petitioner(s)/ Appellant(s) and, thus, be of assistance to the Court.

A copy of Petition/ Appeal and documents as received are enclosed. You may like to communicate with the Petitioner(s)/ Appellant(s) to take instructions and assist him.

Registry is taking steps to process the mater for listing soon. The matter will be listed in due course as and when the Paper Books

become ready and will be sent to you.

Yours faithfully

ASSISTANT REGISTRAR

Copy to:

.....  
C/o THE SUPERINTENDENT  
-----

ASSISTANT REGISTRAR

(c) find out as to whether any matter against the impugned judgment/order has been earlier filed by the petitioner or any of the co-accused as directed vide in accordance with the Circular no. F.24/Judl/2000 dated 29<sup>th</sup> February, 2000.

(d) examine it to find out if it is within the period of limitation and for such purpose, the earliest date endorsed on the petition by the jailor indicating the date of receipt thereof by him shall be taken into consideration:

(e) where the Jail Petition is found to be barred by limitation but not accompanied by an application/ request for condonation of delay, the defect shall immediately be communicated to the petitioner with copy to amicus cariae. He will also be informed that failure to remove the defect

may lead to dismissal of his petition. If no application for condonation of delay is filed, the matter shall be placed unregistered before the Hon'ble Court with Office Report for directions indicating the defect and the Assistant Registrar shall send a copy of the Office Report to appellant/ petitioner through the Jail Superintendent with copy to amicus cariae.

(f) where the Jail Petition is not accompanied by a declaration or affidavit stating therein that no similar petition / appeal had been filed earlier, the appeal / petition shall be placed unregistered before the Hon'ble Court with Office Report for directions indicating the defect and Assistant Registrar shall send a copy of the Office Report to the petitioner through the Jail Superintendent.

(4) While registering a Jail Petition (initially with reference to Diary number and later as Special Leave Petition / Criminal Appeal etc.), the expression "JP" put in parenthesis shall be added so as to clearly indicate it being a Jail Petition.

(5) If the Petition is accompanied by certified copy of the impugned judgment (including the true copy supplied by the court below) that shall be treated as sufficient for purposes of its registration and first listing and, at that stage, it would not be necessary to call for other documents.



(6) If Jail Petition is found, to be suffering from defects such as non- disclosure of requisite particulars of the case, or court from order of which it arises, and such particulars cannot be ascertained from the documents filed with the petition or is not accompanied by certified copy of impugned judgment / order, or is barred by limitation or suffers from such other defect on account of which it will not be possible for the Hon'ble Court to hear the matter, the Section Officer shall:-

(a) immediately send a letter to the petitioner in jail conveying the precise defects and requesting him to remove the same by a date to be stipulated in the communication, endorsing copies of the said communication to the jailor and to the amicus cariae and calling upon each of them to assist the petitioner in making timely compliance. He will also be informed that failure to remove the defect may lead to dismissal of his petition;

(b) If the defect(s) is not removed despite communication in terms of sub para(a) above, the matter shall immediately thereafter be placed unregistered, before the Hon'ble Court with Office Report for directions indicating the defect and the steps taken;

(7) where the Jail Petition Judgment / order or other documents filed by the petitioner are hand written, in English, or impression is dim, a typed transcript thereof shall be immediately got

prepared from Section V/VI and acted upon:

- (8) The additional copies wherever required shall be got prepared on urgent basis by the Section Officer and on this account the listing of the Jail Petition shall not be delayed;
- (9) where the Jail Petition or the certified copy of the impugned judgment / order are in vernacular, the Section Officer shall immediately take the following urgent steps:-
  - (i) Get the sufficient number of Xerox copies of the impugned judgment/ order made, one being sent to section V/VI for urgent translation under intimation to amicus curiae;
  - (ii) Get the petition translated in Section V/VI at the earliest possible. Any delay shall forthwith be brought to the knowledge of concerned Registrar, in writing. He shall then issue necessary directions for translation without any further delay.
  - (iii) The petition will be sent for listing immediately after the translation of petition and / or order, as the case may be.
- (10) Written arguments, if any, submitted by the Petitioner, in terms of Order XXI Rule 8(1) of Supreme Court Rules, 1966, shall also be placed before the Hon'ble Court along with the petition.

- (11) If a Transfer Petition, received from Jail, is lacking in necessary particulars viz. Case No. and / or the courts where the cases are pending and / or the Court / place where the transfer is sought the defect shall be conveyed to the petitioner, at the earliest possible, requiring him to remove them by a date to be stipulated in the communication and copies of the communication shall be endorsed to the Superintendent of the Jail where the petitioner is lodged and to the Amicus Curiae and both of them will be requested to assist the petitioner in removing the defect. He will also be informed that failure to remove the defect may lead to dismissal of his petition. If the defect is not removed within the time stipulated in the communication, the matter shall be listed unregistered before the Hon'ble Court along with an Office Report for directions indicating the defect(s) and attempts made by the Registry to get them removed.
- (12) If a Writ Petition is filed from Jail, alleging violation of a Fundamental Right but without giving the requisite particulars, a communication shall be sent to the Superintendent of the Jail where the petitioner is lodged and to the Amicus Curiae and both of them will be requested to assist the petitioner in removing the defect. He will also be informed that failure to remove the defect may lead to dismissal of his petition. If, however, the defect is not removed within the time stipulated in the communication, the matter shall be listed unregistered before the Hon'ble Court along with an Office Report for direction indicating the defect(s) and

attempts made by the Registry to get them removed.

- (13) If the impugned judgment / order does not carry complete Memo of parties, the High Court shall be asked to forward the complete Memo of parties but while awaiting response the listing of the matter before the Hon'ble Court shall not be deferred on such account.
- (14) If it is found that the Jail Petition ~~discloses~~ no reasonable cause or is frivolous or contains scandalous matter, the Registrar may refuse to register the petition, as provided in Order XVIII Rule, 5 of Supreme Court Rules, 1966 convey the entire order passed by him to the petitioner/ Appellant, and also inform him of his right to appeal by way of motion under Order XVIII Rule 5 of Supreme Court Rules, 1966 and the period specified therefor.
- (15) The Jail Petition shall be placed before the Hon'ble Court on the earliest opportune date, alongwith all the documents presented therewith including the written arguments etc., and an intimation of the date on which the mater is listed shall be sent in **Form 'B'** to the petitioner through the jailor and to the amicus curiae nominated for the purpose of the case.

Form 'B' is as under:-

TELEGRAPHIC ADDRESS: "SUPREMECO"

D.No.....Sec.....  
SUPREME COURT OF INDIA  
NEW DELHI

DATED .....

FROM:

THE ASSISTANT REGISTRAR  
SUPREME COURT OF INDIA  
NEW DELHI

TO

.....  
.....  
.....

CRIMINAL APPEAL/ SPECIAL LEAVE PETITION(CRL.)/ WRIT  
PETITION(CRL.) , TRANSFER PETITION(CRL.) NO. ....  
..Petitioner(s)/Appellant(s)

Versus

..Respondent(s)

Sir,

Please refer to this office letter No. .... dated  
..... Whereby you were appointed Amicus Curiae in the above  
referred matter and copy of the Petition/Appeal and documents  
received from the Petitioner/ Appellant were sent to you.

The matter has since been processed and registered. The matter is scheduled to be listed for hearing before the Hon'ble Court on .....

You are requested to kindly appear and act in the matter as Amicus Curiae for the Petitioner/ appellant in Jail.

Yours faithfully

ASSISTANT REGISTRAR

Copy to:

THE CHIEF SECRETARY  
Government of .....  
.....

He / She is requested to make necessary arrangements for the payment of the fee of ....., Advocate. Supreme Court, New Delhi as provided under Rule 8(2) and 25(A) of Order XXI, S.C.R., 1966.

ASSISTANT REGISTRAR

Copy to:

.....  
C/o THE SUPERINTENDENT  
-----

ASSISTANT REGISTRAR

(16) It is made clear that though the responsibility to take ( cause to be taken) necessary steps in letter and spirit of the above directions is primarily that of the Dealing Assistant and the Section Officer, the senior officers are also required to diligently and vigilantly supervise the process so that delay on the part of the Registry is scrupulously avoided.

(17) The provisions contained in Order XXI of Supreme Court Rules shall strictly followed before setting out a criminal appeal for hearing

(18) For removal of doubts, it is clarified that:-

(a) It is not reasonable that in each and every case, the lower court records should be called for in a mechanical manner, unless it is found to be necessary or so directed by the Hon'ble Court. The first listing of the case shall not be delayed on account of non-receipt of record;

(b) The fact that the petitioner / appellant stands released from Prison, having served the sentence awarded against him by the Court(S) below, will not render the petition/ appeal "infructuous" so as to be "lodged" under Supreme Court Rules, 1966.

(c) If there is a default on the part of the petitioner / appellant in compliance with any requirements, the petition / appeal must be placed before the Hon'ble Court for directions soon after the time granted for compliance expires;

(d) In case there is any default in compliance with the directions of the Hon'ble Court, passed upon hearing of the SLP or Criminal Appeal, the Registry shall not "lodge" the

Appeal or treat it as closed but shall place the matter before the Hon'ble Court along with appropriate office Reports with directions.



**CHAPTER IV****PUBLIC INTEREST LITIGATION & LETTER PETITIONS**

**The matters of public interest** generally include (i) bonded labour matters; (ii) matters of neglected children; (iii) exploitation of casual labourers and non-payment of wages to them (except in individual cases); (iv) matters of harassment or torture of persons belonging to Scheduled Castes, Scheduled Tribes and other Economically Backward Classes, either by co-villagers or by police; (v) matters relating to environmental pollution, disturbance of ecological balance, drugs, food adulteration, maintenance of heritage and culture, antiques, forests and wild life (vi) petitions from riot victims and (vii) petitions from jails complaining of harassment, for pre-mature release and seeking release after having completed 14 years in jail, deaths in jail, transfer, release on personal bond, speedy trial as a fundamental right, (viii) petitions against police for refusing to register a case, harassment by police and death in police custody, (ix) petitions against atrocities on women in particular harassment of bride, bride-burning, rape, murder, kidnapping etc., (x) family pension (xi) and other matters of public importance.

Public Interest Litigation is an instrument for the administration of justice to be used properly in appropriate cases for remedying the hardships and miseries of the needy, the downtrodden and the neglected. Writ Petition in the nature of Public Interest Litigation can either be filed at the Filing Counter or such matter of public importance can be brought to the notice of the Court by way of a letter. A Writ Petition filed at the Filing Counter is processed as per requirements of the Supreme Court Rules.

To deal with case of the latter type the Court has evolved its own procedure and framed internal guidelines. The letter is scrutinised in the PIL Section and if after scrutiny the same is found to be covered by the guidelines issued it is placed before one of the Hon'ble Judges for orders as to whether it should be treated as a Writ Petition. Individual petitions complaining harassment or torture or death in jail or by police, complaints of atrocities on women such as harassment for dowry, bride burning, rape, murder and kidnaping, complaints relating to family pensions and complaints of refusal by police to register the case can be registered as writ petitions, if so approved by the concerned Hon'ble Judge. After the Hon'ble Judge has passed an order for treating the letter as a Writ Petition the same is registered as such and dealt with like a Writ Petition under Article 32 except realisation of Court Fee. The petition is then listed before the Hon'ble Court for preliminary hearing.

Though it is treated and dealt with like a Writ Petition but technicality in the procedural law is not adhered to such as the filing of process fee and spare copies of the petition by the petitioner for service of notice on the respondents.

**The matters of private nature** include (i) threat to or harassment of the petitioner by private persons, (ii) seeking enquiry by an agency other than local police, (iii) seeking police protections, (iv) landlord-tenant dispute (v) service matters, (vi) admission to medical or engineering colleges, (vii) early hearing of matters pending in High Court and subordinate courts and are not considered matters of public interest.

## CHAPTER V

### ALLOCATION OF DUTIES/RESPONSIBILITIES OF OFFICERS & OFFICIALS IN JUDICIAL SECTIONS

The subjects dealt with by each section are well-defined and duties and responsibilities of each employee are duly earmarked.

Each Dealing Official (Assistant/Sr. Clerk/Jr. Clerk) is expected to deal with 250 units. While an Appeal is taken as one unit, a Special Leave Petition is taken as 1½ unit. Writ Petition is treated at par with Special Leave Petition before issuance of Rule Nisi and thereafter, it is treated at par with an Appeal. One Transfer Petition is treated equivalent to two units. Transferred Case is treated at par with an Appeal. For assessing the staff strength in PIL (Writ) Section, the number of Interlocutory Applications are taken into consideration instead of Special Leave Petitions.

One Jr. Clerk is provided in each Section for dealing with Contempt Petitions as well as Interlocutory Applications in disposed of matters, who also receives all the documents etc. and distributes them to the concerned dealing officials.

One Senior Clerk and one Daftry or Record Keeper each is provided in Section II and II-A (dealing with criminal cases) exclusively for handling original record kept in these sections.

The Dealing Official deals with the file at every stage including Interlocutory Applications, Review Petitions/Contempt Petitions, till the file is consigned to Record Room.

### **Duties and Responsibilities of Section Officer**

The Section Officer is required to examine the file thoroughly, recheck and approve the formal orders, sign letters addressed to High Courts and Advocates, maintain Diary for noting down the important directions of the Court and ensure compliance, note down adjourned matters and ensure their listing and also check that the listing direction has been fed in the Computer terminal of the Section, note down the matters listed in the Court with the result of the matters and ensure compliance in conformity with the Court Orders, go through the filing/receipts received in the Section and ensure actions on them, examine payment of Court Fee, maintain a file containing various circulars/ directions issued by the senior officers and ensure compliance, seek guidance from senior officers for the smooth functioning of the Section, ensure that the information sought by the Computer

Section/Listing Branch and Officers is timely furnished, get ready the Review Petitions and ensure timely listing. obtain order for registration of I.As from the Assistant Registrar/Deputy Registrar/Joint Registrar and ensure their timely listing, go through all the Advance Lists/ Cause Lists/Weekly Lists/Terminal List and report the lapse, if any, to the Listing Incharge and also ensure necessary corrections, ensure proper operation of the Computer Terminal in the Branch, supervise the Section and maintain the Peshi Register in terms of Circular dated 9<sup>th</sup> December, 2004 which inter alia reads as under:-

“Every S.O. shall maintain a register for his Section on the lines of Peshi Register. All the matters in which notices/letters in terms of this Circular are issued shall be entered in that Register against a date after 40 days from the date of issue by the Section e.g. the matters in which notices/reminders are issued on 1<sup>st</sup> December shall be entered in the register against the date of 10<sup>th</sup> January. However, the matters in which process is sent by Registered post shall be noted after 25 days and the matters in which Notice of Lodgment of Petition of Appeal is initially sent to the High Court for service shall be noted after 70 days from the date of issue by the Section. On that date, S.O. shall ensure that suitable further action is taken in all such matters. Further date, after 40 days, shall again be noted in that Register.”

The Section Officer is also required to perform other duties assigned by the senior officers from time to time.

### **Duties and Responsibilities of Assistant Registrar**

The Assistant Registrar is required to approve formal orders e.g. Ex-parte stay, bail, wireless message, vacating stay etc., sign notices except contempt notice, certification of documents, note down the matters listed in the Court, go through the Record of Proceedings and ensure compliance, go through the urgent filing received from Filing Counter and ensure proper actions, examine court fee and question of law, guide the staff, examine the files, ensure timely listing of matters, submit with own contribution IAs in disposed of matters to Deputy Registrar/Joint Registrar, examine the Review Petitions thoroughly before Registration and ensure timely listing, ensure timely transfer of files to the Decree Section, thoroughly examine the service position before signing Office Reports, ensure fair and equitable distribution of work, prepare statement of fresh matters received in the Section and its disposal, check the pendency of receipts once in a week, thoroughly inspect the files of the Section once in a month and submit the report to Deputy Registrar/Joint Registrar regarding delay in actions, if any, and pendency of various applications lying in the Section and also report general functioning of the Section, before leaving the Office ensure that no work of urgent nature is pending, check all the Cause Lists and bring to the notice of the Listing Branch/Officers, if any lapse is found and ensure its correction, in the

absence of Section Officer look after the work of Section and perform other duties assigned by the senior officers.

**Duties and Responsibilities of Deputy Registrar/  
Joint Registrar**

The Deputy Registrar and Joint Registrar who will be Incharge of 2 and 3 Sections respectively, is required to sign formal orders, summons for non-prosecution, wireless messages, contempt notices, decrees in Civil Matters, Transferred Cases and Criminal Appeals, Criminal Writ Petitions and Criminal Transferred Cases, register IAs in disposed of matters, give guidance to staff, visit the Section once in a week for the purpose of checking the pendency of receipts, check and suggest actions in not ready Appeals to make them ready, give proper orders where there is difference between Section Officer and Assistant Registrar and if the matter is complicated refer the same to the Additional Registrar, ensure smooth functioning of the Section and fair and equitable distribution of work, thoroughly examine the report regarding delay in actions submitted by Assistant Registrar and put up the same before Additional Registrar with suggestions. thoroughly inspect the Branch once in three months and submit report to the Additional Registrar regarding pendency in the Section of not ready matters and general functioning of the Branch. in the absence of Assistant Registrar to attend to



the urgent nature of work including signing of office reports and get the work done from other Officers under his control and perform other duties assigned by the senior officers.

### **Duties and Responsibilities of Additional Registrar**

Additional Registrar is required to take policy decisions with regard to matters pending with the approval of Registrar (Judicial), decide any question referred by Deputy Registrar/Joint Registrar, issue circulars periodically for the purpose of giving proper directions for smooth functioning with the approval of Registrar, ensure speedy action by the Sections in Court's orders of urgent nature, inspect the Sections periodically for the purpose of checking the pendency, thoroughly examine the files personally and give directions and guidance for making the matters ready and submit a weekly report to the Registrar General through Registrar. solve the problems faced by the Sections under him, move for Amendment of Rules wherever necessary, ensure prompt actions and get the work done in time, call for the periodical statements from every Section about the pendency and give appropriate directions and submit a report to Registrar General through Registrar, attend to the queries of the Advocates and solve the problems to the maximum extent within the ambit of Rules, make sincere efforts to extract maximum work

from the officers/staff working under him. attend to the work in the absence of Deputy Registrar/Joint Registrar under his control, and perform other duties assigned by senior officers from time to time.

### **Duties and Responsibilities of Registrar**

Registrar is overall Incharge of all the Judicial Sections under his Charge. He is Incharge of the listing of the matters and Incharge of the matters to be mentioned before the Hon'ble the Chief Justice of India for seeking urgent orders for early hearing. He is required to ensure a smooth functioning of the Judicial Sections as well as of the Courts, exercises the power of the Court as mentioned in Order VI, Order X Rule 6 (3) & (4) and Order XVIII Rule 5 of the Supreme Court Rules 1966, to decide the questions referred to him by the Additional Registrar, to attend to the problems of the Advocates, to issue circulars with the approval of Registrar General containing directions and guidelines to the staff, to nominate the Officers for signing the Wireless Messages, to decide the question raised under Order X, Rule 8(4) of Supreme Court Rules 1966 as regards the amount of Court Fee payable on a document., to issue certificate regarding excess Court Fee paid by mistake under Order X Rule 8(6) of Supreme Court Rules 1966, to receive

filing at late hours where the limitation is expiring , to attend the queries and directions of all the Hon'ble Judges, to keep note of important and urgent matters and bring them to the notice of the Hon'ble the Chief Justice of India, to receive complaints and to hold inquiry against the Officers/Officials, to submit Submission Notes to Hon'ble the Chief Justice of India, to hold meetings periodically with the Officers working under him and give appropriate directions, to place Sitting Lists of Benches for approval before Hon'ble the Chief Justice of India, to pass orders for lodgment of a letter petition if on scrutiny the same is not found to be covered under the PIL guidelines and to perform any other duties assigned by the Registrar General or by Hon'ble the Chief Justice of India.

### CHAPTER VA

#### Section-wise allocation of work

<i>SECTION</i>	<i>SUBJECT MATTER</i>
I, IA & IA Annexe	Maintenance of Paper-Books of the Miscellaneous and Regular Hearing Matters and despatching the same to the Residential Offices of Hon. Judges.
IB	Filing of Cases, its scrutiny, categorisation and registration. Filing of Miscellaneous documents etc.

<i>SECTION</i>	<i>SUBJECT MATTER</i>
IB	Filing of Cases, its scrutiny, categorisation and registration. Filing of Miscellaneous documents etc.
Computer Cell (DEU-I, II & III).	<p>DEU-I Filing of Fresh Matters, Registration of Fresh Matters, Caveat, Preparation of Terminal List, Weekly List, Daily List &amp; Supplementary List of Part-II Matters, Updation of Record of proceedings/Reporting of file, extraction of Law Points, Updation of High Courts' details.</p> <p>DEU-II Preparation of Advance List, Final Cause List of Miscellaneous Matters, Registrar's Court List, Updation of matter through Record of proceedings/file, preparation of Sitting List.</p> <p>DEU-III Receiving of Updation of all the Record of proceedings in dismissed matters and the matter in which there is no listing direction of Part-I and Part-II matters. Tagging and Registration of matters in which Judgment is being pronounced.</p>
Listing	Listing of cases.
Copying	Issue of Copies of orders etc.
Section II	Death cases, Crl. Appeals & S.L.Ps. from A.P., Assam, Delhi, H.P., J & K, Karnataka
Section-II A	Crl. Appeals & S.L.Ps. from Bihar, Chandigarh, Goa, Gujarat, Madhya Pradesh, Maharashtra, Orissa, Punjab & Haryana, Pondicherry, Tamil Nadu, Chhatisgarh.

<i>SECTION</i>	<i>SUBJECT MATTER</i>
Section-III	S.L.Ps. & Civil Appeals from all States regarding Sales Tax, Gold Control, Customs and Central Excise.
Section-III A	Presidential References, All References, Original Suits and SLPs and Civil Appeals from All States regarding Income Tax, Appeals under Advocates Act.
Section-IV	Civil Appeals from Punjab & Haryana and Madhya Pradesh
Section-IVA	S.L.Ps. from Karnataka & Madhya Pradesh, Civil Appeals from Karnataka, Chhatisgarh
Section-IVB	S.L.Ps. from Punjab and Haryana
Section-V	Preparation of Appeals Records, Appointment of Translators.
Section-VI	Cyclostyling of Cause Lists, Typing etc.
Section-VII	Receipt & issue of Dak (Letters/Orders/Notices) etc
Section-VIII (Record Room)	Maintenance of disposed of matters, Scanning work of disposed of matters, Advocate-on-Record Examination & Designation of Senior Advocates, Amendment of Supreme Court Rules.
Section IX	Civil Appeals and S.L.Ps. from Maharashtra and Gujarat
Section X	Writ Petitions (Civil/Criminal) & Curative Petitions, Uttranchal

<i>SECTION</i>	<i>SUBJECT MATTER</i>
Section XI	Civil Appeals and S.L.Ps. from U.P. except Appeals of 1996-2001.
Section XIA	Civil Appeals and S.L.Ps. from Andaman & Nicobar Islands, Dadar & Nagar Haveli, Kerala, Lakshdweep & Pondicherry
Section XII	Civil Appeals & S.L.Ps. from Tamil Nadu, Uttar Pradesh (Appeals of 1996-2001)
Section XII A	Civil Appeals & S.L.Ps. from Andhra Pradesh
Section XIII	Decrees of Sections IX, XI, XIA, XII, XIIA, XIV, XV (Labour), XVI, XVIIA and PIL.
Section XIII-B	Decrees of Sections III, IIIA, IV, IVA, X, XV(Rajasthan) & XVII.
Section XIV	Civil Appeals & S.L.Ps. from Delhi, Assam etc. & Himachal Pradesh
Section XV	Civil Appeals & S.L.Ps. from Rajasthan & Labour matters - Kerala, Rajasthan, Sikkim, Uttar Pradesh and West Bengal
Section XVI	Constitution Appeals & S.LPs., Civil Appeals & S.L.Ps. from West Bengal, S.L.Ps. and Civil Appeals from Bihar.
Section XVI-A	Transfer Petitions, Transferred Cases, S.L.Ps. & Civil Appeals from Jammu & Kashmir, Arbitration Petitions.

<i>SECTION</i>	<i>SUBJECT MATTER</i>
Section XVII	Election Petitions, M.R.T.P., & Contempt of Courts Act, Security Refund, Bill of Costs & N.C.D.R.C. Matters.
Section PIL (W)	Writ Petitions.
Section PIL (E)	English Letter Petitions.
Editorial	Cyclostyling of Judgments/Orders and Publication of Supreme Court Reports and Accreditation of Legal Correspondents etc.
Library	Work relating to Purchase, Receipt and Issue of Books/Literature to Hon. The CJI/Judges.

**CHAPTER VI****Mentioning & Listing of Urgent Matters**

(i) **Mentioning** : If urgent relief/directions are required in a fresh matter either the party-in-person or his Advocate can give request in the prescribed form called Listing Performa to the Assistant Registrar (Mentioning), on week days between 10.00 A.M. to 4.00 P.M. and on Saturdays from 10.00 A.M. to 12.30 P.M. In pending matters the time is from 10.00 A.M. to 1.00 P.M. & for fresh matters the time is from 10.00 A.M. to 4.00 P.M. The matter is then listed before the Court on the next working day only for the purpose of mentioning, provided the request for mentioning was received latest by 4.00 P.M. on the previous day after obtaining the caveat clearance. No mentioning is however allowed on Mondays. This facility enables the party to obtain immediate relief instead of waiting for the scheduled listing of his case.

(ii) **URGENT MATTERS (BEFORE VACATION OFFICER/  
OFFICER ON SPECIAL DUTY)**

Sometimes Advocates seek relief in urgent matters either on Court Holidays or after Court hours for this purpose a Senior Officer called Vacation Officer/Officer on Special Duty is deputed month-wise by an



Administrative Order asking the Advocates/In Person to approach the Vacation Officer/Officer on Special Duty who shall after screening the papers, seek directions from Hon'ble The Chief Justice of India/Hon'ble Judges and thereafter inform the Advocates/In Person concerned about the directions.

The following matters are considered to be of urgent nature and may be listed and heard during vacation/holidays:

- i) Matters in which death penalty has been awarded;
- ii) The petition for Habeas Corpus and matters relating to it;
- iii) Matters relating to imminent apprehension of demolition of property;
- iv) Matters relating to dispossession/eviction;
- v) Matters relating to violation of human rights;
- vi) Matters relating to and of public importance;
- vii) Matters for anticipatory bail and matters filed against order refusing/granting bail;

Every matter should be accompanied by an affidavit of urgency, indicating all the material facts necessary for the formation of opinion about its urgency. The required material facts and particulars should invariably include:

- i) the nature of the matter;
- ii) the date of the impugned order, if any;
- iii) the reason for not filing it before the Vacation/holidays, if the impugned order was made or the cause of action arose on an earlier date;
- iv) the latest date upto which the matter can be heard in view of the urgency indicated therein, and
- v) the nature of interim order sought for which the urgency is indicated must be mentioned.

No matter is entertained and considered for listing before the Hon'ble Vacation Judges unless it is, inter alia, accompanied by such an affidavit which is sufficient to indicate the urgency for its being heard by the Hon'ble Vacation Judges.

**CHAPTER VII****CAVEATS**

Where a petition, not relating to any pending appeal, is expected to be filed or has been filed but has not yet been heard, any person claiming right to appear before the Court on the hearing of such petition, may lodge a caveat in that matter. As and when any such petition is filed, the Registry will send a Notice of Lodgment of the Petition to him and shall require the petitioner to serve copy of the petition upon the caveator, along with the copies of the papers filed in support of the petition. If the petition has already been filed, the petitioner shall be required to serve copy of the petition upon the caveator and deliver copies of papers filed in support of the petition to him.

**CHAPTER VIII****SECTION I-B (FILING COUNTER)**

As required by Supreme Court Rules all complaints, petitions, applications and other documents are required to be presented by the party in person or by his authorised representative or by an Advocate-on-Record duly appointed by the party for the purpose at the Filing Counter of the Registry between 10.30 A.M. to 1 P.M. and 2 P.M. to 4.30 P.M. on working days and from 10.30 A.M. to 12.00 noon on Saturdays.

No document in language other than English can be filed in the Court unless the same is accompanied by a translation agreed to by both the parties or certified to be true translation by a translator appointed by the Court/appointed or approved by the Court.

On receipt of the petition/appeal, a receipt is issued at the Filing Counter with the computer generated diary number. The said matter then is scrutinised at the Filing Counter and if no defects are found the same is registered and numbered and if the matter is found defective the same is returned to the concerned Advocate-on-Record/party in-person for curing the defects and those defects are also notified on the internet. Defective matters are required to be filed after curing the defects within 28 days from the date of

notifying the defects and in case of delay an application for condoning the delay is required to be filed along with the matter and then the matters are registered and numbered if the defects are found to be cured.

To facilitate faster registration of cases, provision has been made for filing the matters with check list. The check list is signed by the Advocate-on-Record only and thereafter mandatory requirements are only checked before giving diary number and the matter is to be registered within one day. The Advocate-on-Record is solely responsible for any wrong information given in the check list. The format of the Check List is as under :-

#### CHECK LIST

- 1 Whether the contents of the petition/appeal, applications and accompanying documents are clear, legible and typed in double space on one side of the paper. Yes/No
  
- 2 Whether the particulars of the impugned order and the orders passed by the Court(s) below are uniformly written in all the documents. Yes/No
  
- 3 Whether the petition/appeal contains a statement in terms of Order XVI/XXI of Supreme Court Rules as to whether the petitioner has filed any petition against the impugned Order/judgment earlier, and if so, the result thereof stated in the petition. Yes/No

4 Whether the addresses of the parties and their representation are complete and set out properly.

Yes/No

5 Whether the cause title of the petition/appeal corresponds to that of the impugned judgment and names of parties therein.

Yes/No

6 Whether detailed cause title has been mentioned in the impugned judgment and if not, whether memo of parties has been filed.

Yes/No

7 Whether the petition and applications bear the signatures of the counsel/petitioner.

Yes/No

8 Whether the prescribed court fee has been paid.

Yes/No

9 Whether the affidavit of the petitioner in support of the petition/appeal and applications has been filed.

Yes/No

10 Whether the Vakalatnama has been properly executed by the petitioners/appellants and accepted by the Advocate and Memo of Appearance filed.

Yes/No

11 Whether the Annexures referred to in the petition/list of dates are true copies of the documents before the Court below and are filed in chronological order

Yes/No

12 Whether the petition/appeal is confined only to the pleadings in the Court/Tribunal below and

Yes/No

If not whether application for taking additional grounds/documents with affidavit and Court fee has been filed.

Yes/No

13 If there are any vernacular documents/portions/lines, whether application for exemption from filing Official Translation, with affidavit and court fee, has been filed.

Yes/No/NA

14 If the petition/appeal is time barred, whether application for condonation of delay mentioning the no. of days of delay, with affidavit and court fee has been filed.

Yes/No/NA

15 If a party in the court below has died, whether application for bringing Lrs. on record indicating the date of death, relationship, age and addresses alongwith affidavit and court fee has been filed.

Yes/No/NA

16 In SLP/Appeal against the order passed in Second Appeal whether copies of orders passed by the Trial Court and First Appellate Court have been filed.

Yes/No/NA

17 In matters involving conviction whether separate proof of surrender in respect of all convicts or application for exemption from surrendering has been filed.

Yes/No/NA

18 Whether paragraphs and pages of paperbooks have been numbered consecutively and correctly noted in Index.

Yes/No

19 If any identical matter is pending in/disposed of by Supreme Court, whether complete particulars of such matters have been given.

Yes/No/NA

Date:

Signature of Advocate-on-record

**Requirements**

Advocate-on-Record/petitioner in person, filing a fresh matter is required to ensure the following requirements :-

- a) The contents of the petition/appeal, applications and accompanying documents are clear, legible and typed in double space on one side of the paper.
  
- b) The SLP(C), has been filed in prescribed Form-28 which is as under :-

IN THE SUPREME COURT OF INDIA  
{ Order XVI Rule 4(1) (a) }

CIVIL APPELLATE JURISDICTION

**SPECIAL LEAVE PETITION**

(Under Article 136 of the Constitution of India)

S.L.P. (Civil) No.  
.....of.....

BETWEEN Position of Parties

In the Court/  
Tribunal From whose  
Order the Petition arises



A)	(Here insert the name/names of the petitioner(s))	Petitioner/ Respondent/ Appellant	Petitioner
----	---	---	------------

B)

C)

AND

D)	(Here insert the name/names of respondent)	Petitioner/ Respondent/ Appellant	Respondent
----	--	---	------------

E)

F)

To,

Hon'ble the Chief Justice of India  
and His Companion Judges of the  
Supreme Court of India

The Special Leave Petition of the Petitioner most respectfully  
showeth:-

- 1 The petitioner/petitioners above named respectfully submits this  
petition seeking special leave to appeal against the judgment/order of

(Here specify the Court/Tribunal against whose order the leave to  
appeal is sought for together with number of the case, date of the order and the  
nature of the order such as allowing or dismissing the matter or granting or  
refusing the interim order etc.)

- 2 **QUESTION OF LAW:**

The following questions of the law arise for consideration by this  
Hon'ble Court:

(Here set out the questions of law arising for consideration precisely)

- 3 **DECLARATION IN TERMS OF RULE 4(2)**

The petitioner states that no other petition seeking leave to appeal has  
been filed by him against the impugned judgment and order:

- 4 **DECLARATION IN TERMS OF RULE 6**

The annexures produced along with the SLP are true copies of the  
pleadings/documents which formed part of the records of the case in the  
Court/Tribunal below against whose order the leave to appeal is sought  
for in this petition.

5 **FOUNDATIONS**

Leave to appeal is sought for on the following grounds:  
(Here specify the grounds precisely and clearly)

6 **FOUNDATIONS FOR INTERIM RELIEF:**

(Here specify briefly the grounds on which interim relief is sought to)

7 **MAIN PRAYER:**

(Here set out the main prayer)

8 **INTERIM RELIEF:**

(Here set out the interim prayer)

Place: Advocate for the petitioner

Date:

Settled by:

(Specify the name of the Advocate in case where the petition is settled by an Advocate)

c) The certified copy of the impugned judgment has been filed and if certified copy is not available, an application for exemption from filing certified copy has been filed.

d) In case of appeal by certificate, the appeal is accompanied by judgment and decree or order appealed from, certificate granted by the High Court; and the order granting the said certificate.

- e) Proper and required number of paper books (1+5 in case of writ petition and 1+3 in other cases) have been filed.
- f) A brief list of dates/events has been filed.
- g) The particulars of the impugned order and the orders passed by the Court(s) below are uniformly written in all the documents.
- h) The petition/appeal contains a statement in terms of Supreme Court Rules, as to whether the petitioner had earlier filed any petition against the impugned order/judgment, and if so, the result thereof should be stated in the petition.
- i) The addresses of the parties and their representation are complete and set out properly.
- j) The cause title of the petition/appeal corresponds to that of the impugned judgment and names of parties therein.
- k) Detailed cause title has been mentioned in the impugned judgment and if not, a Memo of Parties has been filed.
- l) The petition and application(s) bear the signatures of the counsel/ petitioner.
- m) The prescribed court fee has been paid.
- n) The affidavit of the petitioner in support of the petition/appeal and applications has been filed.
- o) Vakalatnama has been properly executed by the petitioner/ appellant and accepted by the Advocate and Memo of Appearance has been filed.

- p) The Annexures referred to in the petition/list of dates are true copies of the documents before the Court below and are filed in chronological order.
- q) The petition/appeal is confined only to the pleadings in the Court/ Tribunal below and, if not, application for taking additional grounds/document has been filed with affidavit and court fee.
- r) If there are any vernacular documents/portions/lines, an application for exemption from filing Official Translation, with affidavit and court fee, has been filed.
- s) If the petition/appeal is time barred, an application for condonation of delay mentioning the no. of days of delay, with affidavit and court fee has been filed.
- t) If a party in the court below has died, an application for bringing LRs on record, indicating the date of death, relationship, age and addresses alongwith affidavit and court fee has been filed.
- u) In SLP/Appeal against the order passed in Second Appeal, copies of orders passed by the Trial Court and First Appellate Court have been filed.
- v) In matters involving conviction, separate proof of surrender in respect of all convicts or application for exemption from surrendering has been filed.
- w) That paragraphs and pages of paper-books have been numbered consecutively and correctly noted in Index.
- x) If any identical matter is pending or has been disposed of by Supreme Court to the knowledge of the petitioner/appellant, complete particulars of such matter have been given.

After the matters are found to be in order they are categorised as per the List of Subject Categories given below:-

**LIST OF SUBJECT CATEGORIES**

- 100 LABOUR MATTERS
- 101 DISMISSAL
- 102 RETRENCHMENT
- 103 CONTRACT LABOUR
- 104 MATTERS RELATING TO WAGES, BONUS, AD-HOC, CASUAL, DAILY WAGES & THEIR REGULARISATION
- 105 MATTERS RELATING TO WORKMEN COMPENSATION ACT
- 106 E.S.I.
- 107 FACTORY ACT
- 108 CONDITIONS OF SERVICE & INDUSTRIAL EMPLOYMENT (STANDING ORDER ACT, 1946)
- 109 MATTERS UNDER VARIOUS STATES ACT
- 110 OTHERS
- 111 MATTERS RELATING TO PROVIDENT FUND
  
- 200 RENT ACT MATTERS
- 201 EVICTION MATTERS OF PERSONAL NECESSITY
- 202 EVICTION MATTERS FOR RE-BUILDING, AND MATERIAL ALTERATION
- 203 EVICTION MATTERS OF SUB-LETTING
- 204 EVICTION MATTERS OF DISCLAIMER OF TITLE
- 205 ARREARS OF RENT
- 206 OTHERS
  
- 300 DIRECT TAXES MATTERS
- 301 INCOME TAX REFERENCE UNDER SECTION 257
- 302 APPEALS UNDER SECTION 261 OF INCOME TAX ACT UPON A CERTIFICATE GRANTED BY THE HIGH COURT
- 303 INCOME TAX ACT 1922
- 304 CASES RELATING TO EXCESS PROFIT TAX ACT 1940
- 305 BUSINESS PROFIT TAX ACT 1947
- 306 AGRICULTURAL INCOME-TAX
- 307 REFERENCE UNDER SECTION 27(3)(a) OF THE WEALTH TAX ACT, 1957
- 308 APPEALS UNDER SECTION 29(1) OF THE WEALTH TAX ACT, 1957 UPON A CERTIFICATE GRANTED BY THE HIGH COURT
- 309 GIFT TAX ACT 1958
- 310 PROPERTY TAX
- 311 VALUATION
- 312 CAPITAL GAINS

- 314 INCOME FROM SALARIES
- 315 INCOME FROM HOUSE PROPERTY
- 316 INCOME FROM BUSINESS/PROFESSION
- 317 INCOME FROM OTHER SOURCES
- 318 DEDUCTIONS / EXEMPTIONS
- 319 PENALTIES/PROSECUTION/SETTLEMENT COMMISSION
- 320 RE-ASSESSMENT/REVISIONAL POWER/RECTIFICATION
- 321 CBDT CIRCULAR
- 322 REGISTRATION
- 323 OTHERS
  
- 400 INDIRECT TAXES MATTERS
- 401 INTERPRETATION OF THE CUSTOM ACT, RULES & REGULATIONS
- 402 INTERPRETATION OF EXEMPTION, NOTIFICATION UNDER CUSTOMS ACT
- 403 INTERPRETATION OF OTHER NOTIFICATIONS UNDER CUSTOMS ACT
- 404 VALUATION OF GOODS UNDER THE CUSTOMS ACT
- 405 SALES TAX ACT (CENTRAL & VARIOUS STATES)
- 406 CESS ACTS (RUBBER, COFFEE, TEA, SUGAR, ETC.)
- 407 ENTRY TAXES
- 408 MOTOR VEHICLES TAXATION
- 409 PURCHASE TAX
- 410 LICENCE FEE
- 411 CLASSIFICATION UNDER THE INDIAN TARIFF ACT, 1934 & CUSTOMS TARIFF ACT 1975
- 412 REFERENCE UNDER SECTION 82C OF THE GOLD CONTROL ACT
- 413 HOTEL RECEIPTS TAX ACT
- 414 ENTERTAINMENT TAX
- 415 TERMINAL TAX
- 416 OCTROI
- 417 VALUATION
- 418 TOLL TAX
- 419 INTERPRETATION OF CENTRAL EXCISE ACT & THE RULES
- 420 INTERPRETATION OF EXEMPTION NOTIFICATIONS UNDER CENTRAL EXCISE ACT
- 421 INTERPRETATION OF OTHER NOTIFICATIONS UNDER CENTRAL EXCISE ACT
- 422 VALUATION OF GOODS UNDER THE CENTRAL EXCISE ACT
- 423 TARIFF CLASSIFICATION UNDER THE CENTRAL EXCISE ACT, 1944 AND CENTRAL EXCISE TARIFF ACT, 1985
- 424 IMPORT / EXPORT CONTROL ACT, 1947
- 425 IMPORT CONTROL ORDER
- 426 OPEN GENERAL LICENCE
- 427 IMPORT / EXPORT POLICY
- 428 OTHERS
- 429 PROFESSIONAL TAX

430 WATER & SEWAGE TAX  
 431 SERVICE TAX  
 432 APPEALS U/S 130E OF CUSTOMS ACT 1962  
 433 APPEALS U/S 35L OF CENTRAL EXCISE AND SALT ACT, 1944

500 LAND ACQUISITION & REQUISITION MATTERS  
 501 MATTERS CHALLENGING THE ACQUISITION PROCEEDINGS  
 502 MATTERS CHALLENGING COMPENSATIONS  
 503 REQUISITION & DEREQUISITION OF PROPERTY  
 504 OTHERS

600 SERVICE MATTERS  
 601 RETIRAL BENEFITS  
 602 REGULARISATION OF AD-HOC EMPLOYEES ETC.  
 603 REMOVAL/DISMISSAL/TERMINATION FROM SERVICE  
 604 SUSPENSION  
 605 COMPULSORY RETIREMENT  
 606 DISCIPLINARY PROCEEDINGS  
 607 CONDITION OF SERVICE  
 608 PROMOTION  
 609 SENIORITY  
 610 PAY SCALES  
 611 RESERVATION IN SERVICE FOR SC/ST/OBC  
 612 EQUAL PAY FOR EQUAL WORK  
 613 OTHERS

700 ACADEMIC MATTERS  
 701 MATTERS RELATING TO EXAMINATION  
 702 INTRODUCTION/ABOLITION OF LANGUAGES  
 703 MATTERS RELATING TO SYLLABI  
 704 MATTERS RELATING TO WITH-HOLDING/CANCELLATION OF  
 RESULTS, EVALUATION OF MARKS, EXPULSION OF STUDENTS  
 705 OTHERS  
 706 TUITION FEE

800 LETTER PETITION & PIL MATTER  
 801 CHILD LABOUR MATTERS INCLUDING NEGLECTED CHILDREN  
 802 AIR POLLUTION MATTERS, I.E. INDUSTRIAL, VEHICULAR, POWER  
 STATIONS ETC.  
 803 WATER POLLUTION : INDUSTRIAL, DOMESTIC, SEWAGE, RIVERS AND  
 SEA  
 804 NOISE POLLUTION : INDUSTRY, VEHICULAR  
 805 ECOLOGICAL IMBALANCE: PROTECTION AND CONSERVATION OF  
 FORESTS THROUGH-OUT THE COUNTRY, PROTECTION OF WILD LIFE,  
 BAN ON FELLING OF TREES AND FALLING OF UNDER GROUND  
 WATER LEVEL.



- 806 BONDED LABOUR MATTERS
- 807 MATTERS RELATING TO CUSTODY HARASSMENT, JAILS, COMPLAINT OF HARASSMENT, DEATH IN JAIL, SPEEDY TRIAL, PREMATURE RELEASE ETC.
- 808 MATTERS RELATING TO HARASSMENT OF SC/ST/OBC AND WOMEN
- 809 MATTERS RELATING TO UNAUTHORISED CONSTRUCTIONS INCLUDING ENCROACHMENTS
- 810 MATTERS RELATING TO ELECTION COMMISSIONS
- 811 SCAM MATTERS
- 812 OTHERS
- 900 ELECTION MATTERS
- 901 MATTERS CHALLENGING ELECTION OF PRESIDENT & VICE-PRESIDENT OF INDIA
- 902 ELECTIONS RELATING TO GRAM PANCHAYATS AND ZILA PARISHAD.
- 903 MATTERS UNDER REPRESENTATION OF PEOPLES' ACT INVOLVING CORRUPT PRACTICES
- 904 MATTERS RELATING TO RE-COUNTING OF VOTES
- 905 MATTERS UNDER THE CO-OPERATIVE SOCIETIES ACT
- 906 UNIVERSITY ELECTION MATTERS
- 907 DELIMITATION OF CONSTITUENCY
- 908 OTHERS
- 909 MATTERS CHALLENGING ELECTIONS OF MPs AND MLAs
- 910 ELECTIONS RELATING TO MUNICIPAL COUNCILS
- 911 APPEALS U/S 116A OF REPRESENTATION OF PEOPLE ACT, 1951
- 1000 COMPANY LAW, MRTP & ALLIED MATTERS
- 1001 MATTERS RELATING TO WINDING UP
- 1002 MATTERS RELATING TO SICK INDUSTRIES
- 1003 MATTERS ARISING OUT OF ORDERS OF COMPANY LAW BOARD UNDER SECTION 397 & 398 OF COMPANIES ACT, 1956
- 1004 REFERENCE UNDER SECTION 7(2) OF THE MRTP ACT, 1969
- 1005 APPEALS UNDER SECTION 55 OF THE MRTP ACT, 1969
- 1006 OTHERS
- 1007 MATTERS RELATING TO DISINVESTMENT.
- 1008 APPEALS U/S 15Z OF SECURITIES & EXCHANGE BOARD OF INDIA ACT, 1992
- 1100 ARBITRATION MATTER
- 1200 COMPENSATION MATTER
- 1201 MOTOR ACCIDENT CLAIM MATTERS INVOLVING PERMANENT DISABILITY/DEATH OF PERSONS
- 1202 MOTOR ACCIDENT CLAIM MATTERS RELATING TO OTHER INJURIES
- 1203 INSURER/OWNERS LIABILITY MATTERS
- 1204 MATTERS RELATING TO RAILWAY ACCIDENT INCLUDING OTHER

- RAILWAY COMPENSATION MATTERS
- 1205 MATTERS RELATING TO ACCIDENTS OTHER THAN THOSE COVERED BY M.V. ACT
- 1206 MATTERS RELATING TO TELEPHONE, ELECTRICITY ETC.
- 1207 OTHERS
- 1300 HABEAS CORPUS MATTERS
- 1400 CRIMINAL MATTERS
- 1401 MATTERS RELATING TO CAPITAL PUNISHMENT
- 1402 MATTERS RELATING TO MAINTENANCE UNDER SECTION 125 OF CR.P.C.
- 1403 MATTERS RELATING TO HARASSMENT, CRUELTY TO WOMAN FOR DOWRY, DOWRY DEATH, EVE-TEASING ETC.
- 1404 MATTERS RELATING TO SEXUAL HARASSMENT, KIDNAPPING & ABDUCTION
- 1405 MATTERS RELATING TO PREVENTION OF CORRUPTION ACT
- 1406 MATTERS RELATING TO BANK SCAMS, CHEATING, FORGERY ETC.
- 1407 MATTERS RELATING TO ESSENTIAL COMMODITIES ACT
- 1408 CRIMINAL MATTERS RELATING TO STATE EXCISE LAW
- 1409 CRIMINAL MATTERS RELATING TO BAIL/INTERIM BAIL/ANTICIPATORY BAIL AND AGAINST SUSPENSION OF SENTENCE.
- 1410 CRIMINAL MATTERS IN WHICH SENTENCE AWARDED IS UPTO FIVE YEARS
- 1411 CRIMINAL T.P. UNDER ARTICLE 139A(1) OF THE CONSTITUTION OF INDIA
- 1412 CRIMINAL T.P. UNDER SECTION 406 OF THE CR.P.C.
- 1413 CRIMINAL MATTERS ARISING OUT OF SECURITIES ACT, 1992
- 1414 CRIMINAL MATTERS RELATING TO DRUGS AND COSMETICS, NDPS ACT
- 1415 CRIMINAL MATTERS RELATING TO FOOD ADULTERATION
- 1416 CRIMINAL MATTERS RELATING TO PREVENTIVE DETENTION, TADA/POTA & NATIONAL SECURITY - COFEPOSA - SAFEMA
- 1417 MATTERS RELATING TO SC & ST (PREVENTION OF ATROCITIES) ACT, 1989; UNTOUCHABILITY (OFFENCES) AMENDMENT OF MISC. PROVISION ACT, 1976
- 1418 OTHERS
- 1419 SCAM MATTERS OTHER THAN RELATING TO BANKS
- 1420 APPEAL UNDER SECTION 2 OF THE SUPREME COURT (ENLARGEMENT OF JURISDICTION) ACT.
- 1421 POLICE ATROCITIES MATTERS
- 1422 MATTERS RELATING TO FOREIGN EXCHANGE REGULATION ACT
- 1423 MATTERS CHALLENGING FINE ONLY
- 1424 APPEALS U/S 10 OF SPECIAL COURTS (TRIAL OF OFFENCES RELATING TO TRANSACTION IN SECURITIES ACT 1992)

1425 APPEALS U/S 19 OF TERRORIST & DISRUPTIVE ACTIVITIES ACT, 1987

1500 APPEAL AGAINST ORDERS OF STATUTORY BODIES

1501 BAR COUNCIL OF INDIA

1502 OTHERS

1600 FAMILY LAW MATTER

1601 MUTUAL CONSENT DIVORCE MATTERS

1602 OTHER DIVORCE MATTERS

1603 RESTITUTION OF CONJUGAL RIGHTS

1604 CHILD CUSTODY MATTERS

1605 ADOPTION & MAINTENANCE MATTERS

1606 MINORITY & GUARDIANSHIP MATTERS

1607 MATTERS UNDER HINDU MARRIAGE ACT

1608 MATTERS UNDER MUSLIM MARRIAGE ACT

1609 MATTERS UNDER CHRISTIAN MARRIAGE ACT

1610 ALIMONY

1611 OTHERS

1700 CONTEMPT OF COURT MATTERS

1701 SUO MOTO CIVIL CONTEMPT MATTERS

1702 SUO MOTO CRIMINAL CONTEMPT MATTERS

1703 OTHER CIVIL CONTEMPT MATTERS

1704 OTHER CRIMINAL CONTEMPT MATTERS

1705 APPEALS U/S 19(1)(B) OF CONTEMPT OF COURT ACT, 1971

1800 ORDINARY CIVIL MATTER

1801 T.P. UNDER ARTICLE 139A(1) OF THE CONSTITUTION OF INDIA

1802 T.P. UNDER SECTION 25 OF THE C.P.C.

1803 CIVIL MATTERS ARISING OUT OF SECURITIES ACT, 1992

1804 ORIGINAL CIVIL SUIT UNDER ARTICLE 131 OF THE CONSTITUTION OF INDIA

1805 MATTERS RELATING TO SPECIFIC PERFORMANCE OF CONTRACT

1806 MATTERS RELATING TO ALLOTMENT, CANCELLATION, FIXATION OF  
PRICES OF PLOTS/FLATS

1807 OTHERS

1808 MARKET FEE UNDER THE APMC ACT

1809 MATTERS RELATING TO LOTTERIES.

1810 DEALERSHIP & DISTRIBUTORSHIP OF PETROLEUM PRODUCTS

1811 BENAMI TRANSACTIONS.

1812 ROYALTY ON COAL ETC.

1813 STAGE CARRIAGE PERMITS

1814 FREEDOM FIGHTERS' PENSION

1815 MATTERS RELATING TO ELECTRICITY

DISPUTE(CONNECTION/DISCONNECTION ETC)

1816 APPEAL U/S 10 OF SPECIAL COURTS (TRIAL OF OFFENCES RELATING  
TO TRANSACTION & SECURITIES ACT 1992)

- 1817 APPEALS U/S 18 OF TELECOM REGULATORY AUTHORITY OF INDIA  
ACT, 1997
- 1900 THREE JUDGES BENCH MATTER
- 2000 FIVE JUDGES BENCH MATTER
- 2100 ELEVEN JUDGES BENCH MATTER
- 2200 SEVEN JUDGES BENCH MATTER
- 2300 NINE JUDGES BENCH MATTER
- 2400 APPOINTMENT ETC., OF CONSTITUTIONAL FUNCTIONARIES
- 2401 APPOINTMENT OF HIGH COURT JUDGES
- 2402 APPOINTMENT OF MEMBERS, CHAIRMAN & VICE-CHAIRMAN OF  
C.A.T., S.A.T.
- 2403 APPOINTMENT OF ADVOCATE GENERAL & ATTORNEY GENERAL OR  
ANY OTHER LAW OFFICER
- 2404 APPOINTMENT OF MEMBERS OF ELECTION COMMISSIONS
- 2405 APPOINTMENT OF MEMBERS AND CHAIRMAN OF STATE PUBLIC  
SERVICE COMMISSION AND UPSC
- 2406 APPOINTMENT OF GOVERNORS & LT. GOVERNORS
- 2407 OTHERS
- 2500 STATUTORY APPOINTMENTS
- 2501 APPOINTMENT OF CHAIRMAN, VICE-CHAIRMAN & MEMBERS OF  
STATUTORY CORPORATIONS/BODIES
- 2502 APPOINTMENT IN ZILA PARISHAD
- 2503 APPOINTMENT OF VICE-CHANCELLORS OF UNIVERSITY
- 2504 OTHERS
- 2600 PERSONAL LAW MATTERS
- 2601 MATTERS RELATING TO INHERITANCE & SUCCESSION
- 2602 MATTERS RELATING TO GIFT
- 2603 MATTERS RELATING TO PARTITION
- 2604 MATTERS RELATING TO TESTAMENTARY SUCCESSION
- 2605 OTHERS
- 2700 RELIGIOUS & CHARITABLE ENDOWMENTS
- 2701 MATTERS RELATING TO MANAGEMENT, ADMINISTRATIVE DISPUTES  
OF TEMPLES ETC. (PRIEST, PUJARI, MAHANT)
- 2702 WAKF BOARD MATTERS
- 2703 OTHERS

- 2800 MERCANTILE LAWS, COMMERCIAL TRANSACTIONS INCLUDING BANKING
- 2801 PARTNERSHIP
- 2802 SALE OF GOODS ACT
- 2803 CONTRACT ACT
- 2804 TRADE MARKS/COPY RIGHTS/PATENTS/DESIGN ACT
- 2805 NEGOTIABLE INSTRUMENTS ACT
- 2806 BANKS MORTGAGE DISPUTES
- 2807 HYPOTHECATION, PLEDGE
- 2808 OTHERS
- 2809 MATTERS RELATING TO RECOVERY OF DEBTS/ BANK LOANS DUE UNDER THE BANKS & FINANCIAL INSTITUTIONS
- 2810 BANK GUARANTEE MATTERS
- 2811 MATTERS RELATING TO SECURITISATION AND RECONSTRUCTION OF FINANCIAL ASSETS AND REINFORCEMENT OF SECURITY INTEREST ACT, 2002
- 2900 SIMPLE MONEY & MORTGAGE MATTERS ETC.
- 2901 MONEY LENDING ACT
- 2902 MORTGAGE PRIVATE
- 2903 OTHERS
- 3000 MATTERS RELATING TO JUDICIARY
- 3100 ADMISSION TO EDUCATIONAL INSTITUTIONS OTHER THAN MEDICAL & ENGINEERING
- 3200 ESTABLISHMENT AND RECOGNITION OF EDUCATIONAL INSTITUTIONS
- 3300 EVICTION UNDER THE PUBLIC PREMISES (EVICTION) ACT
- 3400 MINES, MINERALS & MINING LEASES
- 3500 LAND LAWS AND AGRICULTURAL TENANCIES
- 3501 MATTERS RELATING TO SALE/TRANSFER OF LAND BY SC/ST
- 3502 MATTERS RELATING TO AGRICULTURAL AND LAND CEILING
- 3503 MATTERS RELATING TO URBAN LAND CEILING
- 3504 PRE-EMPTION MATTERS
- 3505 OTHERS
- 3600 ADMIRALTY AND MARITIME LAWS
- 3700 MATTERS RELATING TO COMMISSIONS OF ENQUIRY

- 3800 MATTERS RELATING TO CONSUMER PROTECTION
- 3801 APPEALS UNDER SECTION 23 OF THE CONSUMER PROTECTION ACT,  
1986
- 3802 OTHER MATTERS RELATING TO CONSUMER PROTECTION
  
- 3900 MATTERS PERTAINING TO ARMED FORCES & PARA MILITARY  
FORCES
  
- 4000 ADMISSION/TRANSFER TO ENGINEERING AND MEDICAL COLLEGES
- 4001 MEDICAL ADMISSION MATTERS
- 4002 ENGINEERING ADMISSION MATTERS
- 4003 OTHERS
  
- 4100 ALLOCATION OF 15% ALL INDIA QUOTA IN ADMISSION/TRANSFER  
TO MEDICAL COLLEGES
  
- 4200 MATTERS RELATING TO LEASES, GOVT. CONTRACTS & CONTRACTS  
BY LOCAL BODIES
  
- 4300 STATE EXCISE-TRADING IN LIQUOR-PRIVILEGES, LICENCES-  
DISTILLERIES BREWERIES
  
- 4400 REFERENCE UNDER ARTICLE 143 OF THE CONSTITUTION OF INDIA
  
- 4500 REFERENCE UNDER ARTICLE 317(1) OF THE CONSTITUTION OF INDIA

## E-FILING

Provision of E-Filing has also been made from 2<sup>nd</sup> October, 2006 through website: [www.supremecourtfindia.nic.in](http://www.supremecourtfindia.nic.in) for the convenience of the Advocates/Petitioner(s)-in-person who can file through internet sitting anywhere in the world. This is for the first time that E-Filing is made available by any Court in the country. A user friendly program with interactive features has been prepared by N.I.C. for this purpose. Detailed step by step guidelines for E-Filing are being made available on the website of Supreme Court of India. The prescribed court fee and printing charges @ Rs. 1.50 per page can be paid through any Visa/master credit/debit card. No additional court fee or processing fee would be required for E-Filing. Every Advocate-on-Record will be given a password by the Registry. It will be possible for him to change the password by accessing the website. Since password will be known only to the concerned Advocate-on-Record, it will not be possible for any other person to file any matter or document on his behalf. Petitioner-in-person will, however, have to submit proof of his identity such as Ration Card/PAN Card/Identity Card/Driving Licence/Voter I.Card by scanning the document. The text can be typed on the computer

whereas documents including affidavits and vakalatnamas can be submitted by scanning them. Counter/rejoinder/fresh applications/caveat/additional documents can also be filed through internet either by Advocate-on-Record or by petitioner-in-person. It will be possible to make any modification/changes before the matter is finally submitted to the Court. A matter will have to be in conformity with Supreme Court Rules and free from filing defects before it is registered through computer. A unique reference No. will be given to every user, for each case. Every matter shall be scrutinized to identify the filing defects, if any. The defects found by the Registry will be communicated to the petitioner-in-person/Advocate-on-Record, as the case may be, through E-mail and it will be possible for him to remove the defects by accessing his matter through internet, using the reference No. given to him by the system. The notices/communications to the parties shall be sent through E-mail wherever E-mail I.D. is provided.

E-filing will obviate the need to visit Supreme Court for filing and refiling. It is expected that the Advocates as well as in person will make use of this facility.



**FILING BY INDIGENT PERSON:**

A person who was adjudged to be an indigent person in the Court below may file any petition before the Judicial Authority of the place where he resides. Such Authority, after attesting the documents and endorsing them shall transmit them to this Court by registered post and the date of endorsement of that Judicial Authority shall be taken as the date of filing in this Court.

**CHAPTER IX****LIMITATION & COURT FEE****(i) FRESH CASES**

<b>Nature of the Matters</b>	<b>Prescribed period of limitation</b>	<b>Prescribed Court fee</b>
Writ Petition (Civil)	No limitation	Rs.50/per petitioner
Writ Petition (Crl.)	No limitation	NIL
Transfer Petition (Civil)	No limitation	Rs.10/per matter sought to be transferred
Transfer Petition (Crl.)	No limitation	NIL
Election Petition	30 days from the date of publication of declaration of the name of the returned candidate	Rs.250/- alongwith security deposit of Rs.20,000/-
Original Suits	As per Limitation Act	Rs.250/-
Spl.Leave Petition (Civil)	90 days from the date of the impugned order.	Rs.250/-
Spl.Leave Petition (Crl.)	60 days from the date of the impugned order in cases involving sentence of death. 90 days from the date of the impugned order in other cases. If the limitation is claimed from the date of refusal of certificate of fitness to appeal, then 60 days from the date of refusal.	NIL

Criminal Appeal by Certificate of fitness (under Article 132(1) and 134 of the Constitution)	60 days from the date of order granting Certificate	NIL
Civil Appeal by Certificate of fitness (under Article 132(1) and 133(1) of the Constitution)	60 days from the date of order granting Certificate	Rs.250/- if the value of the subject matter is upto Rs.20,000/- and Rs.5/- for every additional value of Rs.1000/- or part, thereof in excess of Rs.20,000/- subject to a maximum of Rs.2000/-
Appeal under Section 2 of the Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Act	60 days from the date of the order	NIL
Appeal under Section 10 of the Special Court (Trial of Offences relating to Transactions in Securities) Act	30 days from the date of the order	NIL in Criminal Appeal, Rs. 250/- in Civil Appeal
Appeal under Section 38 of the Advocates Act	60 days from the date of communication of order	Rs.10/-
Appeal under Section 23 of the Consumer Protection Act	30 days from the date of the impugned order	Rs.250/-
Appeal under Section 116A of the Representation of the People Act	30 days from the date of the order	Rs,250/-
Appeal under Section 55 of MRTP Act	60 days from the date of communication of the decision or order	Rs.250/-

Appeal under Section 130E of the Customs Act	60 days from the date of the order passed by the High Court certifying the case to be a fit case for appeal to Supreme Court or the order passed by CESTAT	Rs.250/- if the value of the subject matter is upto Rs.20,000/- and Rs.5/- per thousand for every additional value of Rs.1000/- or part, thereof in excess of Rs.20,000/- subject to a maximum of Rs.2000/-
Appeal under Section 35L of the Central Excise and Salt Act	60 days from the date of the order passed by the High Court certifying the case to be a fit case for appeal to Supreme Court or the order passed by CESTAT	-do-
Appeal under Section 261 of Income Tax Act	60 days from the date of the judgment delivered by the High Court certifying it to be a fit case for appeal to Supreme Court	-do-
Appeal under Section 19(1)(b) of Contempt of Courts Act	60 days from the date of the order	Nil
Appeal under Section 15(z) of Securities and Exchange Board of India Act	60 days from the date of the communication of the decision or order passed by the Securities Appellate Tribunal side.	Rs. 250/-

Appeal under Section 18 of The Telecom Regulatory Authority of India Act	90 days from the date of order passed by TDSAT	Rs.250/- if the value of the subject matter is upto Rs.20,000/- and Rs.5/- per thousand for every additional value of Rs.1000/- or part, thereof in excess of Rs.20,000/-, subject to a maximum of Rs.2000/-
Appeal under Section 125 of the Electricity Act, 2003	60 days from the date of decision	Rs.250/-
Review Petition	30 days from the date of the order sought to be reviewed	As on the original matter
Curative Petition	NIL	Same as on Review Petition (as per practice)

No Court fee is payable on the following matters:-

- i) References
- ii) Criminal Matters (SLPs/Appeals/WPs/TPs(etc.))
- iii) Matter filed by Supreme Court Legal Aid Services Authority Even the process fee and copying fee is also not chargeable.
- iv) Matters filed by Indigent persons
- v) Contempt petitions filed under Rules to Regulate Proceedings for Contempt of the Supreme Court.

(ii)

**MISC. COURT FEE**

Subject	Court Fee (InRs.)
Written Statement	50
Set-off or counter-claim	50
Reply to a counter-claim	50
Lodging of statement of case or caveat	20
Summons or notice of defendant or his representatives or a respondent to a petition or to a memorandum of appeal, for each person	10
Entering appearance (Memo of appearance)	5
Vakalatnama	3
Filing fee for every document for which a fee is not specially provided, including documents annexed thereto as exhibits, if any, or produced with plaint for use in evidence, each document	2
Every application to the court not specially provided for	10
Every application to the court by notice of motion where an ad interim ex parte order is prayed for	20
Warrant, Writ, summons or other process not specially provided for, for each person	10
Every other certificate for which a fee is not specially provided	3
Commission to examine witnesses or other commission	10
Production by an officer of the court in any other court or before a Commissioner, of records of any suit, matter or appeal, exclusive of traveling expenses	10

Production of records by post, exclusive of postage, registration and insurance fees	5
Every search or examination of records	3
Every affidavit affirmed or sworn	2
Every exemplification of decree or other documents in addition to the folio and other charges (certification)	10
Every requisition for duplicate or other copy of any document	1
Summons by Taxing Officer	3
Certificate by Taxing Officer	2
Taxing each bill, not exceeding 10 folios	10
For every other folio	1
Registering every bill of costs	1
Special certificate of allowance where required	8
Certificate on review of taxation	10
For every certificate of funds in Court	8
Registration of a clerk of an advocate or a firm of advocates	5
Requisition for issue of an identity card to a Clerk of an Advocate in substitution of one that is lost or damaged	3
The Process Fee per Respondent within 7 days from the date of the Order.	10
Urgent Copy	5
For Certification	10
Ordinary Copy Per page for proceedings/order/judgments/documents etc.	1

## CHAPTER X

### PROCESSING OF CASES

After registration of a case, it is processed and all the steps in terms of directions of the Court are taken by the concerned Section. However, documents etc. have to be filed at the Filing Counter which transmits them to the Section dealing with the case. The number of concerned Section can be seen on the cause list in which the matter is shown and is also indicated on all proceedings and processes etc.

(i) **Process fee and copies :**

If the Court orders issue of notice to the opposite party, the person at whose instance notice has been issued is required to file process fee at the rate of Rs. 10 per person, normally within 7 days from the date of order. He is also required to file as many copies of the petition/appeal as is the number of respondents sought to be served. If the A.D. Card is not received back or is returned unserved, he is required to take steps for completion of service including, wherever necessary, dasti service or substituted service, by way of publication in newspaper or affixation at the spot. If the process is to be served abroad the file along with show cause notice and the copy of petition is sent to R&I Section for confirmation of amount of Process Fee and



accordingly the counsel is asked to file the same.

With effect from 21-1-2006 the services of a Courier Agency have been engaged for service of letters, notices, summons, parcels, packets etc. to all the destinations through Courier Service.

**CHAPTER XI****DIRECTIONS AND PRACTICES RELATING TO  
CORAM & LISTING :**

The following practices are being followed by the Registry in the matter of grant of coram and listing of matters. The practices are based on directions, sometimes verbal sometimes written, or, on precedents, if there is no direction governing a particular situation. The practices are subject to change, even without intimation in general or in particular matters, where so ordered by the Hon'ble the Chief Justice of India from time to time.

**A. CORAM****Fresh Matters :**

- (i) Fresh Matters are allocated as per subject category, unless coram is given by Hon'ble the Chief Justice of India or by Filing Counter. The guidelines approved by Registrar General and presently being followed by Filing Counter in the matter of grant of coram are :
  - (a) If two or more fresh matters arise out of the

same/common judgment of the Court below, Computer indicates similarity of matters. Such matters are ordered to be tagged together after scrutiny of both files.

(b) If one or more of such matters arising out of the same judgment of the Court below has/have already been listed/disposed of by this Hon'ble Court, coram of that matter is being given in the matters in hand and they are listed with Office Report giving the updated position of the similar matter(s) already listed/disposed of.

(c) If the High Court has disposed of two or more matters by separate orders solely relying upon a judgment, then Special Leave Petitions arising against those orders are tagged together.

(d) If one or more of such matters (item no.3) have already been listed/disposed of by this Hon'ble Court, coram of that matter is being given in the matters in hand and they are listed with Office Report giving the updated position of the matter(s)

already listed/disposed of.

(e) If it is stated in the petition/synopsis that an identical/similar matter has been disposed of by or is pending before a bench, and on scrutiny of the files it is confirmed that the matter referred in the petition/synopsis is identical to the newly filed matter, coram is given accordingly and the matter is listed before the Court with Office Report giving updated position of the matter stated to be identical/similar matter.

(f) If the matter is arising out of the same cause of action against which the Special Leave Petition has already been listed/disposed of (i.e., earlier the matter was remanded, or the earlier matter was against the interim order passed by the court below, or earlier the matter was against the main petition and now it is against the order passed in reviews) then Bench of that matter is allocated and the matter is listed before the Court with Office Report giving the updated position of the earlier matter.

(g) If earlier the matter was dismissed as withdrawn then Bench of the earlier matter is allocated and the matter is listed before the Court with Office Report.

(h) Matters are tagged, if cross parties are involved e.g. in transfer petitions, criminal matters, matrimonial matters and eviction petition.

(i) In accordance with the revised Listing Proforma dated 27<sup>th</sup> July, 2006, the following method is evolved in order to identify identical matters:-

1. Service matters - GO No. or Notification No., if available, is given so that cases of other persons affected by the GO/Notification may be listed before the same Bench e.g. Mass suspension is challenged or there is a Common/Combined Seniority List.

2. Similarly, in Motor Accident Claim Matters, Vehicle No. etc. are used as catchwords in order to identify matters filed by or against the victims.

3. In a Criminal Matter - No question of law is extracted and FIR/RC/etc. with date of Registration and name and place of Police Station and Trial Court, case No. of Trial Court with date of Judgment, name and place of first Appellate Court with case No. and date of Judgment are fed so that matters filed subsequently by co-accused or complainant arising out of same proceedings are identified.
4. In Land Acquisition Matters -Particulars of land, Government Notifications, Government Order No. (u/s 4,6) its date, issued by Centre/State, exact purpose of acquisition and village involved are fed as catchwords so that matters filed subsequently and involving same land/same village/covered by same notification/purpose of acquisition are identified.
5. In Tax Matter - Name of the product which is taxable is given as a catchword with notification and date, if available, and whether similar Tax Matters of same parties filed earlier (may be for earlier/other

assessment year).is also fed, so that matters relating to same product and notification are identified.

6. In matters of Public Interest Litigation unique catchwords like Taj/Forest/CNG are given so that matters involving same issue can be identified.

7. In Writ Petitions, if validity of an Act or its provision is challenged, they are used as catchwords, and also on the basis of the catchword of other similar matters.

8. In Civil matters Suit No., name of Lower Court with date of Judgment are also fed as catchwords in order to identify subsequently filed identical matters.

(ii) Important/sensitive fresh matters are put up by Filing Counter, through Registrar (Judl.) to Hon'ble the Chief Justice of India for granting coram, if any. If coram is given, the matter is listed accordingly. If no coram is given, Registrar (Judl.) makes an endorsement accordingly on the note and returns it with direction to list the matter through computer as

per subject category.

- (iii) It has been decided on optional basis that if a fresh matter is filed along with a Check List duly signed by Advocate-on-Record, the matter will be accepted at the Filing Counter and shall be processed for registration, after scrutiny only of mandatory requirements. The Advocate shall be responsible for any wrong information being given in the Check List signed by him/her. It has also been decided in the matters filed along with Check List as well as in the matters which are re-filed after removing objections, order for registration will be passed on the same day. On first listing of a fresh matter, if it is adjourned, coram of the Hon'ble Judges adjourning the matter, is noted in the computer. The first coram is of the Hon'ble Presiding Judge and second coram is of the other Hon'ble Judge, member of the Bench.



- (iv) When notice is issued in a fresh matter, coram of the Hon'ble Judges issuing notice is updated in that matter. The first coram is of the Hon'ble Presiding Judge and second/third coram is of the other Hon'ble Judge(s), member of the Bench. The same coram continues till either leave is granted or the matter is dismissed.
- (v) When either leave is granted or the matter is dismissed, coram of Hon'ble Judges constituting the Bench which granted leave/dismisssed the matter, as the case may be, is updated in the computer. The same coram continues in future whenever the matter is listed vide Part-I of the List.
- (vi) If the Hon'ble Court directs listing or tagging with a matter pending in another Court, and the matter is listed accordingly, the coram of the matter, with which this matter is listed/tagged is given.
- (vii) If a Miscellaneous Matter becomes part heard, coram of Hon'ble Judges who heard the matter partly is updated in the computer.

- (viii) In Review Petition, coram of Hon'ble Judges who passed the order sought to be reviewed, is updated in the computer. After issue of notice the matter is listed before the Bench which issued the notice. On retirement of one of the Hon'ble Judges the matter is listed before the Hon'ble Judge constituting second/ third coram. In case of retirement of both/all the Judges constituting coram in the matter, the case is listed through computer as per subject category.
- (ix) If coram has been given in a fresh matter either by Hon'ble the Chief Justice of India or by Filing Counter, it is listed as per coram. Otherwise, the matter is listed before the Hon'ble Judge to whom it is allocated through computer as per subject category.
- (x) If the first coram is not available on a particular day on account of non-sitting or retirement, the matter is listed before the Hon'ble. Judge constituting the second coram. If second coram is also not available, the matter is not listed on that day
- (xi) If it is directed by the Hon'ble Court that the matter be listed before some other Bench, it is listed accordingly, through computer, as per subject

category. If the subject category is not allocated to any other Hon'ble Judge, the file is put up to Hon'ble the Chief Justice of India for coram.

- (xii) If it is directed in writing that the matter be not listed before a particular Hon'ble Judge (constituting first coram), it is to be listed before the Hon'ble Judge constituting the second coram, if available. If, however, the Hon'ble Judge constituting the second coram is regularly sitting with the Hon'ble Judge before whom the matter is not to be listed, it is then to be listed before some other Hon'ble Judge through computer as per the subject category.
- (xiii) If only one coram is available in a matter, due to retirement or there being a written direction not to list the matter before the Hon'ble Judge constituting the first coram and it is directed, in writing, not to be listed before the Hon'ble Judge constituting single coram, it is to be allocated through computer, as per subject category.
- (xiv) Whenever any application is filed in a pending

matter after grant of leave, it is listed before the

Hon'ble Judge constituting the first coram of the Bench which granted the leave. If, however, the Hon'ble Judge constituting first coram has retired or is not available, the application is listed before the Hon'ble Judge constituting second coram.

- (xv) If any application is filed in a disposed of matter, it is listed before the Hon'ble Judge constituting first coram of the Bench which disposed of the matter. If, however, the Hon'ble Judge constituting first coram has retired or is not available, the application is listed before the Hon'ble Judge constituting second coram. If, however, both/all the Hon'ble Judges constituting coram have retired, it is listed through computer, as per subject category.
- (xvi) A Part Heard Matter is to be listed before the Hon'ble Judges who heard it in part unless it is released, in writing, from part heard. If released from part heard in writing by the Hon'ble Judges constituting the Bench, the matter is to be listed

before the senior Judge who heard the matter in part, alongwith a suitable Office Report regarding its having been released from part heard. If there is specific written direction to list the matter before some other Court, the matter is to be put up to Hon'ble the Chief Justice of India for orders.

(xvii) We have directions from some Hon'ble Judges not to list certain matters before their Lordships. The information has been fed in computer. While allocating fresh matters the computer excludes the Court in which the concerned Hon'ble Judge is sitting on that date.

(xviii) If there is a direction from an Hon'ble Judge not to list the matter of a particular Advocate before His Lordship and Vakalatnama of that Advocate filed at any stage after first listing the matter is to be brought to the knowledge of Hon'ble the Chief Justice of India, but unless ordered otherwise by His Lordship, it is to be listed before the same coram along with an Office Report indicating filing of

## Vakalatnama.

- (xix) If single coram is available in a matter and the matter is not to be listed before the other Hon'ble Judge, Member of the Bench in which the Hon'ble Judge having coram in the matter is sitting, the Hon'ble Judges are apprised and if it is directed in writing that the matter may be listed before some other Bench, it is to be listed through computer as per subject category.
- (xx) If a matter is adjourned pursuant to a letter circulated by the counsel; the proceedings does not indicate the period of adjournment and does not contain any direction for further listing, the matter is listed on the next available slot.
- (xxi) On retirement of an Hon'ble Judge, the matters of the Bench presided by His Lordship are listed before the Hon'ble Judge constituting second coram in the matter. If the Hon'ble Judge constituting the second coram has retired, and there is no third coram in the matter, it is listed through computer as per subject

category. This practice also applies to Final Disposal matters. On retirement of an Hon'ble Judge, matters bearing sole coram of His Lordship are allocated through computer as per subject category unless the coram was given by the Hon'ble the Chief Justice of India. The matters in which coram of His Lordship was given by Hon'ble the Chief Justice of India are put up for obtaining fresh coram.

(xxii) If a fresh matter is listed before a Court and the Hon'ble Court directs listing before some other Bench or before a Bench of which one of the Hon'ble Judges before whom the matter is listed, is not a member, it is treated as a fresh matter and is listed through computer as per subject category, in the next final Cause List.

(xxiii) If there is change in the Sitting List, after issue of final Cause List and consequently some Bench(s) is constituted, that Bench takes up the cases shown in the final Cause List, in that Court.

- (xxiv) If the Court directs listing of a Miscellaneous Matter as early as possible, the matter is listed through computer on the next available slot.
- (xxv) If the Hon'ble Court issues notice and directs listing after 2/3/4 weeks, the matter is listed through computer on the first slot available after 2/3/4 weeks.
- (xxvi) On Regular Side, the matters are listed as per subject category. If, however, a matter becomes part heard, coram of Hon'ble Judges who heard the matter partly is updated in the computer.
- (xxvii) In Contempt Petition, coram of Hon'ble Judges who passed the orders alleged to have been disobeyed, is updated in the computer.
- (xxviii) Whenever a matter is referred by a Bench of two Judges for decision by a larger Bench, the coram is allocated by Hon'ble the Chief Justice of India and is updated accordingly.
- (xxix) In Curative Petition, coram of Hon'ble the Chief Justice of India two senior most Hon'ble Judges and the Hon'ble available Judges who decided the



matter, is updated in the computer.

(xxx) If a matter is referred to the Larger/Constitution Bench and is then referred back by the Constitution/Larger Bench to the Regular Bench, it is listed before the Hon'ble Presiding Judge who initially referred the matter to a larger Bench. If the Hon'ble Presiding Judge has retired by that time, the matter is listed before the second Hon'ble Judge Member of the Bench which initially referred the matter to the larger Bench. If the Hon'ble Judges who initially referred the matter have retired, it is listed as per subject category.

(xxxi) If a Regular Matter is kept awaiting the decision in another matter, it is listed after that decision, before the Presiding Judge and in case of his retirement, before the second Judge member of the Bench which rendered the decision, but, it is done with the approval of Hon'ble the Chief Justice of India. However, on Miscellaneous Side, the practice is to list the matter before the Hon'ble Judge having

coram in the matter, without putting the file to Hon'ble the Chief Justice of India.

(xxxii) If an application for early hearing of a Regular matter is listed/mentioned before Hon'ble the Chief Justice of India and is directed to be listed 'before appropriate Court', it is listed before the Hon'ble Presiding Judge to whom subject category of the appeal has been allocated. If the application is allowed, the appeal is also listed before the same Hon'ble Judge. If the category on regular side has been allocated to more than one Judges, the matter is listed through computer, by allocation amongst those Hon'ble Judges.

(xxxiii) If a Regular matter is directed to be listed in a particular month, it is shown in the first Weekly List of that month, through computer as per subject category.

(xxxiv) If a Regular matter is directed to be listed in month X/Y, it is shown in the last Weekly List of month X.

(xxxv) Regular matters directed to be listed in the first half of an year are to be shown in the Weekly List in the first week of April that year, if the matters have already been not taken up by that time, irrespective of whether they are ready at that time or not. The matters which have been directed to be listed in a year without specifying in which part of the year they have to be listed, are to be shown in Weekly List in the last week of August that year, unless they have already been taken up, irrespective of whether the matters are ready by that time or not. Such matters have also to be treated as expedited matters and have to be included in the Terminal List as and when they are ready.

(xxxvi) If a Regular matter is adjourned without any direction as to its future listing, it is treated as adjourned for 4 weeks.

(xxxvii) If a specific date has been given by the Court in a matter, and it cannot be listed for reasons such as non-sitting/ sitting in Constitution Bench/ Special

Bench of the Hon'ble Judge constituting sole coram in that matter, the matter is deleted and the Hon'ble Judge is apprised. If any direction is given regarding its future listing, it is noted in the file and is complied.

(xxxviii) If a Three Judges matter is adjourned without direction as to its future listing, it is listed as and when the required Bench is first available.

(xxxix) Three Judges matters are not listed unless 3 Judges Bench of the required coram is available. If a specific date has been given by the Hon'ble Court and Three Judges Bench of the required coram is not sitting on that date, the Hon'ble Presiding Judge is apprised and further direction, if any, is noted in the file and complied.

(xl) If a Three Judges Bench matter is directed to be listed before a Court other than the coram given in that matter and it is not taken up by that Bench, the matter refers back to its coram.

(xli) The matters in which coram was granted by Hon'ble the Chief Justice of India at miscellaneous stage is listed before the same coram even after grant of leave/rule nisi/admission of appeal.

(xlii) Regular matters are shown in the Weekly List in the following order :

1. Part-Heard (if any)
2. Group matters (10 onwards)
3. Three Judges Bench matters
4. Death case
5. Jail matters
6. Election matters of Parliament Constituency and Assembly Constituency
7. Specially directed and adjourned matters
8. Prevention of corruption matters
9. Matters in which employees/workmen have become out of job due to dismissal, removal, compulsory retirement and retrenchment.
10. Matters relating to Senior Citizens of the age from 65 onwards.
11. Matrimonial matters
12. Old matters
13. After decision matters
14. Short matters

## 15. Expedited matters

- (xliii) The matters of high-up categories, which were not included in the Terminal List and become ready during the course of the year are also listed high-up.
- (xliv) Fresh Matters registered from Monday to Wednesday are listed on next to next Monday and Fresh Matters registered from Thursday to Saturday are listed on next to next Friday. However, it has now been decided that Fresh Bail Matters where the accused is in custody and Habeas Corpus petition if registered between Monday to Wednesday will be listed on next Monday and if registered between Thursday to Saturday will be listed on next Friday, by way of Supplementary List/Final List.
- (xlv) Once a Jail Petition/Bail Matter in which the accused is in custody, is adjourned, and the Hon'ble Court has not directed listing on a particular date or in a particular week/month etc. and notice has not been issued for a particular date, it will subject to order of the Hon'ble Court, be listed by way of next

Advance List. The same practice will be followed for listing of applications for early hearing/pre-ponement of hearing.

(xlvi) Jail Petitions/Bail Matters where the accused is in custody, Habeas Corpus petitions and applications for early hearing will not be deleted on account of excess matters, except in unavoidable circumstances. It has also been decided that the concerned Sections shall complete processing of Jail petitions, where the accused is in custody, within one week and such applications shall be listed on the very first Miscellaneous day immediately after two weeks from the date on which the file is sent for listing.

(xlvii) Dates in After Notice miscellaneous matters are given in the following order of priority through computer :

- 6 Specific Date matters
- 7 "Adjourned for" matters
- 8 Matters directed to be listed in a particular month

- 9 Notice matters where returnable date is given by branch
- 10 "Listed after" matters
- 11 Simply Adjourned matters/Registry Date

(xlviii) Registry gives dates in 25 matters on a Monday and 18 matters on a Friday so that fresh matters and the matters directed to be listed on mentioning, may be accommodated. Usually about 60-65 Miscellaneous Matters are listed on a Monday and about 45-48 matters on a Friday. This is subject to specific directions, if any, as to number of matters to be listed in a particular Court through computer.

- (1) Excess Miscellaneous matters are deleted/ shifted in the following order through computer :
  1. Matters taken from pool of 45/60 days old matters - (Not applicable to Final Disposal matters)
  2. Simply Adjourned matters/Registry Date matters
  3. "Listed after" matters
  4. Notice matters where returnable date is given by a branch
  5. Matters directed to be listed in a particular month
  6. "Adjourned for" matters



12. If sufficient deletable matters of the above referred categories are not available, the matters which have already been deleted ones, in person matters and bail matters are also deleted in chronological order.

(li) Miscellaneous matters directed by Hon'ble Courts to be listed on Non-Miscellaneous Days are listed in terms of the Court Orders. At the end of each month, a statement is submitted to Hon'ble the Chief Justice of India giving particulars of such matters.

(lii) If date in a matter has been given by the Registry as per availability of slot and thereafter it is mentioned before the Hon'ble Court and is directed to be listed after ?.. weeks, it is treated as specific date matter for the miscellaneous day falling immediately after the week(s) specified in the order.

(liii) For the purpose of giving dates in those matters where no coram is available due to retirement of Hon'ble Judges, we take the date of next Advance List as dummy date, give coram through computer as per subject category and then give actual date as per the slot available in the Court of which coram has been given by the Hon'ble Court. This is done because

computer cannot give coram without date having been given first and dates in Miscellaneous matters are given as per availability of slot before a particular coram.

(liv) If a Court is cancelled after issue of Final List, the fresh matters listed before that Court on that day are listed on the next miscellaneous day for which Final List has not been issued. The same procedure is followed if a fresh matter is not taken up and is directed to be listed before another Court. However, in old matters, next date is given through computer as per availability of slot.

(lv) Dates in Arbitration matters, which are listed in Chambers are either indicated by the Hon'ble Judge or are given on the base of record of proceedings.

(lvi) If a matter which is connected with other matter(s) is mentioned and is directed to be listed, the connected matters are not listed unless there is a specific order to this effect.

(lvii) If the Hon'ble Court directs that it is desirable that the appeal be posted for hearing at an early date, such a matter, when ready is treated as specially directed matter and is listed in the next Weekly List before the appropriate Bench.

(lviii) If a fresh matter filed by petitioner-in-person is eliminated due to non-sitting of the sole coram, it is deleted after apprising the Hon'ble Judge and next date in the matter is given by the Registry. Usually such matter is included in the next Advance List, if the petitioner is a local resident. However, a fresh date after four weeks is given if the petitioner-in-person is residing outside Delhi.

(lix) The officer/official has to seek written instructions/order, whenever a direction is given to him by his superior. If urgent directions are given verbally, written confirmation is to be obtained at the earliest.

**B. SPECIAL BENCH MATTERS :**

(i) Special Bench matter in which there is no direction for listing, is listed on the first available Miscellaneous day on which the Hon'ble Judges, members of the Special Bench, do not have to sit in any other Special Bench, and the Hon'ble Judges are apprised. If any direction is given on appraisal, it is noted in the file and is complied.

(ii) Dates in other Special Bench matters is given in terms of

the proceedings, subject to availability of Bench.

(iii) If the Registry has already given date on a particular Miscellaneous day in a Special Bench matter, another Special Bench matter is to be listed on that day in terms of the order of the Hon'ble Court, and composition of Benches is not the same, the matter in which date has been given by the Registry is deleted and shifted to another date and the Hon'ble Judges are apprised. If there is clash of dates given in terms of Court's order, in Special Bench matters, verbal directions are taken from the Hon'ble Presiding Judge and are recorded in the file. Further action is taken in terms of directions of the Hon'ble Judges.

(i) **FURTHER LISTING DIRECTIONS AND MODIFICATIONS**

- I. If one of the connected matters are listed on mentioning, all the connected matters arising out of the common judgment of the Court/Forum below are listed alongwith the mentioned matter.
- II. The matters which are listed during vacations before Vacation Benches are to be listed on the next hearing through computer as per subject

category.

III. If the Hon'ble Judge constituting the sole coram is not available on a date the matter is listed before the Hon'ble Judge who would have constituted the second/third coram in the case as per our general practice applicable to cases where the coram has not been given by Hon'ble the Chief Justice of India and on future dates the matter is listed before Hon'ble Judge constituting the sole coram given by Hon'ble the Chief Justice of India.

IV. When any application is listed on mentioning before the Hon'ble Court/Ld. Registrar General, such of the pending applications which, in the opinion of the concerned Joint Registrar can be conveniently heard by the Hon' Court alongwith the mentioned application, are also listed before the Hon'ble Court alongwith the mentioned application, with the prior approval of Additional Registrar (CC) provided no order has been passed by the Hon'ble Court regarding listing/hearing of those applications.

V. If the Hon'ble Court directs listing of Miscellaneous matter, "as early as possible," such matter is listed in the next advance list after the order of the Hon'ble Court.

VI. If the Hon'ble Court directs the matter to be listed immediately after a particular period, it is listed on the first Miscellaneous day after expiry of that period.

VII. If there are listing directions such as i) One week time is granted- put up soon thereafter; iii) List soon after four weeks; ii) One week time is granted to do the needful. Put up soon thereafter; iii) List the matter soon after Christmas holiday/Summer vacation/Dussehra holidays, the matter is shown in the next advance Miscellaneous list after the expiry of period fixed by the Hon' ble Court.

VIII. In a Curative Petition if none of the Hon'ble Judges who decided the matter, available for reasons such as retirement, the Curative Petition is listed by circulation before the first three Hon'ble Judges including the Hon'ble the Chief Justice of India.

IX. If fresh matters are not listed before appropriate court on account of failure of the concerned officer to tag the matter or give appropriate coram, such matters are shifted to appropriate court with the written permission of Registrar, after apprising the concerned Hon'ble Judges.

X. The regular matter which is kept awaiting decision of the Constitution Bench is listed as per subject category after such decision is rendered.

XI. Misc. admission matters appearing in the daily/suppl. list in different Courts are being taken up by Hon'ble Court on the same day and record of proceedings are being prepared in all the listed matters and future

dates are being given on the basis of record of proceedings. However, in Regular side, the record of proceedings are being prepared only in such matters (whether regular or misc.) which are taken up for hearing. The left-over regular matters are shown in the next daily list such as left-over regular matters of Tuesday, on Wednesday and Wednesday on Thursday and Thursday on next Tuesday respectively AND similarly left over misc. matters of Tuesday, Wednesday and Thursday are shown in the daily list of Wednesday, Thursday and next Tuesday respectively subject to directions, if any as regards number of misc. matters to be listed in a list on regular days.

XII. If a Regular Hearing matter bearing the coram the Presiding Judge is not to be listed before the other Hon'ble Judge of the bench, it is listed through computer as per subject category, before the other bench dealing with the subject category.

XIII All the regular matters referred to three Hon'ble Judges Bench are first put up to Hon'ble the Chief Justice of India. If the coram is granted in a matter, it is listed only before that coram, unless directed otherwise. The matters in which no coram is granted, are listed through computer, before any of the available Three Judges Bench. If any matter is adjourned it shall thereafter be listed only before the Presiding Judge of the Bench which adjourned the matter unless directed otherwise. If any matter is not taken up

though shown in the list, it reverts back to the pool of Three Judges matters, at the end of the week. Upto Three Judges matters are listed in one court in the Weekly List.

XIV. As per para xvii of Directions and Practices relating to Coram and Listing, a Part-Heard matter is to be listed before the Hon'ble Judges who heard it in part unless it is released, in writing, from Part-Heard. If released from Part-Heard in writing by the Hon'ble Judges constituting the Bench and directed to list before appropriate Bench, the matter is to be listed before the Senior Judge who heard the matter in part alongwith a suitable Office Report regarding its having been released from Part-Heard AND ii) if the Hon'ble Judges, who heard the matter in part have directed to release the matter from Part-Heard in writing and further directed to list the same before some other Bench, such matters are to be listed through computer as per subject category iii) Where the matter released from part-heard cannot be listed before the Hon'ble Senior Judge, due to reasons such as retirement or the matter is not heard before retirement of the Hon'ble Senior Judge such matter to be listed through computer as per subject category.

XV. Contempt petitions to be listed before the coram which issued Notice/Rule Nise or granted leave.



XVI. Arbitration applications to be listed in Court before the nominated Judge unless otherwise directed by the nominated Judge.

XVII. In order to expedite disposal of group matters (miscellaneous), adjourned group matters (miscellaneous) having 5 or more matters are to be given priority. If group matter is adjourned and the Hon'ble Court does not direct listing on a particular date or any particular week or particular month etc. and notice is not issued for a particular date it may, subject to order of the Hon'ble Court, be listed by way of next Advance List and such group matters be deleted only when necessary to avoid the deletion of specific date matters and Flag "P" once deleted matters.

XVIII Adjourned transfer petitions are to be treated at par with Jail Petitions/Bail Matters in the matter of subsequent listing.

XIX The fresh matters appeared in the Daily List are adjourned prior to the date of listing while mentioning in Chief Justice's Court or some other Courts such matters may be treated as already listed matter and Coram of the Bench in which the matter appeared in the Daily List is to be fed.

XX. If a matter is taken on board on mentioning, and ex-parte stay or relief is granted, such matter will not be deleted when it is coming up for the next date. Such matter will be treated as specific date matters and will be noted under "S" flag to avoid deletion.

XXI Existing limit of 25 cases on Monday and 18 cases on Friday, for the purpose of giving dates by the Registry through computer, is raised to 35 and 25 respectively.

XXII All the Incomplete matters (including Final Disposal matters), viz in which service is not complete on all the parties or counter/rejoinder has not been filed in terms of the order of the Hon'ble Court except matters in which a specific dates has been given by the Hon'ble Court, will be listed before the Registrar.

**CHAPTER XII**  
**COPYING SECTION**

The procedure of the Copying Branch is governed by Order XII, Rules (1-7), Order XIII, Rule 4 and Order XXI Rule 29 of the Supreme Court Rules, 1966 as amended from time to time, which read as under:-

**ORDER XII (Rules 1 to 7 ) Inspection, Search, etc.**

1. Subject to the provisions of these rules, a party to any cause, appeal or matter who has appeared shall be allowed to search, inspect or get copies of all pleadings and other documents or records in the case, on payment of the prescribed fees and charges.

2. The Court, on the application of a person who is not a party to the case, appeal or matter, may on good cause shown, allow such person such search or inspection or to obtain such copies as is or are mentioned in the last preceding rule, on payment of the prescribed fees and charges.

3. ....

4. Copies required under rule 1 or rule 2 may be certified as correct copies by the Registrar, Deputy Registrar, Assistant Registrar, or such other officer as may be authorized in that behalf by the Registrar.

5. An application may be made to the Registrar for the issue urgently of a copy of any judgment, decree or order of the Court or of any proceedings filed in the Court and upon the order being so made, the said copy shall be made ready and issued within seven days of the making of the application or such further time as the Registrar may specify.

6. ....

7. ....

**ORDER XIII ( Rule 4)**

**Judgments, Decrees and Orders**

4. Certified copies of the judgment, decree or order shall be furnished to the parties on requisition made for the purpose, and at their expense.

**ORDER XXI (Rule 29)**

**Special Leave Petitions in Criminal Proceedings  
and Criminal Appeals**

29. In criminal proceedings, no security for costs shall be required to be deposited, and no Court-fee, process fee, or search fee shall be charged, and an accused person shall not be required to pay copying charges except for copies other than the first.

**PROCEDURE FOLLOWED**

(i) **Inspection:** A party to any case, appeal or matter who has appeared as well as his Advocate is entitled to search or inspect all pleadings, documents or record of his case on payment of prescribed Court Fee. Search or inspection is to be carried out in the presence of an officer of the

Court after 24 hours notice in writing to the parties who have appeared. The Court, on the application of a person who is not a party to the case, appeal or matter, may allow him such search or inspection on good cause being shown for this purpose.

- (ii) Copying Branch of the Supreme Court supplies four types of copies viz. (1) Office Copy (2) Ordinary Certified Copy (3) Urgent Office Copy and (4) Urgent Certified Copy. Either a party or his Advocate can file an application for supply of copies, giving necessary particulars of the case in which copies are sought. The timings for receiving applications are 10-11.30 A.M. and 2-3 P.M. and the delivery timings are 12-1 P.M. and 3.30-5 P.M. Every application is given a computer generated registration number and a computerized receipt. If any defect is found in the application, it is indicated in the Defect List displayed every day on the notice board. The Defect List is as under:-

<u>CODE</u>	<u>NAME OF THE DEFECT</u>
1.	Deficit Court fee
2.	Appearance not mentioned
3.	Wrong Court No./Item No./Date of order
4.	Wrong Case number

5. Wrong Cause title
6. Application unsigned
7. Process fee/spare copies not filed
8. One free copy already given in criminal matters, court fee required for second copy.
9. • No such Order/Document filed.
10. Clearly specify the Order/Document required
11. File weeded out (documents not available)
12. Any other defect notified.

If no defect is found or on removal of defects, as the case may be, ordinarily urgent copies are supplied by next day whereas other copies are supplied within 2-3 days, though Supreme Court Rules provide for supply of copies within 7 days of submission of an application. The Court, on the application of a person who is not a party to the case, appeal or matter, may direct supply of such document to him, on good cause being shown for this purpose. The defective applications/acknowledgment receipts are weeded out in the months of January & July of every year. Even the ready copies which have not been collected by the Advocates/Parties are destroyed after the expiry of one year. The copies

the Record of Proceedings/Judgments/Orders kept in Copying Section are destroyed after a period of three years.

Photocopies of the Orders/Documents are prepared after putting Rubber Stamps and affixing red wafer on the back of certified copy. The Ordinary nature of copies are signed by the Section Officer whereas the urgent nature of copies are certified by the Assistant Registrar, and after certification the seal of the Court is affixed on the red wafer and the copies are then delivered to the Advocates/Parties after taking back the acknowledgment receipt issued by the Registry.

All the Judgments and Orders passed by the Hon'ble Courts will soon be digitally signed. Branch will be able to supply certified copy on the same day since it will not be necessary to requisition the Original Record. Digital Signed Judgments/Orders can be directly printed by the Branch for supply of the certified copies to the parties.

Applications received by post are also entertained by the Copying Section provided the proper application with required Court Fee and Postal Charges is received.

**CHAPTER XIII****LEGAL AID & ADVICE****A. By Supreme Court Legal Services Authority**

With a view to provide easy and inexpensive access to this Court and to give legal advice, Supreme Court Legal Services Authority has been constituted under Section 3A of Legal Services Authority Act, 1987. The Authority is headed by a sitting Judge of the Supreme Court and includes distinguished members nominated by Hon'ble the Chief Justice of India.

(i) **Eligibility** : The Authority provides free legal aid to litigants whose annual income does not exceed Rs. 50,000/-. It also provides free legal assistance to persons belonging to Scheduled Castes/Scheduled Tribes, women, children, disabled persons, victims of trafficking in human beings, victims of mass disaster, victims of ethnic violence, caste atrocities, flood, drought, earthquake etc., persons in custody and industrial workmen, irrespective of their financial means. However, no legal aid is given in matters of defamation, malicious prosecution, perjury, contempt of court, elections, economic offences (except to victims of the offence), offences against social laws such as Protection of Civil Rights Act and Immoral Traffic (Prevention) Act.



(ii) **Procedure** : A person seeking free legal aid through the Authority has to apply to its Secretary at 109 Lawyers' Chambers, Supreme Court Compound, New Delhi in the prescribed form, available free of cost in its office as well as through E-mail or from nearest Legal Services Authority. He is required to enclose the prescribed documents along with the application form. For obtaining legal advice one can call on in the office between 10.30 A.M. to 5 P.M., on a working day. There are no charges for obtaining legal advice. 101 Advocates-on-Record and 57 Senior Advocates are presently rendering free legal aid through this Authority. It also has a full time Legal Consultant-cum-Executive Lawyer. The Authority has its own website, namely, [www.sclsc.nic.in](http://www.sclsc.nic.in) and it also answers the queries of litigants through E-mail. No expenses are payable by the litigants except cost of attestation of affidavit and postal charges.

B. **By Supreme Court Middle Income Group Legal Aid Society**

Supreme Court Middle Income Group Legal Aid Society has been set up under the Societies Registration Act. The Society is headed by a sitting Judge of the Supreme Court and maintains a panel of Advocates including Advocates-on-Record, who are willing to take up the cases assigned to them by the Society.

(i) **Eligibility:** The Society is running a Scheme known as “Supreme Court Middle Income Group Legal Aid Scheme,” which is a self supporting scheme. It provides legal aid to those whose income falls below Rs. 2,00,000/- per annum.

(ii) **Procedure :** On assigning of the case to an Advocate, the applicant has to pay the fee prescribed by the Society for various services, along with the requisite court fee and expenses for preparation of court record. The Schedule of fee payable to the Advocates, as well as the rates for other work, is annexed to the application, which enables the applicant to estimate the expenditure well in advance. Any one seeking service of an Advocate through the Society has to apply to its Secretary by filling up an application form available in the office of the Society at 109 Lawyers’ Chambers, Supreme Court Compound, New Delhi. A sum of Rs. 500/- is payable to the Society as service charges. The prescribed documents have to be filed along with the application. The Society has its own website which is linked with the website of the Supreme Court, namely, <http://www.sci.nic.in> and all the information is available on that site.

**CHAPTER XIV****MAINTENANCE OF FILES**

Judicial record is divided in two parts. Part II contains office notes, vakalatnama and appearance, filing memo, interlocutory applications, correspondence, default notices; etc.

Part I contains important documents like Court fee, Petition of Appeal/Special Leave Petition/Writ Petition, impugned judgment, judgments of lower Court, if any, plaints, written statements, references, memo of compromise, judgments, decrees etc.

It is therefore, very important that all the documents when filed are placed in appropriate file after numbering them, giving page number and entry in the index; otherwise lot of time is wasted in locating them in case of need. The documents filed ought to be legible to avoid any inconvenience to the Hon'ble Judges. Noting portion is also page numbered.

File cover contains all the relevant information like name of the Section, Diary No., Appeal/Writ Petition No., Interlocutory Applications, appearance, expedited or short matter, Receipt of Original Record, period of sentence, if applicable, particulars of tagged matters. Date of disposal is also

indicated on the file cover. If common petition is filed, file cover contains the names of the Advocates representing the respective parties. In case the matter is set down for hearing ex-parte against any of the Respondents that is also indicated on the file cover.

**CHAPTER XV****MAINTENANCE OF REGISTERS**

Each Section on the Judicial side, maintains the following Registers:-

1. Receipt/Diary Register
2. Main SLP Register
3. Main Appeal Register
4. Contempt Petitions Register
5. Review Petitions Register
6. Computer Code No. Register
7. Expedited, Short and specially directed matters Register
8. Constitution Bench Matters Register
9. Bank Guarantee, Security and FDRs Register
10. Register of Matters listed in the Court
11. Individual Register of Dealing Assistants
12. Peshi Register

The nomenclature of the Registers leaves no ambiguity in understanding the purpose for which they are directed to be maintained. The paramount requirement is to keep them up-dated and properly maintained.

**CHAPTER XVI****INFORMATION AVAILABLE ON INTERNET****(i) Cause Lists :**

(<http://causelists.nic.in>)

All the cause lists such as Weekly Lists, Advance Lists, Final Lists and Supplementary Lists are available on the internet and it is possible to locate the case through the name of either party or through case number. This facility enables the litigants to find out, without contacting their Advocate, as to whether their matter is listed for hearing on a particular date or not. It is possible for the Advocates to generate cause list only of their cases and thereby avoid scanning through a large number of pages of the list to locate such cases. Cause lists can be accessed immediately after it is issued by the Court.

**ii) Case Status**

(<http://www.courtnic.nic.in>)

This website can be accessed through internet to ascertain the status of pending as well as disposed of cases. Case status gives

information such as lower court details, names of parties and Advocates, the date on which the matter was last listed and the date on which the matter is likely to be listed next. If the matter is already disposed of, information such as date of disposal can be obtained using this facility. Whenever a case is filed in the Supreme Court, its details such as diary number generated at the time of filing, date of filing, lower court details, name of parties etc. are entered in the computer. All this information is available on the site. The status can be accessed through case number, title, Advocate's name or lower court details. It is possible for a litigant to maintain his own case file by downloading all details including orders passed from time to time. Similarly an Advocate can download particulars of all his cases and thereby maintain his own data base.

(iii) **Daily orders on internet**

**(<http://www.courtncic.in>)**

Daily orders passed by the Court are available on internet within 24 hours. However, such orders, if downloaded through internet, cannot be used as certified copies, for which one has to apply to the

Copying Section of the Court. This facility saves a lot of time and expenses, since one does not have to travel to the Supreme Court to obtain a copy of the order passed in his case and can have access to it while sitting in his own place.

(iv) **Judgments (<http://www.judis.nic.in>)**

With the assistance of National Informatics Centre, a web enabling retrieval system, Judgment Information System (JUDIS) has been implemented, thereby making available, on internet, complete text of all reported judgments of the Supreme Court from 1950 till date. Judgment can be accessed through party name, Advocate's name, date of judgment and also through free text search which enables the user to retrieve all the judgments on a particular subject. The judgments are available on this site within 24 hours on their being delivered in the Court. This facility is of great help to those Advocates who cannot afford to own a law library and also enables a litigant to trace precedents on the subject of his/her own case.



(v) **E-kiosks**

E-kiosks have been installed in the premises of Supreme Court in order to enable the litigants and Advocates to have access to computerized information, without actually owning a computer. This facility is of immense use to those who do not own a computer and still want to utilize E-facilities.

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This Compilation is updated as on 1-1-2007.  
This will be periodically updated from time to time. Any omission or addition may be brought to the notice of Registrar (CC).