

**SUPREME COURT OF INDIA**

**COMPENDIUM OF  
CIRCULARS, GUIDELINES**

**AND**

**PRACTICE DIRECTIONS  
(AS ON 30.6.2007)**

\*\*\*\*\*

**VOLUME I**



✓

**SUPREME COURT OF INDIA**

**COMPENDIUM OF  
CIRCULARS, GUIDELINES  
AND  
PRACTICE DIRECTIONS**

\*\*\*\*\*

**VOLUME I**



## VOLUME - I

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SUPREME COURT OF INDIA

New Delhi, the 14<sup>th</sup> Aug., 1987

C I R C U L A R

On the receipt of information about the death of an Advocate-on-record or on his being designated as a Senior Advocate or on his being elevated to the Bench, the following procedure shall be followed:-

All the Dealing Assistants shall immediately check-up the files handled by them both ready and non-ready, in which the concerned advocate-on-record was appearing for any party and issue a notice to all the parties represented by such an advocate, informing them of this development and require them to make alternative arrangements for their representation in the matter. The notice to be issued shall be in the revised form appended as Annexure 'A' to this Circular and not the one currently in vogue. The notice shall be issued by registered A.D. post with a copy for information to the opposite side.

The name of the concerned advocate-on-record shall be deleted from the file cover and the name of the new advocate-on-record shown in his place if in response to the notice the parties engage another advocate-on-record. The remark "In person" shall be shown on the file cover only if any party files a memo of appearance to that effect in the form as prescribed under the rules and not otherwise. However, if the notice is duly served and no alternative arrangements are made by the parties within the time fixed in the notice, either by engaging another advocate-on-record or by filing a memo of appearance in person as prescribed under the rules, then on the expiry of 30 days from the date of service of such a notice, an Office Report shall

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be prepared and circulated to the Court, at the time of hearing of the matter stating the fact of having duly served such a notice adding therein that in spite of service of the notice, the party (Appellant or Respondent as the case may be) has failed to make any alternative arrangements for its/theirs representation. Copy of such an Office Report will be served on all the appearing parties.

sd/-

(A.N. OBERAI)  
REGISTRAR (JUDL.)

Copy to all Officers and Sections  
on the Judicial side.

"Annexure - A"

Sec. XIIA

REGISTERED ACKNOWLEDGEMENT DUE  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. \_\_\_\_\_ OF 19 \_\_\_\_\_

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. \_\_\_\_\_ OF \_\_\_\_\_

....Appellant(s)  
Petitioner(s)

Versus

....Respondent(s)

To

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TAKE NOTICE that Mr. \_\_\_\_\_, your Advocate on record in the matter above-mentioned has been elevated to the bench of High Court/designated as Sr. Advocate/died. You are, therefore, required to make fresh arrangements for your representation before this Court in the matter through another Advocate-on-record or in person by filing a memo of appearance as prescribed under the rules, if so advised, within 30 days of the receipt of this notice, failing which it will be presumed that you do not wish either to engage another Advocate-on-record or appear in person and the matter will be proceeded with and determined in your absence.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_.

ASSISTANT REGISTRAR

COPY TO:-

- 1. Mr. \_\_\_\_\_, Adv.
- 2. Mr. \_\_\_\_\_, Adv.

ASSISTANT REGISTRAR

(11)

SUPREME COURT OF INDIA

No. F.62/Judl.I/95

New Delhi, dated 1<sup>st</sup> September, 1995

C I R C U L A R

In case, the Advocate on record is designated as Senior Advocate, a letter shall be addressed intimating him/her that a notice for making alternative arrangement for representation before this Court on behalf of his/her clients shall be issued at the address available on record and if there is any change in the address, the same should be furnished within a week from the receipt of this letter, failing which, it will be presumed that there is no change in the address of his/her clients.

Sd/-

(L.C. BHADOO)  
REGISTRAR (JUDL.)

Copy to:

All concerned.



SUPREME COURT OF INDIA

No. F.63/Judl.I/95

Dated 1<sup>st</sup> September, 1995.

C I R C U L A R

All Judicial Sections are hereby directed that as and when a notice for making alternative arrangement for representation before this court is to be issued to the party concerned, the same shall be issued by Registered post as well as under certificate of posting.

If, neither A.D. Card nor undelivered notice is received back, in that case no further time need be wasted and the matter be placed before the Court for hearing with office report, explaining the position.

Sd/-

(L.C. BHADOO)  
REGISTRAR (JUDL.)

Copy to:

All concerned.

⑥  
Ref. NO. 39/2000/R.S.

SUPREME COURT OF INDIA  
RECORD SECTION

Dated 31<sup>st</sup> March, 2001

C I R C U L A R

Civil Appeal No. 3571 of 1992, entitled "Sasanka Das Vs. Chandrajit Goala & Others" was listed before this Court on 26<sup>th</sup> March, 2001, when the Hon'ble Court was pleased to, inter alia, pass the following Order:

"The Registry is directed to inform the Advocates practising in this Court who would be designated as Senior Advocates in future will be allowed to take charge as such only after he reports to the Registry that necessary arrangements have been made for the parties to make appearance in the Court in the cases represented by him till then".

The above order of the Hon'ble Court is circulated to all concerned for information and necessary action.

sd/-

(B.M. GUPTA)  
REGISTRAR (JUDL.-I)

1. The Hony. Secretary, Supreme Court Bar Association  
(With ten spare copies)
2. The President of the Advocates-on-Record Association  
(With ten spare copies)  
(With a request that the Circular may be displayed on the notice Boards of the Associations for information of the members of the Bar.)
3. All concerned on Judicial side.

SUPREME COURT OF INDIA

(1)

No. F. 36/Judl-I/1996

New Delhi, dated the 27<sup>th</sup> Nov., 96.

C I R C U L A R

At times the Hon'ble Court grants stay of particular portion of the amount to be paid by the petitioner/appellant and for the remaining amount orders either the furnishing of bank guarantee of the equivalent amount to the satisfaction of the Registrar of this Court or directs the petitioner/appellant to deposit the amount in this Court to be put in a fixed deposit during the pendency of the appeal before this Court. In such like matters when they are ripe for setting down for hearing, an office report to the effect that bank guarantee for such amount is in existence or the amount is lying deposited in this Court and the appropriate directions regarding the abovesaid bank guarantee or for disbursement of the amount deposited in this Court may be obtained from the Hon'ble Court disposing of the matter.

The Court Master concerned shall invariably obtain appropriate directions in this behalf.

These directions shall be followed scrupulously by all concerned.

Sd/-

(L.C. BHADOO)  
REGISTRAR (JUDL.-I)

Copy to:

All concerned.

IN THE SUPREME COURT OF INDIA

No. F.20/JudI-I/1997

New Delhi, dated 11<sup>th</sup> Nov., 1997

C I R C U L A R

Instances have come to notice where the Hon. Court directed the parties to furnish Bank Guarantees or deposit the amount in dispute in Court. The Bank Guarantees were furnished by the parties.

1. But even after disposal of the matters no steps to get the same discharged have been taken by the parties. The concerned Section has also not bothered to obtain suitable orders in this behalf with the result that such files have been consigned to Record Room, though the Original Bank Guarantees are lying with Accounts-II Section.

2. In some cases orders for renewal of the Bank Guarantees have not been obtained though the matters are pending.

3. Similarly, where the amounts were deposited pursuant to Hon'ble Court's orders, no directions were given by the Hon'ble Court about the disbursement of the amounts at the time of disposal of the appeal because neither the concerned counsel cared to bring this fact to the notice of Hon'ble Court for passing appropriate orders at the time of disposal of appeal nor the concerned

(9)

Section bothered to place an O.R. before the Hon'ble Court about the money deposited in this matter, with the result the amounts are lying in deposit in the Court even after disposal of the cases long back.

4. In some cases the amounts deposited are lying in non-interest bearing accounts for long years and no steps have been taken by the dealing sections to obtain suitable orders as to the disbursal of the amounts or for depositing the same in interest bearing accounts as per Hon'ble Courts Orders.

On 26<sup>th</sup> October, 1993, the Hon'ble CJI's Court was pleased to pass an order in S.L.P.(C) No. 1404/92 to the effect that:

"xxxx Whenever Court funds are deposited by the parties pursuant to this Court's orders, the Registry shall, as a rule, within one week of the deposit, seek Judicial directions of the Court for investing in an interest-earning deposit in a Bank, so that at the end of the day it should not turn out that the deposit remained idle in the Registry. This shall be followed invariably in every case. xxxxx"

Pursuant to the above order, circulars were issued from time to time. It seems that the concerned sections did not take trouble to comply with the directions of the Hon'ble Court.

(10)

In order to avoid recurrence of such incidents all the Sections are required to furnish the following information in respect of all pending and disposed of cases by giving details separately about Bank Guarantee/amounts lying in deposit:-

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Case No.	Amount of Bank Guarantee with date	Amount deposited	Date of Ct.Order pursuant to which BG filed/ amount deposited	Date of disposal of case	Remarks
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A copy of the statement mentioned above may also be sent to Section Officer (Accounts-II) who will verify from the Record whether the information furnished is correct or not and take steps to update the record where the information has been furnished but the record is not upto date.

Simultaneously, the Accounts-II Section shall also prepare a statement, as mentioned above, section-wise and send the same to the concerned section for verification and cross-checking.

It has also been observed that in one case, the Hon'ble Court directed the appellant to deposit the amount

(11)

in dispute, but when both the parties laid claim on the amount of interest which the principal sum would earn, the Hon'ble Court directed that orders regarding interest will be passed at the time of final disposal of the matter. However, neither the Counsel for the parties nor the concerned dealing section brought such orders to the notice of the Hon'ble Court at the time of final disposal of the matter and the Hon'ble Court could not pass orders in that behalf. It is emphasised that it will be the duty of the Section Officer and Assistant Registrar of the section dealing with the matter to bring to the notice of the Hon'ble Court at the time of final disposal of every matter and seek appropriate directions of the Hon'ble Court in that behalf in the following type of cases:-

- (1) Bank Guarantee cases;
- (2) Where amounts pursuant to Hon'ble Court's orders have been deposited;
- (3) Where during the pendency of the appeal the Hon'ble Court passed an order to the effect that particular point or points will be decided at the time of final disposal of the appeal.

Any lapse on the part of the concerned officers will be viewed seriously and action taken against them.

Sd/-

(L.C. BHADOO)  
REGISTRAR (JUDL.-I)

Copy to:

All concerned.

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SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

I.A.No.1 in Civil Appeal No. 2330/82

Juggilal Kamlatpat Cotton & Weaving Mills ...Appellant

Versus

Collector of Central Excise & Ors. ...Respondent

(Appln(s) for discharge of bank guarantee)

Date: 20.04.98 This petition was called on for hearing today.

CORAM:

HON'BLE MRS. JUSTICE SUJATA V. MANOHAR  
HON'BLE MR. JUSTICE M. SRINIVASAN

For Appellant(s) : Mr. Rajan Narain, Adv.  
for JBD & Co.

For Respondent(s) : Mr. M. Gaurishankar Murthy, Adv.  
Mr. RS. Rana, Adv.  
Mr. VK Verma, Adv.

UPON hearing counsel the Court made the following

O R D E R

Since the Bank Guarantee has expired long back,  
there is no need for the present application.

Sd/-  
(Neehan Kawatra)  
Court Master

Sd/-  
(Prem Lata Sharma)  
Court Master



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SUPREME COURT OF INDIA

New Delhi, dated the 3<sup>rd</sup> Feb., 1999

No. F.2/Judl-I/1999

C I R C U L A R

In a number of cases the Court while passing interim orders directs the parties to file Bank Guarantee or deposit the disputed amount in the Court, but when the matters are disposed of finally there is no order concerning the Bank Guarantee or the amount deposited in pursuance of the interim orders. The Registry lists such matters with office reports for directions as to the disbursement of the amount or discharge/encashment of the Bank Guarantee but it has been observed that the office reports in such matters do not give a complete picture with the result that inconvenience is caused to the Hon'ble Court, in order to avoid inconvenience to the Hon'ble Court, it is directed that in future whenever such a matter is listed before the Hon. Court for directions regarding disbursement of the amount or discharge/encashment of the Bank Guarantee, the Office Report should contain a brief history of the matter and be accompanied by a copy of the interim order under which the amount/Bank Guarantee was deposited and the order should be quoted in the office report itself. If any further order/orders were passed in the matter concerning the amount/Bank Guarantee, copies of such interim orders should also be annexed to the office report and copies of the judgment/order finally deciding the matter should invariably be enclosed with the office report. If any order regarding Bank Guarantee or cash amount has been passed in the judgment then that Operative Portion should be quoted; if no orders relating to Bank Guarantee or cash has been passed then simply that fact can be mentioned in the Office Report. If the judgment is lengthy but is reported then the citation of the case may be given.

The above direction should be strictly complied with and Deputy Registrars/Joint Registrars concerned should personally see the office report before it is listed to ensure that an incomplete Office Report does not go before the Hon. Court.

Sd/-

(L.C. BHADOO)  
REGISTRAR (JUDICIAL)

14

SUPREME COURT OF INDIA

No. F. 14/JUDL-1/1999

NEW DELHI, DATED AUGUST 11, 1999

C I R C U L A R

Civil Appeal No. 566 of 1981 was listed before the Hon. Court with Office Report on 19.7.1999 seeking directions for refund of security amount. Unfortunately, in this matter a letter to the appellant was not sent and instead letter was served on the Counsel for the appellant.

Civil Appeal Nos. 359-361 of 1981 were listed before the Hon. Court on 2.8.1999 and the Hon. Court adjourned the matter for two weeks. In this matter also a letter was not sent to the appellant concerned. It has been revealed that where Union of India is a party, the practice had been to send the letter to the Standing Counsel and not to the Union of India.

In both the Appeals inconvenience has been caused to the Hon. Court as the requisite letters under our practice were not sent to the parties concerned directly. In order to avoid the recurrence of the aforesaid lapse, it is hereby directed that where the applications are not filed by the Id. Counsel for the appellant for refund of security amount, a letter will invariably be issued to the appellant to file an application/letter of request for refund of security amount and a copy thereof be endorsed to the Counsel irrespective of the fact that the appellant is a private party or State Govt. or Union of India. In the cases of State or the Union of India, letters will be addressed to the Head of the Department concerned and copy to their Standing Counsel as the case may be.

In case, no reply is received from the appellant or the Counsel within the stipulated period, the matter will be listed before the Court stating therein clearly that a letter was sent to the party concerned directly and a copy thereof was endorsed to the Counsel concerned but no reply has been received so far and the Office Report is therefore being listed before the Hon. Court for directions regarding disbursement of security amount.

Sd/-

REGISTRAR (JUDL.)

COPY TO: ALL CONCERNED.

SUPREME COURT OF INDIA

15  
F.7/Judl./2007

April 24, 2007

C I R C U L A R

Whenever the Hon'ble Court directs deposit of any amount by a party to the case, such amounts are being deposited in Supreme Court Account maintained by the UCO Bank in terms of Order XIV Rule (1) and (2) of the Supreme Court Rules, 1966. However, the amount deposited in such account do not bear any interest. By order dated 26.10.1993 in SLP(C) No. 1404/1992, this Hon'ble Court passed the following order:

"xxxx Whenever Court funds are deposited by the parties pursuant to this Court's orders, the Registry shall, as a rule, within one week of the deposit, seek Judicial directions of the Court for investing in an interest-earning deposit in a Bank, so that at the end of the day it should not turn out that the deposit remained idle in the Registry. This shall be followed invariably in every case. xxxxx"

Since the above directions of the Hon'ble Court were not being strictly followed, Circular No.F.2/Judl./1996 dated 10.01.1996 was issued inviting the attention of all concerned to the order dated 26.10.1993 passed by the Hon'ble Court and all the Section Officers and Assistant Registrars on the Judicial side were directed that whenever the Hon'ble Court directs the parties to deposit any amount in the Court they should seek judicial direction of the Hon'ble Court, as to whether such amount is to be deposited in interest earning deposit in a Bank.

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Inspite of the above direction by the Hon'ble Court and the Circular issued, instances have come to notice where the above directions were not strictly followed by all concerned. Hence, the attention of all the Section Officers and Assistant Registrars on the judicial side and also those working in the Cash Branch is once again invited to the directions in the Court's order dated 26.10.1993 and the Circular dated 10.01.1996 and they are required to comply with those directions without fail. If any instance of any breach of the said directions is noticed, the same will be viewed very seriously. If any claim for payment of interest is raised by any party on account of loss of interest due to deposit of the amount in a non-interest earning account without complying with the directions contained in the order dated 26.10.1993 and the Circular dated 10.01.1996, the same may recovered from the officers/officials concerned, who are found to be responsible therefor.

Sd/-

(T. SIVADASAN)  
Registrar (Judl.)

Copy to:

1. All concerned on Judicial side
2. D.D.O.
3. A.R./S.O. (Cash Branch)

SUPREME COURT OF INDIA  
CASH & ACCOUNTS-II

(17)

F.20/FD-Circular/SC-Acctts.II

Dated: May 10, 2007

C I R C U L A R

In pursuance of the directions of Hon'ble the Chief Justice of India, it is hereby circulated for information and necessary action by all concerned that the files relating to Fixed Deposit(s) which require the orders of Hon'ble Court or Registrar's Court for further renewal of Fixed Deposit Receipt(s) from the date of maturity, shall be sent to the listing officer for listing the matter in the concerned Court, sufficiently well in time.

It is further directed that if the Hon'ble Court directs to invest the amount of more than Rs.50,000/- in UCO Bank, the matter shall be processed on the very next day. If some other nationalised bank is offering higher interest for the period for which the money is to be kept in fixed deposit, the Branch concerned having obtained the required information from the Branch dealing with the fixed deposits, the matter shall immediately be brought to the notice of the Hon'ble Court and further directions shall be sought.

The concerned Branch Officer and Listing Officer should ensure that orders for renewal of Fixed Deposits are obtained in advance at least one week before the date of maturity as well as the further directions for investing the amount either with UCO Bank or the bank offering the higher rate of interest from the Hon'ble Court or Registrar's Court.

All concerned are required to strictly follow the above instructions and any failure will be viewed seriously.

Sd/-  
(SUNIL THOMAS)  
REGISTRAR (ADMN.)

R.G./3/94/Judl.

SUPREME COURT OF INDIA

New Delhi, April 12, '94

OFFICE ORDER

In Civil Appeal No. 4258 of 1986 when an Office Report on Default was listed on 22.10.90, the Hon'ble Court passed the following order:-

"One week's time is granted to the appellant to do the needful failing which this appeal shall stand dismissed without further reference to the Court."

As the counsel for the appellant did not take the requisite steps as ordered by the Hon'ble Court within the stipulated time, the appeal stood dismissed in terms of the Hon'ble Court's order referred to above and a letter of dismissal dated 14.11.90 was also sent to the High Court. However, the Appeal remained alive in the computer as the Section which dealt with the matter did not get the data modified pursuant to the dismissal of the appeal as stated above and the same was listed on 31.3.94 in its chronological order. It was the duty of the Section which dealt with the matter to have the computer updated.

It is, therefore, directed that in future the Sections concerned should get the computer updated when matters stand disposed of pursuant to peremptory orders made by the Hon'ble Court.

Sd/-

(M.S.A. SIDDIQUI)  
REGISTRAR GENERAL

Copy to all Officers and Staff  
working in the Judicial Wing  
of the Registry.

SUPREME COURT OF INDIA

No.F.35/Judl./2000

New Delhi, Dated the 16<sup>th</sup> June, 2000

C I R C U L A R

It has been observed that in C.A. of 15581/96 (V.M. Kurian vs. State of Kerala & Ors.) special leave to appeal was granted on 6.12.96 and hearing of the appeal was expedited. The relevant Matter Code '9', along with law point involved was updated in the computer. Subsequently, two applications for early hearing were filed in the matter. For the purpose of listing the applications Matter Code '7' was updated and the matter was accordingly shifted from Part II to Part I system. After disposal of the applications, when the matter was shifted back to Part II system, the Matter Code became '0'. With the result, the Matter, which was made ready sometime in May, 1999, could only be included in the list for hearing in March, 2000.

The matter has been fully inquired into and, to avoid such recurrence in future, it is hereby directed as follows:

1) That the Users of the Computer Cell, who update the data should furnish the entire information fed in the computer on the concerned file also instead of writing a word "updated".

2) That the Section concerned should send the file again to the computer cell for updation of the accurate Matter Code as soon as the matter becomes ready and is set down for hearing.

3) That the Incharge of Computer Cell should chalk out and enforce a proper and more effective programme.

Sd/-

(B.M. Gupta)  
REGISTRAR (Judl.I)

Copy to:

- 1) All Judicial Sections
- 2) Incharge Computer Cell

SUPREME COURT OF INDIA

(COMPUTER CELL)

No.DRCC/2001/2

New Delhi, Dated October 18, 2001

CIRCULAR

In continuation of Circular No. JRCC/3/98 dated 18<sup>th</sup> June, 1998 and Circular No. JRCC/4/98 dated 4<sup>th</sup> September, 1998, it has now been decided to decentralise the registration of SLPs, Civil/Criminal Appeals, I.As. in disposed of matters, Crl.M.Ps, Review Petitions, Contempt Petitions, Arbitration Petitions, etc. and such work will henceforth be done in the respective Sections by the Branch Users under the supervision of their SO/AR. Practical training for registration of the matters has been imparted to all the Branch Users. For registration of IA/Crl.M.P. in disposed of matters, the matter is required to be recalled from disposal directory. It must be ensured that whenever a matter is recalled from disposal directory, the same must be put back in disposal directory after the purpose is accomplished.

It is, however, clarified that further action regarding extraction and feeding of law points/statutes and matter codes, after registration of appeals and updation of relevant data for the purpose of listing shall continue to be done by DEU-I for which the files will have to be sent to DEU-I. The files of Contempt Petitions after registration shall hereinafter be sent to A.R. (Listing) for the purpose of listing. In case of any difficulty, the Branch Users may contact the S.O. (DEU-I).



(21)

The following facilities are already available on the Branch terminals regarding updation:

- (1) Change of Section;
- (2) Change/addition in the name of the Advocate/Advocates;
- (3) Whether the matter is 'Ready' or 'Not Ready';
- (4) Addition/deletion of parties;
- (5) Addition/deletion of IAs;
- (6) Substitution of parties;
- (7) Generation of Show Cause Notice, Notice of Lodgment of Petition of Appeal, Dismissal Order, Formal Order, Office Report, etc.

It is, therefore, enjoined upon all the Section Officers/Asstt. Registrars of Judi. Sections to ensure that the Branch Users avail themselves of the computer facility restricted to the above fields only and do not tamper with the data pertaining to the other fields.

Sd/-

( GOVIND SINGH )  
Deputy Registrar (CC)

Copy to:

All concerned.

SUPREME COURT OF INDIA

No. Addl. Registrar (CC)

Dated 30.03.2005

CIRCULAR

When I.As./Crl.M.P. in disposed of matters are filed, the matters are called back from the Disposal Directory by the Branch. But after disposal of such I.As./Crl.M.Ps., these matters are not put back into the disposal directory on many occasions by the branch with the result the matters remain alive.

To avoid such a situation, an Office Order was issued on 09.03.2005 requiring the Dealing Assistant/User in the Branch to put back into Disposal Directory all such matters immediately after disposal of I.As./Crl.M.Ps. However, it is observed that these instructions are not strictly adhered to by some of the Branches.

Therefore, all the Section Officers on the judicial side are requested to ensure strict compliance of this practice without fail.

Sd/-

( K.A. Gopinatha Rao )  
Addl. Registrar (CC)  
30.03.2005

All Branches on the Judl. side

Copy to:-

Ld. Registrar (J-I & J-II)

SUPREME COURT OF INDIA  
SECTION 1-B

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23

F. No.3/P.S./Addl. Reqr./SCI/2005

New Delhi, Date 25.07.2005

CIRCULAR

It has been observed that the directions contained in the Circular dated 31.1.2005 regarding feeding into the computer system the names and addresses of all petitioners and respondents in matters which are not dismissed at the first hearing, are not being followed.

All the Deputy Registrars/Joint Registrars of Judicial Sections are, therefore, directed to ensure that the particulars are entered into the computer on receipt of files after the first hearing and keep monitoring implementation of this practice in the branches under their supervision.

Sd/-

(T.N. Sansi)  
Additional Registrar

Circulated to:

All concerned.

SUPREME COURT OF INDIA

(24)

No. F.67/Judl.I/95

New Delhi, dated 12<sup>th</sup> October, 1995

C I R C U L A R

It has come to my notice that the files of special leave petitions which are being dismissed by the Court are lying in the sections for consignment to the Record Room, which increases the unnecessary burden on the section and if they are consigned to the Record Room timely, that shall save much botheration of the Section.

It is strongly emphasised once again that the files, which are lying only for consignment to the Record Room must be cleared and in future the files of the disposed of matters must be consigned within a fortnight of their disposal by the court. If any section is found lacking in this regard, disciplinary action will be initiated against the Assistant concerned, Section Officer and Assistant Registrar respectively.

The supervising officers D.R./J.R. are also required to ensure the compliance of the above circular and any lapse on their part shall reflect on their performance.

Sd/-

(L.C. BHADOO)  
REGISTRAR (JUDL. I)

Copy to:

All concerned.

SUPREME COURT OF INDIA

No. F.74/Judl.I/95

New Delhi, dated 10<sup>th</sup> November, '95

C I R C U L A R

It has been brought to my notice that the files consigned to the Record Room by the Judicial Sections are not properly indexed and even the number of the matter is not given on the documents kept in the file as well as on the file cover of Part I file which create difficulty for the Record section while doing the destruction work.

The Section Officers of the Judicial Sections are directed to see that in future all the files are properly indexed and the number of the matter is given on all the important documents contained in the files as well as on the file cover of Part I files, before consigning the files to the Record Room.

Sd/-

(L.C. BHADOO)  
REGISTRAR (JUDL.I)

SUPREME COURT OF INDIA

26

No. F.36/Judl./2000

Dated August 5, 2000

C I R C U L A R

It has been brought to my notice that as per the present practice, requisitions are being sent to the Record Room by the Section Officers for requisitioning the consigned files. In some cases, it has been observed that even when the files which do not belong to their Section i.e., belonging to other Sections, are also being requisitioned by the Section Officers and other officers.

In order to streamline the procedure for requisitioning of consigned files from the Record Room, as well as of pending files from other Sections, the following guidelines are laid down which shall be scrupulously observed by all concerned and any departure of which shall be viewed seriously and may even invite disciplinary action in appropriate cases:-

1. Whenever the consigned file is required by the concerned Section, the requisition must be sent through their AR specifically mentioning therein the purpose for which the file is requisitioned.
2. Whenever any consigned file is requisitioned by any Branch or officer which does not belong to their Section the requisition shall be sent indicating therein the purpose for which the file is requisitioned by AR, to the AR of the concerned Section to which the file belongs who after ascertaining the requirement, in turn will send the requisition to the Record Room.
3. Whenever any file is required by any Court Master in connection with any matter which is on Board, he shall send a requisition mentioning therein the purpose and Item No. of the matter in which the file is required.
4. However, in case during the course of the hearing of any matter when the file is urgently required in the Court,

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the Court Master will inform the Section Officer of the Record Room on telephone indicating the purpose and the Item No. for which the file is required followed by a proper requisition. The Section Officer of the Record Room shall send the same to the Court Room immediately and obtain the requisition and will enter the necessary particulars in the Register.

5. On receipt of any requisition, the Record Room besides entering other particulars, shall enter in the Register the name of the officer and other necessary particulars for example the purpose for which the file is required. While sending the file, the Record Room shall obtain the signatures of the person receiving the file and note down his/her name. The Record Room shall not destroy the requisitions and keep them in record for a period of one year.
6. All concerned will ensure that requisitioned files are returned to the Record Room at the earliest when no longer required.
7. In case if any file of a pending matter or in cases where files in disposed of matters, but still lying in the Branch is required by other Sections, then it should be requisitioned through the AR of the concerned Section by the AR of the Section requisitioning the file and the movement of the file shall be noted in the relevant register after indicating the purpose for which the file is required.

Sd/-  
(B.M. Gupta)  
Registrar (Judl.I)

Copy to all concerned for information & compliance.

SUPREME COURT OF INDIA

(RECORD SECTION)

28

No. F.37/Judl./2000

New Delhi, dated 17<sup>th</sup> October, 2000

C I R C U L A R

Attention of all concerned is invited to Circular No.F.74/Judl.I/95 dated 10<sup>th</sup> November, 1995 impressing upon all concerned the need to properly index and indicate the number of matter on all important documents contained in the files as well as on the file cover of Part-I files, before consigning the same to the Record Room.

However, it has been brought to my notice that the files consigned to the Record Room by the Judicial Sections are not being properly indexed and papers are not separately numbered itemwise. For instance, it has been observed that when there are a number of Record of Proceedings of different dates, they are shown in the index as one item instead of showing them as separate items datewise and giving separate page numbers. Moreover, some of the important documents of Part-I file which are to be preserved as permanent record, are found filed in Part-II file and it creates lot of difficulty for the Record Section while doing the destruction work.

The Section Officers of Judicial Sections are once again directed to comply with the directions contained in Circular dated 10.11.1995, mentioned above, and to see that in future all the papers of each consigned file are properly numbered and indexed separately itemwise and ensure that all papers which are to be preserved as permanent record, are duly transferred to Part-I file before consigning the files to the Record Room.

Sd/-

(B.M. Gupta)  
Registrar (Judl.)

Copy to: All concerned.



No.RG/4A/91.  
SUPREME COURT OF INDIA  
NEW DELHI

2a

February 19, 1991.

C I R C U L A R

Re: Returnable date for Contempt Notices.

Hon'ble the Chief Justice of India has directed that in Contempt Notices also, save in cases where the Court has given a specific period/date, six weeks' time as mentioned in Circular \*No.RG/4/90 dated 3.7.90, with regard to 'returnable dates for Contempt Notices', be given so that there may be uniformity in the procedure in all the Branches.

Sd/-  
(S. RAI)  
REGISTRAR GENERAL  
19.2.1991.

Circulated to all concerned vide Circulation List.

\* Pl. see at Pg. 42

SUPREME COURT OF INDIA

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No. F.61/Judl.I/95

New Delhi, dated 22<sup>nd</sup> August, 1995

C I R C U L A R

Rule 6(1) of the Rules to Regulate Proceedings for Contempt of the Supreme Court, 1975, states that a person who has been charged with Contempt of Court shall, unless otherwise ordered, appear in person before the Court and the notice to the person charged with contempt shall be in Form-I according to which the alleged contemnor is required to appear in person (or by Advocate if the Court has so ordered) before the Court. However, pursuant to a direction given to the office, the Office Circular No.13 of 1986 was issued which directed that in future in the Contempt Notices the words 'in person' should be omitted, unless in the order directing issue of notice it is specifically directed by the Court that the alleged contemner is to attend in person.

Since the practice being followed was contrary to the aforesaid Rule and since the Full Court has now decided that the Rule may be retained and the amendment proposed by the office in the Rules in conformity with the above direction given in 1986 need not be incorporated, all the Branches are, therefore, directed that in future a contempt Notice will be issued in Form-I appended to the Rules i.e. the alleged contemner to whom the notice is directed to be issued will be required to be present in the Court in person unless the Court has specifically allowed or ordered him to appear by Advocate.

Sd/-

(L.C. BHADOO)  
REGISTRAR (JUDL.)

Copy to:

All concerned.

SUPREME COURT OF INDIA

No. F.6/JudI./2007

Dated: April 21, 2007

C I R C U L A R

1. Part III of the Rules to Regulate Proceedings for Contempt of the Supreme Court, 1975 provides that where a person charged with contempt is adjudged guilty and is sentenced to suffer imprisonment, a warrant of commitment and detention shall be made out in Form IV under the signature of the Registrar. Every such warrant shall remain in force until it is cancelled by order of the Court or until it is executed and that the Superintendent of the Jail shall in pursuance of the order receive the person so adjudged and detain him in custody. Thus, whenever a contemnor present in-person in Court is adjudged guilty of contempt of this Hon'ble Court and sentenced to undergo imprisonment, then a Warrant of Commitment and detention is to be made out in Form No.IV under the signature of the Registrar and the contemnor is to be sent to the Superintendent of Jail for being detained there in execution of the sentence. In order to ensure that prompt action is taken in terms of the provisions contained in Part III of the above-mentioned Rules, it is hereby directed that whenever the Hon'ble Court passes an order adjudging the contemnor present in-person in Court and sentencing him to suffer imprisonment, unless otherwise directed by the Hon'ble Court, the Court Masters attending the Court shall intimate about the passing of such an order to the Registrar forthwith and also direct the Police officials on duty either

(32)

inside or outside the Court to take the contemnor present in the Court to the Registrar for enabling him to take action in furtherance of the execution of the order of sentence passed by the Hon'ble Court.

2. Whenever the Hon'ble court pronounces only the operative portion of the judgment/order acquitting the accused in custody and directing his release if his continued detention in jail is not required in any other cause, and if some delay is expected in getting the full judgment and order typed and got signed by the Hon'ble Judges, the Court Master/Senior Personal Assistants concerned shall type immediately the operative portion of the judgment/order, get it signed by the Hon'ble Judges and send it to the Branch concerned for communicating the same to the concerned Jail Authorities/Court below.

All concerned are directed to take necessary steps for compliance of the aforesaid directions scrupulously and ensure that timely action is taken in such matters. Failure to comply with the above directions will be viewed seriously.

Sd/-  
(T. SIVADASAN)  
Registrar (Judi.)

Copy to:

All concerned.

(33)

(RECORD OF PROCEEDINGS OF THE SUPREME COURT)

IN THE MATTER OF

CIVIL APPEAL NO. 429 OF 1963

Kehar Singh & Ors. Vs. Dewan Singh & Ors.

CIVIL MISC. PETITION NO. 1779 OF 1963  
(Application for transposition of Respondent  
No.11 to the array of Appellants).

29<sup>th</sup> October, 1963

C O R A M:

The Hon'ble Mr. Justice J.C. Shah (In chambers)

For the Applicant : Mr. Gopal Singh, Advocate

For the Opposite Party : Mr. N.N. Keswani, Advocate.

UPON perusing the application above-mentioned and  
UPON hearing the counsel for the parties his Lordship was  
pleased to make the following orders:-

"Application for transposition is granted, subject to  
payment of the Court fee payable by the applicant on the  
Memo of appeal, as if it was independently filed by him. I  
am unable to agree with the contention raised by Mr. Gopal  
Singh that on transposition the applicant is not required to  
file any additional court fee. The applicant had not joined  
in filing the original appeal and if he had chosen to file a  
separate court fee. When, having not originally joined in  
filing the appeal, he is now seeking to be transposed, he  
must be regarded, in my judgment, to be in the same  
position. The Court-fee to be paid within six weeks from  
today".

Sd/- M.P. Saxena  
ASSISTANT REGISTRAR.

IN THE SUPREME COURT OF INDIA

In the matter of:

CIVIL APPEAL NO. 730 of 1966.  
(For directions regarding payment of court-fee)  
Between:

Steel Industries of Hindustan(Pvt.) Ltd.....Appellant  
And  
Workmen and others .....Respondents

ORDER

The question is, what is the court-fee payable in the appeal preferred against the award.

The operative portion of the award made by the Industrial Tribunal, Maharashtra, Bombay is in the following terms:

" I, therefore, direct the company to pay to the workers of Steel Industries of Hindustan at Wadala Factory the same bonus as it paid for the year 1956 to the workers in Krishna Steel on the same terms and conditions within a period of two months from the publication of this award."

In the petition for special leave, the petitioner himself stated in para 13 thus:

" It is submitted that if the 3<sup>rd</sup> respondents award is to be given effect to by the petitioner for the said years the total additional burden that would be cast on the petitioners is estimated at Rs. 50,000/-"

The relevant provisions of the Supreme Court Rules in relation to court-fee are Entry 2 in Part III

of Schedule III which read thus:

\* Lodging and registering Petition of Appeal:

Where the amount or value of the subject  
matter in dispute is Rs. 20,000 or below  
that Sum ... .. Rs. 250.00

For every Rs. 1000 in excess of Rs. 20,000/-

Rs. 5,00 for every thousand rupees or

part the

In cases where it is not possible to estimate  
at a money value of the subject matter in  
dispute.... ..Rs. 250.00

The only question is whether in the present case, it is  
not possible to estimate at a money value of the subject matter  
in dispute. It cannot be so ascertained, the petitioner will be  
entitled to pay only Rs. 250/- as court-fee. If it can be  
ascertained, he must pay ad-valorem court fee.

The award in terms directs the appellant to pay the  
workers certain amounts as bonus which were paid to the workers  
of Krishna Steel. the mere fact that the amount payable is made  
to depend upon the amount paid in another concern will not make  
it any the less an order for payment of a sum that can be  
ascertained. If the order itself in terms has directed the  
appellant to pay bonus at a particular rate, it cannot be stated

that the amount is not ascertainable. If that be so, the mere fact that the order is made with reference to another Order will not make it any the less the sum ascertainable. Indeed, the appellant himself did not find any difficulty in estimating the amount and had given a specific amount as his estimate in the petition for special leave. We, therefore, hold that the appellant has to pay ad-valorem court-fee in the appeal. Two weeks time from today is granted for payment of court-fee.

Sd/-

.....C.J.

Sd/-

.....J.

[ J.C.SHAH ]

Sd/-

.....J.

[ J.M.SHELAT ]

Sd/-

.....J.

[ V.BHARGAVA ]

Sd/-

.....J.

[ G.K.MITTER ]

Dated January 17, 1967.



ORDER OF THE REGISTRAR, DATED 11.2.1972 OF THE SUPREME COURT OF INDIA, NEW DELHI IN CIVIL APPEAL NOS. 36 TO 54 OF 1971.

The Andhra Pradesh State Road Transport .....Appellant

Versus

P. Venkatswar Rao & 18 Ors. ....Respondents

PRESENT:

Mr. B. Parthasarathi, Advocate for the Appellant and  
Mr. G. Narayana Rao, Advocate for the respondents

In this particular case, Mr. G. Narayana Rao, Advocate who represents all the respondents waives notice of the petition of appeal since the copy has already been received by him and, therefore, the question of serving the process does not arise in the circumstances. In this view of the matter, there is no need to ask for the process fee in this particular case.

I may, however, add that under the rules, notice of lodgment of petition of appeal has to be signed by the Assistant Registrar and has to bear the seal of the Court. Therefore, the system, of receiving copy or serving copy direct without the endorsement of the Assistant Registrar, is not in accordance with the Rules. Even while an Advocate has entered appearance for the respondents, the petition of appeal has yet to be served alongwith the notice, duly signed by the Assistant Registrar and bearing the seal of the Court; then alone the service will be deemed as proper service. Whether such service is effected by our despatch rider or by post, the process fee in that event has to be realised.

It may, however, be clarified here that where certain respondents are represented by an advocate and certain others are not, the process fee in respect of those who are represented by an advocate-on-record has to be charged only in respect of one person. To illustrate, if in an appeal where there are 10 respondents and six of them are represented by an advocate, the process fee has to be charged only in respect of five. If all the respondents are represented by an advocate, then the process fee has to be charged in one set, because the service will be effected not on the persons direct, but on one advocate who represents all of them.

Sd/- (M.P.Saxena)

REGISTRAR

11.2.1972.

Copies to:

1. Shri T.K. Mahadevarao, Assistant Registrar.
2. Shri K.K.Gupta, Assistant Registrar.
3. Shri R. Subba Rao, Assistant Registrar (A copy of this Circular may be kept on record; Ref: SLP (Civil) 2773 of 1971)
4. Shri B.S.Dhavan, Assistant Registrar,
5. Shri A.N. Oberai, Assistant Registrar
6. Shri N.B.Sen Gupta, Assistant Registrar.
7. Section Officers (Sections I, II, III, IV, V, IX & X)

-33A-

SUPREME COURT OF INDIA  
New Delhi, December 8, 1981

NOTICE

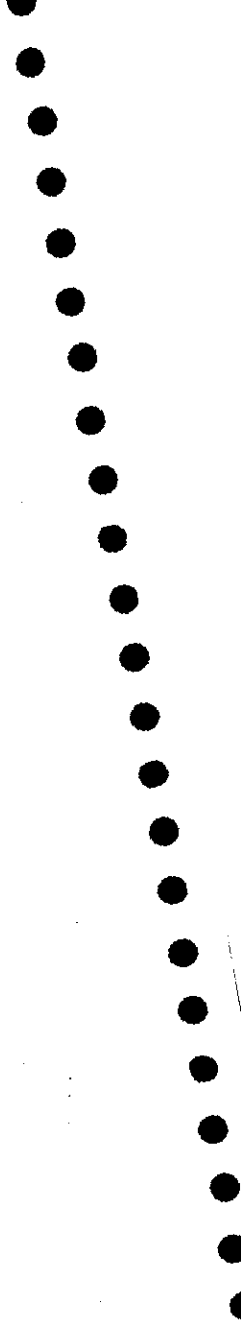
Pursuant to the Court's order, whenever an ex-parte stay is granted or show cause notice is directed, formal order granting ex-parte stay or the show cause notice is not issued unless the Advocates file process fees and copies of the petitions. However, it has been observed that Advocates take certified copies of the Court's proceedings granting ex-parte stay or directing issue of show cause notice without filing the process fees etc. and thereafter default the filing of the process fees etc. It is, therefore, notified that copies of the Court's proceedings will also not be issued to any Advocate by the Copying Branch unless they produce a slip from the Section Officer concerned to show to the Section Officer Copying Branch that the process fees etc. have been filed.

Sd/-  
(S. Subba Rao)

Registrar (Judl.)

Copy to:

1. With a spare copy to the Secretary, Supreme Court Bar Association, with a request to kindly have the copy of this notice affixed on the Notice Board of the Bar Association.
2. To all the Section Officers on the Judl. side to please give a slip certifying that the process fees and copies have been filed.
3. Section Officer, S & I, is directed not to issue any certified copy of the Court's proceedings in matters where ex-parte has been granted or show cause notice has been directed unless he is shown a slip from the Section Officer concerned that the process fees and the copies have been actually filed.



IN THE SUPREME COURT OF INDIA

Dated: July 26, 1985

NOTICE

It is hereby notified for the information of the members of the Bar that the Hon'ble the Chief Justice of India has directed that in future only one number will be given to a Writ Petition and the Civil Misc. Petition, if any filed in the Writ Petition, even if there are more than one petitioner in the Writ Petition. However, the practice of paying separate sets of court-fees according to the number of the petitioners in the Writ Petition and the Civil Misc. Petition, if any filed in the Writ Petition, as per directions given in the Order dated 12.11.1959 passed by a bench of five Hon'ble Judges of this Court in Writ Petition No. 140 of 1959 will continue.

Sd/-

(A.N. OBERAI)

ADDITIONAL REGISTRAR

GUIDELINES FOR PAYMENT OF COURT FEES ON THE MATTERS FILED IN THE SUPREME COURT

NO COURT FEE IS PAYABLE ON THE MATTERS FILED UNDER THE FOLLOWING JURISDICTION

1. ADVISORY JURISDICTION

- (i) Special reference under Article 143 of the Constitution.
- (ii) Reference under Article 317(1) of the Constitution.
- (iii) Reference under Section 257 of the Income Tax Act, 1961.
- (iv) Reference under Section 7(2) of the Monopolies and Restrictive Trade Practices Act, 1969.
- (v) Reference under Section 130A of the Customs Act, 1962.
- (vi) Reference under Section 35(H) of the Central Excise & Salt Act, 1944.
- (vii) Reference under Section 82(C) of the Gold(Control) Act, 1968.

2. CRIMINAL JURISDICTION

- (i) S.L.P. (Criminal)
- (ii) Appeals (Criminal)
- (iii) Appeals under TADA Act

3. ORIGINAL JURISDICTION

- (i) Transfer Petitions (Criminal)
- (ii) Contempts (Criminal)
- (iii) Writs (Criminal)
- (iv) Contempts (Civil)

4. APPELLATE JURISDICTION

(i) Cases filed by the Legal Aid Committee/Public Interest litigation.

(ii) Cases filed by the indigent persons

**COURT FEE PAYABLE IN THE CASES FILED UNDER THE FOLLOWING JURISDICTIONS:**

1. ORIGINAL JURISDICTION:

- (i) Original suits under Article 131 of the Constitution (on plaint) .....Rs.250/-
- (ii) Civil Writ Petitions under Article 32 of the Constitution .....Rs. 50/-  
per petitioner
- (iii) Applications for transfer under Article 139A(1) of the Constitution .....Rs. 10/-
- (iv) Applications for transfer under Article 139A(2) of the Constitution and Section 25 of the Code of Civil Procedure, 1908. ....Rs.10/-

2. APPELLATE JURISDICTION:

**APPEALS ON WHICH THE FIXED COURT FEE OF Rs.250/- IS PAYABLE UNDER THE APPELLATE JURISDICTION**

- (i) Appeals under Section 23 of the Consumer Protection Act, 1986.
- (ii) Appeals from the awards made under the Industrial Disputes Act, 1947.
- (iii) Appeals concerning agricultural income
- (iv) Appeals arising out of execution proceedings
- (v) Appeals involving only academic question and no relief in terms of money is sought
- (vi) Appeals filed from the proceedings under the Rent Act
- (vii) Appeals relating to service where specific amount is not claimed as relief

(viii) Appeals arising out of Divorce Proceedings etc.

(ix) Appeals involving valuation upto Rs. 20,000/-

2(A) Appeals under The Advocates Act .....Rs. 10/-

CASES WHERE AD VALOREM COURT FEE IS TO BE PAID

Part II, Item 2 of the Third Schedule to the Supreme Court Rules, 1965 provides that the Court fee for registering the appeal will be:

- (a) Where amount or value of the subject matter in dispute is Rs. 20,000/- .....Rs.250/-
- (b) Where it is above Rs. 20,000/- for every 1000/- in excess of Rs. 20,000/- subject to the maximum court fee of Rs.2000/- ...Rs.5/-

It is further clarified that in appeals by special leave, credit shall be given to the appellant for the amount of court fee paid by him on the petition for special leave to appeal. The amount of court fee payable, therefore, depends upon the amount or value of the subject matter in dispute in appeals.

Sometimes problems arise regarding payment of court fee on appeals and some of the important problems are dealt with hereunder:

PROBLEM NO.1

Writ for quashing demand notices for an ascertained amount

The cause of action for the party was that demand for a sum of Rs.30,000/- was made on him. He filed a Writ Petition challenging the demand notice and for quashing the demand notice and the writ petition before the High Court was dismissed and the



writ petitioner files an appeal before the Supreme Court either on the strength of the certificate or after obtaining special leave. In both the cases the value of the subject matter in dispute is Rs. 30,000/- and ad valorem court fee on the sum of Rs. 30,000/- is payable.

PROBLEM No.2

In the appeals arising out of Tax Reference before the High Court, even though involving a question relating to any amount which is more than Rs. 20,000/- fixed court fee is payable on petition of appeal as the reference is on a particular point and the substantive matter is pending before the Tribunal, which shall be decided only after the question referred to is answered. Only one point in such cases is to be kept in mind and i.e. if the reference relates to so many assessment years, in that case the number of appeals before this court will be equal to the assessment years and separate sets of court fee of Rs. 250/- each will be charged.

It is further clarified if the appeal arise out of Writ Petition before the High Court challenging the question of law involved in respect of so many assessment years on the ground that the question of law under reference infringes assessee's fundamental right. Even though more than one assessment years are involved but the petition of appeal will be competent on a

single set of court fee. But in such cases the question to be examined is as to whether demand notice requiring the Assessee to pay some specific amount as tax has been issued and if that is so ad valorem court fee on the amount demanded is payable. For example Demand Notice requiring the assessee to pay Rs. 1,00,000/- as tax has been issued in that case the valuation of the subject matter in dispute will be Rs. 1,00,000/- and court fee on this sum is payable.

Rs. 20,000/-	: Rs. 250/-
Before Rs. 80,000/-	: Rs. 400/-
Court fee payable	: Rs. 650/-

APPEALS ARISING OUT OF INTERLOCUTORY ORDERS.

- 1.If the appeals before this court arises out of an order of the court below rejecting the application for stay and the substantive matter is still pending, in that case even though the amount involved is more than Rs. 20,000/-, fixed court fee of Rs. 250/- is sufficient because the substantive matter is still pending.
- 2.If the appeal before this Court arises out of an order disposing of the matter before the court below on the ground of:
  - (i) Delay in filing the matter not condoned.
  - (ii) Substitution as well as setting aside of abatement not allowed.
  - (iii) Defence is struck off

Fixed court fee of Rs. 250/- is sufficient as the substantive matter has not been disposed of on merits inspite of the fact that the amount involved is more than Rs. 20,000/-

#### APPEALS ARISING OUT OF MORTGAGE PROCEEDINGS

If the appeal filed before this Court arises out of mortgage proceedings that is to say if the property has been mortgaged for a sum of Rs. 10,000/- and at the time of filing of appeal the value of the property in question is more than a Lac, in that case court fee on the amount for which the property was mortgaged will be charged and not on the present value of the property.

#### APPEALS ARISING OUT OF SPECIFIC PERFORMANCE

In the appeals arising out of the following proceedings the valuation will be as given below:

- (a) of a contract of sale--- according to the amount of the consideration;
- (b) of a contract of mortgage --- according to the amount agreed to be secured;
- (c) of a contract of lease --- according to the aggregate amount of the fine or premium(if any) and of the rent agreed to be paid during the first year of the term;
- (d) of an award ---according to the amount or value of the property in dispute;

One of such example is given below.

If the appeal filed before this Court arises out of a breach of contract e.g. a particular work is contracted to be done for the amount of Rs. 40,000/- and if any party fails to

fulfill the contract and the other party has to spend more than Rs. 40,000/- for the same job, that party can file appeal for specific performance with the alternative prayer for payment of the amount which he has to pay in excess of Rs. 40,000/- for getting the same job completed. In such cases the value of the subject matter will be the difference between the amount under the contract and the amount actually spent and ad valorem court fee on that amount is chargeable.

EXAMPLE:

The amount mentioned under the contract:	Rs. 40,000/-
The amount actually likely to be spent:	Rs.1,00,000/-
Valuation of the subject matter of the appeal: Rs. 1,50,000/- - Rs. 40,000/- =	Rs.60,000/-

Court fee on the value of Rs. 60,000/- is payable.

APPEALS ARISING OUT OF PARTITION SUITS

(1) If the appeal filed before this court arises out of Partition Proceedings and possession of the property on partition is also claimed, in that case the value of the share of the property will be the value of the subject matter of dispute.

EXAMPLE:

Value of the property, possession of which is claimed: Rs. 2 Lacs  
Court fee on Rs. 2 Lacs is payable

(iii) If the appeal filed before this court arises out of Partition proceedings that is to say only to declare the shares of the partners but the possession is not claimed, in such a case, fixed court fee of Rs. 250/- is sufficient because the appeal before this Court arises out of suit for declaration.

#### APPEALS ARISING OUT OF SUITS FOR PRE-EMPTION

If the appeal filed before this Court arises out of a suit for pre-emption that is to say if the ancestral property is sold by an ancestor. The parties having pre-emptory right can file suit for pre-emption and the value of the property under dispute will be the same for which the property was sold at that time and not the present value e.g. property was sold for Rs. 30,000/- and the present value of the property is 3 Lacs, the appeals arising out of such proceedings will be competent on the ad valorem court fee payable on a sum of Rs. 30,000/- and not the present value of the property, even though the possession of the property is claimed.

#### APPEALS ARISING OUT OF LAND ACQUISITION

1. If the appeal filed before this Court arises out of acquisition proceedings that is to say if the claim made by the land owner whose land has been acquired is not given fully and he goes in appeal and on appeal,

compensation is enhanced to some extent but still the land owner is not satisfied and comes to the Supreme Court. Then the value of the subject matter in dispute will be the amount claimed minus the amount already awarded to him. For clarification the following example will make it clear:

Compensation claimed	:	Rs. 2,00,000/-
Compensation awarded:		Rs. 40,000/-
On appeal compensation enhanced to:		Rs. 60,000/-
Value of the subject matter before this court:		Rs. 2,00,000 (-) Rs. 60,000
		= Rs. 1,40,000/-

Ad valorem court fee on the sum of Rs. 1,40,000 is payable.

2. If acquisition itself is challenged on some technical grounds and the appeal arises out of such proceedings, in that case fixed court fee of Rs. 250/- is, sufficient as the amount of money is not under challenge but the acquisition itself has been challenged.

The main criteria to assess the valuation of the subject matter in dispute is if the subject matter can be valued in terms of money and subject to the circumstances mentioned above, under which the appeal has been filed, that amount is the value and court fee on that amount is chargeable.

If the appeal has been filed by the indigent person, no court fee is chargeable on the appeal till the disposal of the matter and in case the indigent person succeeds before this court and gets relief in terms of money, then in that case the directions of the Hon'ble court are to be sought as to who will pay the court fee and the amount of court fee which would have been paid in case the appellant was not declared as indigent person shall be incorporated in the decree and the same shall be the first charge on the subject matter of appeal.

In case the appellant fails in the appeal or permission granted to him to sue as an indigent person has been withdrawn, the Court may order the appellant to pay the court fee, which would have been paid by him, if he had not been permitted to file the appeal as indigent person. In such a case ad valorem court fee is to be calculated and charged.

In case the appeal is filed through Legal Aid committee, no court fee is charged in respect of the appeal but the provision which has been provided in case of an indigent person has not been provided in the case of the appeal being filed

through free legal aid committee but if it is considered proper where the appellant succeeds in the appeal filed through free legal aid committee, he may also be required to pay court fee, which he would have paid if he would have filed the appeal through some advocate.

Sd/-  
(V.K.DEORA)  
ADDITIONAL REGISTRAR

27.5.1996

Sd/-  
( L.C. BHADOO)  
REGISTRAR(JUDL-I)  
27.5.1996



SUPREME COURT OF INDIA

No.F.7/Jud1/98

New Delhi, dated the 12<sup>th</sup> May, 98.C I R C U L A R

It is notified to all the judicial sections of this Registry that Hon'ble the Chief Justice of India has been pleased to direct that as & when application for exemption from paying court fee or application from paying one set of court fee are listed before the Court, the Registry is required to prepare an office report stating therein the amount of Court fee required to be paid in the matter.

It is, therefore, enjoined upon all the judicial sections that as & when such application for exemption from paying court fee or application for paying one set of court fee is listed before the Court, they should prepare an office report as mentioned above. This direction be complied with immediate effect.

Sd/-  
(L.C.BHADOO)  
REGISTRAR (JUDL.I)

copy to:

All concerned.

SUPREME COURT OF INDIA  
(RECORD SECTION)

No.F.48/Judl./2002/R.S.

Dated: January 10, 2002

C I R C U L A R

It is brought to the notice of all concerned that the Central Government has recently enacted the Advocates' Welfare Fund Act, 2001 which has come into force w.e.f. 1st November, 2001 vide Notification No. S.O.946(E) dated 28<sup>th</sup> September, 2001. In Section 27 (1)(b) of the said Act, it has been provided that every Advocate shall affix stamp of the value of Rs.10/- on every Vakalatnama filed by him in a Tribunal or other Authority or a High Court or the Supreme Court. It has also been provided in sub-Section (4) of Section 27 of the said Act that every stamp so affixed on every Vakalatnama shall be cancelled in such manner as may be prescribed.

Shri Surya Prakash Khatri, Hony. Secretary of the Bar Council of Delhi has vide his letter dated 3<sup>rd</sup> January, 2002 requested that affixation of the stamp of the requisite value on every vakalatnama be ensured. Since the printing of the requisite stamps took some time, the Vakalatnamas filed on or after 1st November, 2001 be identified and the necessary stamps be required to be affixed from the respective Advocates.

In view of the statutory provisions of the Advocates Welfare Fund Act, 2001, Joint Registrar Incharge of Filing Counter and all concerned on the judicial side are requested to ensure affixation and cancellation of the Advocates' Welfare Stamp containing the monogram of the Bar Council of Delhi of the value of Rs. 10/- on every Vakalatnama from now onwards filed by such Advocates as defined in Section 2(a) of the Act.

Section 2(a) of the Act runs thus:-

"2(a) "advocate" means an advocate whose name has been entered in the State roll prepared and maintained by a State Bar Council under section 17 of the Advocates Act, 1961 and who is a member of a State Bar Association or State Advocates Association."

All Judicial Sections are also requested to see the old cases filed on or after 1st November, 2001 and ask such Advocates to affix the Advocates' Welfare Stamp of Rs.10/- on the Vakalatnama filed by them.

All Judicial Sections are further requested to ensure that all Vakalatnamas henceforth bear the requisite Advocates Welfare Stamp of Rs.10/- and in case if it has escaped the notice of the filing counter, ask such Advocates to affix the said stamp.

Sd/-  
(B.M.Gupta)  
Registrar (Judl.I)

Copy for information and necessary action to:

1. All concerned.
2. The Hon. Secretary,  
Supreme Court Bar Association
3. The President,  
Advocates-on-Record Association
4. The Hony. Secretary,  
Bar Council of Delhi,  
1-6, Lawyers' Chambers,  
High Court of Delhi  
New Delhi.

SUPREME COURT OF INDIA

NO. 67/Judl./2003

NEW DELHI, DATED NOVEMBER 21, 2003

C I R C U L A R

It has been observed that as and when the Hon'ble Court while directing issue of notice further directs for dasti service the requisite process fee is not paid by the counsel for the petitioner in some cases. As a result, the notice as per the Court's order is given to the counsel for dasti service only and notice by usual mode of service is not issued. The Hon'ble Court has directed that in case of dasti service, the notice for dasti service should be issued only when the counsel for the petitioner deposits the requisite process fee for service of notice by usual mode.

In view of the above, it is directed that in future as and when the Hon'ble Court directs issue of notice by dasti service, in addition to usual mode of service, the counsel for the petitioner shall be required to pay the requisite process fee within the prescribed time and the notice shall be issued by usual mode as well as for dasti service only after the requisite process fee is deposited within the prescribed time.

This practice should be followed scrupulously by all concerned.

(Suresh Chandra)  
Registrar (J-II)  
21-11-2003

(B.M.Gupta)  
Registrar (J-I)  
21-11-2003

Copy to: All concerned

## SUPREME COURT OF INDIA

Dated, the 10<sup>th</sup> April, 1992  
No. 3/JudL./92

## C I R C U L A R

A lot of time is wasted in the preparation of draft Decrees in Section XIII, for the reason that the appearance of the Advocates is not correctly/appropriately marked by the Court Masters. In big batch matters and/or small batch matters, a number of names of the Advocates are given for the Appellants/Petitioners and Respondents, without specifying as to in which Appeal/Petition number, which Advocate is appearing. The slips given by the Advocates for the persons are also not found out on the files. To cut short the delay, it is proposed that the Court Masters should, as far as possible, give in the Record of Proceedings, the names of the Advocates specifically mentioning as to in which Appeal/Petition number they are appearing. The Court Masters should invariably keep the appearance slips given by the Advocates to them, in the appeal files so that it is convenient for the Decree Section to prepare the Decree with the correct appearance.

It is also observed many times that the names of the Advocates even are not correctly mentioned in the Record of Proceedings. It is also reported that the Court Masters do not extend full cooperation when the files are sent to them and/or sealing Assistant from the sections concerned who is handling the file, goes to the Court Master to get the appearance checked/corrected.

The Advocates are also requested to give the number of the appellant/respondent when they are representing in the matter at the time of giving appearance slips to the Court Masters. The Advocates are requested to give their chamber nos. (wherever available) in filing memos, etc. to facilitate the Registry to send expeditiously the notices/letters etc. to their correct addresses.

To sort out this problem and to avoid delay in the preparation and issue of Decrees, Court Masters are requested to henceforth:

- (i) Keep all the slips of appearance in each matter given by the Advocates. in each file;
- (ii) mention the names of the Advocates against each Appeal/Petition independently;
- (iii) extend full cooperation to the staff of the Sections, when they come for clarification of the appearance; and
- (iv) Return all the files sent by various sections with regard to clarification of the appearance at the earliest possible.

Copy to:

Sd/-

1. All the Sections on Judicial Side (S.RAI)
2. All the Officers on- REGISTRAR GENERAL  
Judicial Side 10.04.92
3. All the Court Masters  
(through A.R.Court's)

No.93/4/90  
SUPREME COURT OF INDIA  
NEW DELHI

3<sup>rd</sup> July, 1990

C I R C U L A R

1. Noting Adjournments by the Court Masters: The Hon'ble the Chief Justice of India has directed that 15-20 old Admission matters in chronological order may be listed before each Court on Mondays and that this would be possible only when adjournments granted by each Court are regulated in such a way that the number does not exceed 15 on Mondays and 5 on other days. For this purpose, all non-shorthand-knowing Court Masters must maintain diaries with effect from July 9, 1990 for entering matters adjourned to particular days, and, as soon as the number noted for a day reaches the limit indicated above, they should politely bring the fact to the notice of the Court.

2. Returnable dates for Notices: Since notices are issued by Registered Post, it is considered that a period of less than 6 weeks would not be sufficient for the return of the A.D.Card/unserved envelope and, therefore, fixing a date for the return of a notice within 6 weeks would be impracticable unless it is directed to be served dasti. The Hon'ble the Chief Justice of India has directed that the Court Masters should politely bring this to the notice of the Court whenever the Court is inclined to fix a returnable date within 6 weeks so that dasti service may be allowed by the Court.

3. Return of paper books: The following procedure should be followed by Court Masters with regard to return of paper books:

(i) As soon as hearing of each matter is over, the non-shorthand-knowing Court Master on duty should note in a few words, on the upper left hand corner of the paper book cover, the order made in the case, initial the same with date, and hand it over to the Peon with the direction to arrange all the paper books in serial order. While returning them the particulars of paper books should be noted by the shorthand-knowing Court Master/Stenographer on duty in a register with columns as under:

Date: \_\_\_\_\_

Court No.	Item No.	No. of paper books returned to S.I./IA	Signature of the recipient in S.I./IA with date
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The Registers should be maintained Court-wise and when there is a change in the Court Masters attending a Court, the Register should be passed on to the New Court Master who would be attending the Court. If there are two shorthand-knowing Court Masters/Stenographers attending the Court on a particular day, each one will make entries in the Register relating to the respective matters in which orders were taken down by him/her. The



entries made should show the number of paper books returned to each section in case all the paper books in a matter are not returned at one go, the Register should indicate when the remaining paper books were returned. The paper books of Miscellaneous matters should be returned to S.IA and that of Regular Hearing matters to S.I.

- (ii) On each Friday or the last working day of the Court for the week, the Court Masters should ensure that the paper books relating to all Regular Hearing and Miscellaneous matters are returned to the concerned Sections and that no paper book is left either in the Court Rooms or in the Court Master's Rooms.

Sd/-

(S. Rai)

Registrar General

05.07.1990

Circulated to all concerned vide circulation list.

## SUPREME COURT OF INDIA

July 5, 1991

The working on the Judicial side is hampered by lack of proper co-ordination between Court Masters on the one hand and officers and staff working in the Section on the other. The following directions being given to bring about improvements in functioning, must henceforth be scrupulously observed by all the Court Masters:

1. All directions made by the Hon'ble Court on 'Mentioning' must be reduced into writing in the form of a formal Record of Proceedings duly signed by the Court Masters. Sometimes advocates do not give complete particulars of matters 'Mentioned' by them. The Court Masters must ascertain the full particulars before drawing up the Record of Proceeding. The practice of scribbling directions of the Hon'ble Court on slips given by the advocates and passing them on only to the Assistant Registrar (Listing) should be discontinued.
2. Very often the number of adjourned miscellaneous matters appearing before some Benches on particular dates exceeds the prescribed limit. Arrangements have been made for furnishing to the Court Masters every Saturday, a presiding Judge-wise statement indicating the number of matters which stand adjourned to subsequent dates. The Court Masters should note down the adjournments made during the ensuing week from day to day and keep the statement up-to-date for perusal of the Hon'ble Judges so that information with regard to the number of matters adjourned to a particular date is available to the Presiding Hon'ble Judge at any given point of time,

3. Very often the records of proceedings drawn up by the Court Masters are silent about orders made on miscellaneous applications listed before the Hon'ble Court. Court Masters must make every effort to obtain and record the orders of the Hon'ble Court on all I.As., C.M.P. and Cr. M.Ps. listed before the Hon'ble Court.

4. Records of proceedings relating to urgent orders such as Release Orders, Bail Orders, Stay Orders, Dasti service, etc. must be given priority and send to the concerned Sections as early as possible.

5. When matters are adjourned to be listed within a week, or, when directions are given for listing of a matter on being 'Mentioned' or otherwise within a week, or, for tagging of a matter with a matter which is to be listed within a week, paper-books of such matters which are with the Court Masters must be handed over without fail to the Assistant Registrar (Listing) at the time of reporting.

6. It is very often seen that there is contradiction/inaccuracy between reporting by Court Masters and the order actually recorded in the Record of Proceedings of the Hon'ble Court. Such lapses should not occur in future. In case the order recorded in the proceeding deviates from the reporting made earlier, the Court Masters must inform the Assistant Registrar (Listing) and have reporting corrected.

7. Now that the cause lists are being generated automatically on computer, it is absolutely essential that every direction made by the Hon'ble Court is fed into the Computer at the earliest. Reporting by Court Masters should take place soon after the Hon'ble Court rises, or at 1.00 P.M. sharp, whichever is earlier, and at 4.00 P.M. sharp.

8. Result should be noted on each paper-book and initialled by the Court Masters. If an IA/CMP/Cr.M.P. is disposed of, and the main matter is live, the same should be clearly indicated on the paper-books to avoid mistakes by the paper-book sorting staff.

9. Serious difficulties are experienced due to the present practice of Court Masters returning the paper-books in instalments. Henceforth, the complete set of paper-books must be returned at a time in every miscellaneous matter to Section I-A and acknowledgement obtained. While returning the paper-books, dismissed matters must be separated from live-matters.

10. In our present working very often urgent request are received from Court Masters for supply of paper-books relating to regular hearing matters when the matters are being taken up for hearing in the Court. More often than not, it so happens that the paper-books are either in the Court Room itself, or at the Residential office of the Hon'ble Judge. Henceforth, one of the three Court Masters attached to each Court must be present in the Court Room at 10.00 A.M. sharp and check up the paper-books of all matters on Board including Chamber matter and take proper action well in advance if any paper-book is not found. A list of paper-books of regular hearing matters sent to the residential offices of Hon'ble Judges will be made available to Court Masters by Section-I. Court Masters must inform Section-I of the paper-books in CAV matters sent to Residential Offices. Such paper-books should be promptly returned to Section I soon after judgements are pronounced. The position with regard to paper-books of all regular hearing matters must be checked by Court Masters every Friday evening and these should be returned to Section-I indicating the particulars of Paper-books, if any, sent to the Residential Offices.

Sd/-  
(S. Rai)  
Registrar General

Circulated to all concerned vide  
Circulation List.

F. J-I/38/1994

SUPREME COURT OF INDIANew Delhi, dated 30<sup>th</sup> November,  
1994.C I R C U L A R

The job of the Court Masters requires utmost punctuality, intelligence and efficiency for smooth functioning of the Court. It has been observed for quite some time that Court Masters come to the Office at 10.20 a.m. or remain absent without intimation and this creates tension to the Officer-in-charge (Court Masters) and who in turn disturbs the working of Judicial Sections by calling the Assistant Registrar, Section Officers, whose name are on the panel so as to work as Court Masters in the absence of regular Court Masters. The work of the Judicial Sections is also equally important. It is, therefore, strictly emphasised that the Court Masters should reach the office preferably by 9.45 a.m. and positively by 10.00 a.m. so that they are able to attend the urgent Court work and make themselves aware about the matters listed before the Court and check the paper books brought from the residential offices of Hon'ble Judges, etc.

It is enjoined upon the Court Masters that once they have noted their duty for next day, they must make it a point to attend the Court and they should also avoid taking leave on Miscellaneous Day unless and until it becomes impossible for them due to unforeseen reasons. In such a situation, he/she must inform the Officer-in-charge (Court Masters) on phone latest by 8.30 in the morning of the day.

It is also enjoined upon the Court Masters and the Officer-in-charge (Court Masters) that they must see that the files alongwith the orders, record or proceedings reach same day at the earliest possible time and not later than by 4.00 p.m. in case of urgent matters in which some urgent compliance is to be made and in other cases not later than 3 days in any case.

Sd/-  
(H.C. Bhadoo)  
Registrar (J-I)

Copy for All concerned.

\*  
SUPREME COURT OF INDIA

NO. F.4/J-I/1995  
New Delhi, 13th January, 1995

C I R C U L A R

It has been noticed that the result of the matters listed before the Court is not indicated on the paper books and this omission creates difficulty for the Listing Section to ascertain whether the matter has been dismissed, disposed of or stands adjourned.

Therefore, it is enjoined upon the Court Masters to indicate the result of the matter on the cover of the paper books (left side).

Joint Registrar (Courts) and Deputy Registrar (Listing) are also directed to ensure compliance of the aforementioned directions and if any difficulty is felt in getting the directions carried out, the same may be brought to notice of the undersigned.

Any lapse in this regard will be viewed seriously.

Sd/-  
(L.C. BHADOO)  
REGISTRAR (J-I)

Copy to: All concerned.

GUIDELINES FOR DISTRIBUTION AND UPDATION OF RECORD OF PROCEEDINGS

It has been observed that the present system of sending of the Court proceedings to SO (DEU-III) is not perfect and as such sometimes the Listing branch finds it difficult to carry out the directions of the Hon'ble Court promptly and in time. Therefore, for smooth functioning & prompt compliance of the directions of the Hon'ble Court the following guidelines may be followed for distribution and updation of record of proceedings:

- 1) The matters which are listed before the court and are adjourned for a period, say less than a week, the Court Masters of the Court concerned shall send a hand-written proceedings in the first instance to the D.R.(Listing) and the D.R.(Listing) shall take action on the basis of that hand-written proceedings and thereafter the Court Masters shall send a typed proceedings as usual.
- 2) After taking necessary action the D.R.(Listing) shall send urgent record of proceedings of the final disposal matters to S.O.(DEU.II) for necessary updation in the computer with intimation to the dealing assistant to whom the duty has been assigned to monitor the listing of final disposal matters.
- 3) The Court Masters of each court shall arrange the proceedings itemwise in separate folders as early as possible but not later than the next day in the following manner:
  - (a) Proceedings of Part-I matters for SO(DEU-III)

- (b) Proceedings of Part-II matters for SO (DEU-I)
- (c) Proceedings of copying branch
- (d) Proceedings which are to be sent to the categorisation officer for the purpose of tagging of matters.
- (e) Proceedings which are to be sent to D.R. (Listing) directly.

4) So far as the proceedings sent to the residential office of the Hon'ble Judge for approval, the same time schedule shall apply on the receipt of the record of proceedings duly approved from the residential office of the Hon'ble Judge. However the Court Master shall indicate the number of items sent for approval. S.O. (DEU-III) shall forward the final disposal matters to D.R. (Listing) and D.R. (Listing) shall get the matters processed through dealing assistant to whom this duty is assigned. And the rest of the proceedings of the adjourned matter of Part-I shall be sent to S.O. (DEU-II) for updation and necessary action.

5) In respect of regular hearing matters i.e., Part-II matters, proceedings shall be sent to S.O. (DEU-I) directly for updation with utmost efficiency and not later by the next day. The S.O. (DEU-I) in turn shall send the proceedings next day to A.R. (L) after updating the court orders.

6) D.R. (Courts) shall ensure that all the Court Masters do their duty in right earnest way in order to avoid any



inconvenience to the Hon'ble Court. Any lapse on the part of any official will be viewed seriously and the name of the official who does not take action as per guidelines, mentioned above may be given to Registrar(Judl-I) through Addl. Registrar(Courts) for necessary action to be taken against him.

A copy of the cause lists which are issued 3-4 days in advance, may be made available to D.R.(Courts) by the Rolling staff through his Peon deputed for the purpose.

Sd/-  
(L.C. BHADOO)  
REGISTRAR (JUDL-I)  
15.02.1996

14

SUPREME COURT OF INDIA

NO. F. 30/Jud1-1/1996.  
New Delhi, dated 18<sup>th</sup> September, 1996.

C I R C U L A R

When the petitions for special leave to appeal are listed before the court for hearing and on that day the Hon'ble Court grants special leave and disposes of the appeal the same day by a reasoned judgement, they are to be given on the stencil, before the judgement is rolled out.

It has been observed that the registration of appeal takes lot of time either on the ground that the appeal file was received late for registration or due to rush of the appeals to be registered, with the result, the judgement is not rolled out for number of days and the parties are deprived of the certified copy of the judgement for many days.

In order to avoid such a contingency, the following procedure shall be made applicable with immediate effect:

(i) As soon as the judgement is pronounced by the court, the Court Master concerned shall send the file without the signed order to the Computer Cell for registration of the appeal.

(ii) The Official, who is deputed for registration of the appeals, shall give utmost preference to the files, in which judgement by the Hon'ble Court has been pronounced and is pending for further action only because of its registration. Invariably, the appeal shall be registered the same day it is received and the file shall be sent back to the Court Master.

(iii) After receipt of the file from the Computer Cell, the Court Master shall send the file alongwith the stencils of the judgement to the rolling section and the rolling section shall roll out the stencils with utmost efficiency, so that minimum time is taken in this process.

(iv) If any difficulty is felt at any stage by any concerned section that should immediately be reported to the undersigned, so that no time is wasted and the copy of the judgment is ready in minimum requisite time.

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D.R. (Courts), S.O. (DEU-I) & S.O. (Editorial) to ensure the compliance of this circular.

Sd/-  
(L.C. BRADOO)  
REGISTRAR (JUDL-I)

Copy to : All concerned.

SUPREME COURT OF INDIA

NO. P. 31/Jud1-1/1996.  
New Delhi, dated 8<sup>th</sup> October, 1996.

C I R C U L A R

Whenever the Hon'ble Court, while hearing some matters directs some authority to send a report to this Court, the Court Master shall invariably seek directions from the Hon'ble Court as to in which manner the report is to be dealt with on its receipt, that is to say, whether the report is to be included in the paper books and the copies thereof are to be given to the advocates for both the sides or the report is to be received in a sealed cover and that is to be opened only before the Court. In case, no such directions are sought from the Hon'ble Court by the Court Master, the Section concerned, on receipt of the report, shall prepare an office report, seeking the above-said directions from the Court and if the Hon'ble Court directs that report be kept in a sealed cover, in that case a note with red lining be written on the note sheet of the file that the report received is with such and such officer and as and when that matter is listed before the Court, the dealing Assistant Registrar concerned shall ensure that the report is handed over to the Court Master well in advance, i.e., before the commencement of the hearing of the case.

This procedure must be followed by all concerned, so that no inconvenience is caused to the Hon'ble Court, hearing the matter.

Sd/-  
(D. C. BHADOO)  
REGISTRAR (JUDL-1)

Copy to: All concerned

SUPREME COURT OF INDIA

NO. F. 39/Jud1-I/1996.  
New Delhi, dated 16<sup>th</sup> December, 1996.

C I R C U L A R

While disposing of the appeals finally, the words 'Order' and 'Judgment' are being used. It has been observed that these words are not being used in a correct form. The word 'Order' means order disposing of the matter without reasons, and the word 'Judgment' means the order disposing of the matter with reasons. The appeals which are summarily dismissed, can be said to have been disposed of by an order of the Court and the appeals which are disposed of with reasons that shall be treated to have been disposed of by a Judgment of this Court.

This distinction must be followed by all concerned in future and proper terminology should be used in this respect, as mentioned above, unless otherwise ordered by the Hon'ble Court.

Sd/-  
(L.C.BHADOO)  
REGISTRAR (JUDU-I)

Copy to: All concerned.

71-A

SUPREME COURT OF INDIA

NO. F. 3/Judl-I/1997

New Delhi, dated 16<sup>th</sup> January, 1997.

C I R C U L A R

This Hon'ble Court in Writ Petition(Civil) No. 26 of 1995 entitled Common Cause, a Regd. Society vs. Union of India & Ors. on 4<sup>th</sup> November, 1996 passed order which contained the following directions to list the matter again:

"XXXXXXXX. The CBI shall file interim report to indicate the compliance of this order. This shall be done by January 20, 1997 and this matter shall be listed on January 22, 1997 before a Bench of which Mr. Justice Faizan Uddin is a member."

Unfortunately, in the record of proceedings prepared by the Court Master, the direction regarding listing of the writ Petition was not mentioned. Updation Cell updated the computer on the basis of record of proceedings and showed the matter as disposed of. This updation was contrary to the order passed by the Hon'ble Court and this omission was very serious.

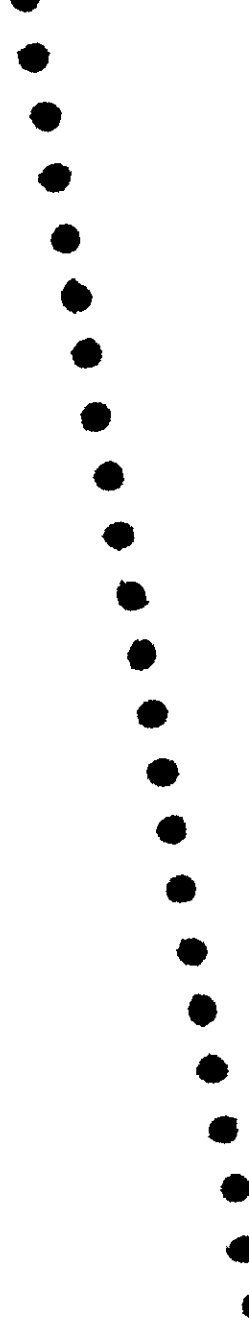
In order to avoid such a contingency, the following directions are issued:

- 1) Whenever there is signed order as well as the record of proceedings, the updation in the computer invariably be done after going through the signed order. For this purpose the signed order shall be gone through by the Joint Registrar (CG) or by any other

officer deputed to assist him and if the Joint Registrar (CG) finds that the record of proceedings is prepared contrary to the signed order, he shall immediately bring it to the notice of the Registrar (J-I) and at the same time shall send back the proceedings for correction of the same and only thereafter shall give directions to the Section Officer, Computer Cell to update the computer.

(2) The listing of the matter again before the Court was very important direction and the Court Masters omitted the same which resulted in serious omission. The Court Masters shall in future be vigilant to incorporate each and every important direction given by the Hon'ble Court in the record of proceedings.

(3) The officers, supervising the section dealing with the matter shall also take care of the important matters and shall point out any mistake committed either by the Court Masters or by Computer Cell. Had the officers of the dealing section gone through the signed order of the Hon'ble Court, they should have pointed out that the matter stands un-disposed of and is to be listed again before the Court on a particular date.





71-0

Any lapse of this nature on the part of concerned officers shall be viewed seriously, which may lead to disciplinary action against them.

Sd/-  
(L.C. BEADOO)  
REGISTRAR (JUEL-I)

Copy to: All concerned.

SUPREME COURT OF INDIA

NO. F. 10/Jud1/1997.

New Delhi, dated 3<sup>rd</sup> May, 1997.C I R C U L A R

The Hon'ble the Chief Justice of India has been pleased to give the following directions with regard to the summoning of the original record in civil matters from the Court appealed from:

(i) In accordance with Order XV Rule 20 the copies of High Court Paper Book may be requisitioned and if such paper books are available in the High Court the original record need not be requisitioned unless there is a specific direction in that regard by the Court.

(ii) In cases where the preparation of the appeal record is dispensed with the counsel for the appellant should be required to file the complete set of papers of the proceeding before the High Court/Tribunal.

(iii) At the time the Court passes the order dispensing with the preparation of the record, direction should be obtained regarding requisitioning of the original record and if such direction is given the original record should be requisitioned.

As such the following practice directions regarding original record are issued for all concerned. If in accordance with Order XV Rule 20 of the S.C.R., 1966 the copies of the High Court paper books be sent and the original record need not be sent unless there is specific direction of the Hon'ble Court in that regard.

2(a) In cases where the preparation of the appeal record is dispensed with the counsel for the appellant shall be required to file the complete set of paper of the proceeding before the court appealed from. Accordingly, at the time of granting of leave, the Court Masters concerned must inform the counsel to file the complete set of papers within a specific time given by the Court.

(b) And in cases where the preparation of appeal record is dispensed with, the Court Masters concerned, at the time of granting of leave, shall obtain specific directions of the Hon'ble Court regarding requisitioning of the original record. If such direction is given then and then only the original record should be requisitioned.

3. Save as aforesaid, the original record shall be requisitioned.

It is made clear that this circular is not applicable in the matters of criminal appeals.

These directions shall be followed scrupulously.

Sd/-  
(L.C. BHADOO)  
REGISTRAR (JUDL.)

Copy to: All concerned.

SUPREME COURT OF INDIA  
OFFICE OF D.R. (COURTS)

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F.NO.1/DR(C)-1/2000

Dated: 10<sup>th</sup> January, 2000.

CIRCULAR

All the Court Masters/Stenographers/Junior Clerks etc. working under the supervision of the undersigned may kindly note the following guidelines regarding destruction of old registers maintained by them, Court Cause-lists etc., as approved by the Competent Authority, for strict compliance:-

(A) ("Proceedings Registers") in which the Court Masters/Stenographers are recording proceedings/orders/minutes of the Hon'ble Court be kept by them for a period of two years and the old ones, if nothing is pending or same are not required to be kept otherwise, be sent to Admn. (Material) Section under intimation to the undersigned, so that the same be got shredded by them and disposed of as waste along with other old records;

(B) ("Court Cause-lists be kept") by all the Court Masters/Stenographers for a period of six months and the old ones, if nothing is pending or same are not required to be kept otherwise, be sent to Admn. (Material Section) under intimation to the undersigned, so that the same be got shredded by them and disposed of along with the other old records;

(C) ("Movement Registers") maintained by the Junior Clerks be kept by them for a period of one year and the old ones, if nothing is pending and are not required to be kept otherwise, be sent to Admn. (Material) Section under intimation to the undersigned, so that the same be got shredded by them and disposed of along with the other old records;

Sd/-

(RAJ PAL ARORA)  
DEPUTY REGISTRAR (COURTS)

To

All concerned.

SUPREME COURT OF INDIA

No.F.60/Jud1/2003  
New Delhi, dated 23<sup>rd</sup> July, 2003.

C I R C U L A R

It has been observed that the officers working in Judicial Sections are leaving the office without taking any feed back regarding the matters of their Sections listed before the Hon'ble Court. Due to this reason, immediate action on the directions issued by the Hon'ble Court or the compliance of the urgent orders, is delayed or sometimes causes inconvenience to the Sr. Supervisory Officers of the Section. Leaving the office without knowing the results of the matters listed before the court is not proper at all which should be avoided. In the same way the court masters are also not informing the concerned Sr. Officers of the Registry through the DR(Courts) about any unusual happening in the court or about any important direction to the officers of the Registry or the directions which are to be complied with immediately. To avoid such inconvenience in future, it is emphasized upon all concerned to follow the following directions scrupulously:

1. The Court Masters (Shorthand/Non-shorthand) without causing any inconvenience to the Hon'ble Court/Judges are required to communicate information to DR(Courts) for onward communication by him to the concerned Registrars/Officers without any unusual delay or at the earliest available opportunity.

2. All the officers/officials of the Registry working in Judicial Branches are required not to leave the office without taking the feed back or knowing the results of the matters relating to their respective branches which are listed in the Court on the day concerned. In case some immediate action is required to be taken in the light of any order passed by the Hon'ble Court, they will leave the office after compliance or with the permission of Sr.Officers/Registrar.

Sd/-  
(Suresh Chandra)  
Registrar (J-II)

Sd/-  
(B.M.Gupta)  
Registrar (J-I)

OFFICE ORDER

F.5/Jud1/2004  
Dated 14<sup>th</sup> Oct.2004

It has been noticed that files are not being sent in time to Court Masters. It is directed that the files of matters fixed on Monday shall be delivered to Court Masters by 4 P.M. on previous Friday, files of cases fixed on Tuesday shall be delivered to the Court Masters by 1 P.M. on previous Monday, files of cases fixed on Friday shall be delivered to the Court Masters by 1 P.M. on previous Thursday and the files of matters fixed on Wednesday & Thursday shall be delivered to Court Masters by 10 A.M. on the same day.

If any file is not received in terms of this Office Order, the concerned Court Master shall immediately inform DR.(Courts), who shall bring it to the notice of concerned Registrar(Judl.). Any lapse in this regard shall be viewed seriously.

Sd/-

(J.K.Sharma)

Registrar (J-II)  
14.10.2004

Sd/-

(V.K.Jain)

Registrar (Judl.)  
14.10.2004

All Judicial Sections

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Partially modified by Circular dated 1st September, 2006  
(Next Page)

OFFICE ORDER

No.12/Judl./2006

Dated: 1st September, 2006.

In partial modification of Office Order No.5/Judl./2004 dated 14<sup>th</sup> October, 2004 (copy enclosed) the following shall be read as second para:-

"However, the files of misc. matters fixed on Wednesday and Thursday shall be delivered to the Court Masters by 1.00 p.m. on previous Tuesday & Wednesday respectively, on the basis of pre final list to be furnished by Computer Section (DEU-II) regularly."

Rest of the directions as contained in the Office Order dated 14.10.2004 shall remain the same.

This direction shall come into force with immediate effect.

Sd/-  
(A. I. Cheema)  
Registrar (Judl.)

Copy to:

All Judicial Sections



## SUPREME COURT OF INDIA

New Delhi, August 11, 1986

## C I R C U L A R

Prior to the coming into force of sub-rule (2) of Rule 9 and Rule 25 of O.21, Supreme Court Rules as they stand today providing for the assignment of an amicus-curiae in every case where the accused person (Whether petitioner/appellant or respondent) is not represented by an advocate-on-record of his choice, such an assignment used to be made only on the making of an application by the accused for this purpose. The practice obtaining then was that after an amicus-curiae was assigned, the name and address of such an amicus-curiae was being conveyed to the accused, if in jail, through jail Superintendent and direct, if out of jail.

However, it seems after the coming into force of the amended provisions referred to above this practice of sending intimation was somehow dis-continued at some stage without any specific directions in that behalf.

The earlier practice of intimating the name and address of amicus-curiae to the accused petitioner/appellant/respondent as the case may be soon after the appointment is made shall be resumed forthwith. Sections dealing with criminal matters to note for strict compliance.

Sd/-

(R.S.Suri)  
Addl.Registrar (J.II)

Sd/-

(H.S.Munjal)  
Addl.Registrar (J.I)

Copy to:

All Officers and Sections of Judicial Side.

SUPREME COURT OF INDIADated the 12<sup>th</sup> September, 1986OFFICE ORDER NO. 3/86-(PD)-SCA(J)

The Court (Hon'ble Thakkar & K.N.Singh, JJ) today while dismissing the Special Leave Petition (Crl.) No. 1785/86 (Bhanwardas vs. State of Rajasthan) made the following observation:-

"The Court desires that whenever the surrender proof is filed by the advocate, this fact should be conveyed to their Lordships by a circulation slip, before the matter is listed before the Court."

The concerned sections are, therefore, directed to circulate a brief office report to Hon'ble Judges as and when the matter is listed to the effect whether the accused has surrendered or not.

Sd/-  
(R.S.Suri)  
Addl. Regr. (J-II)

Sd/-  
(H.S.Munjal)  
Addl. Regr. (J-I)

SUPREME COURT OF INDIA

No.F.11/Jud1/98  
New Delhi, dated the 11 August, '98

C I R C U L A R

It has been observed that appeals under Section 14 of the Terrorist Affected Areas (Special Courts) Act, 1984 are being listed before the Court even without receipt of the original record from the Trial Court.

In this respect Order XX-C of Supreme Court Rules, 1966 deals with the registration & listing of appeals filed under Section 14 of the Terrorist Affected Areas (Special Courts) Act, 1984. The combined reading of Rule 2, 3, 4 & 5 of Order XX-C envisages that as soon as the appeal is in order the Registry shall immediately issue notice of lodgment of petition of appeal to the respondents and standing counsel of the State and notice shall specify the date fixed for hearing of the appeal, which shall be two weeks from the date of issue of notice of lodgment of petition of appeal and simultaneously the Registry shall ask the Special Court concerned to transmit to this Court within 10 days the entire original record relating to the appeal. Rule 5 envisages that appeal shall be listed for final hearing on the date so fixed irrespective of whether the State has entered appearance or not or whether the record has been received or not from the Special Court concerned.

It is relevant to mention that on 6.8.98 Cr.A. No.602/98 entitled Surjit Singh Vs. State of Punjab was listed before Court No.8 as item no.106 in which original record was not received so far. Perusal of the file shows that N.L.P.A. as well as request for transmitting the original records to the Court concerned was sent on 19.6.98 and the record was not received within the prescribed period under Rule (4). But the Registry did not take any steps to issue reminder and also did not adopt any other method in order to ensure early receipt of the original record from the Court concerned. This shows the laxity on the part of the Registry.

In order to obviate such problems in future the official concerned of Section II & IIA are directed to see that in future if the original record is not received within 10 days from the Court concerned then they should send reminder & telegram to the Court concerned or avail any other available facility in order to ensure speedy transmission of the original record to this Court so that the record is reached by the date fixed for hearing. Anyone lacking in this behalf will be viewed seriously.

<sup>5/11-</sup>  
(L.C. BHADOO)  
REGISTRAR (JUDL-I)

Copy to:

All concerned (Sec. II & Sec. IIA).

SUPREME COURT OF INDIA

No.F. 12/Judl./98  
New Delhi, dated the 11<sup>th</sup> Aug., '98.

C I R C U L A R

It has been observed that criminal appeals, in which the paper books are not filed by the State inspite of Court's directions, are being listed for regular hearing.

Now, the Hon'ble Court has been pleased to direct that such criminal appeals hereinafter should be listed for orders and not for hearing.

It is, therefore, enjoined upon the officers of Section II & IIA and Asst. Regr. (Listing) that from today itself, criminal appeals in which the paper books have not been filed by the State inspite of Court's directions, hereinafter will be listed on top of the day's list for orders/directions under the hearing 'for orders & directions'. Similarly, the TADA appeals in which the original record has not been received till the date of hearing, same may also be listed in the same category 'for orders & directions' with an office report indicating the efforts made by the Registry for early transmission of the original record and thereafter the regular hearing criminal appeals be listed for hearing.

*s/*  
(L.C. BHADOO)  
REGISTRAR (JUDL.)

To  
All concerned (Sec.II/Sec.IIA)  
A.R. (L)

SUPREME COURT OF INDIA

No.F.13/JudL./1998  
New Delhi, dated the 14<sup>th</sup> Aug., 1998

C I R C U L A R

It has been observed that the Registry is treating the accused person in jail only on the basis of the vakalatnama of the accused person as attested by the Jail Superintendent/Authority.

One of such matter entitled Musafir Yadav & Ors. Vs. State of Bihar (SLP(Cr.) No.2426-2427/98) was listed today in Court No.9. In this matter the Hon'ble Court was pleased to observe that such matters should not be listed before the Court unless & until some certificate is given by the Jail Superintendent/Authority that the accused person(s) is/are in jail or the Registry has certified that the accused person(s) is/are in jail.

It is, therefore, enjoined upon the officers of Section II, IIA & IIB (Filing Counter) that in future in order to ascertain as to whether the accused person(s) is/are in jail, they should ask the advocate for the accused person(s) to file a proof of surrender, i.e. the accused person(s) is/are in jail and also to mention in the bail application that the accused person(s) is/are in jail and also furnish the name of the jail.

Hence, from Monday, the 17<sup>th</sup> August, 1998, no matter should be listed before the Court unless a certificate is given by the Registry that the accused person(s) is/are in jail.

The concerned section should also prepare an office report in such matters mentioning therein about the document filed by the counsel for the accused person(s) on the basis of which the accused person(s) is/are said to be in jail.

*sd/-*  
(L.C. BHADOO)  
REGISTRAR (JUDL.)

To

All concerned (Sec.II, Sec.IIA, Sec.IB)

SUPREME COURT OF INDIA

No. JR 4/98  
New Delhi, dated the 17<sup>th</sup> December, 1998

C I R C U L A R

On 15.12.98 S.L.P. (Crl) No.3893/98 was listed before the Hon. Court and the following Order was passed:-

"The period of detention has expired on 13.8.1998 and hence the SLP has become infructuous. It is only to be dismissed and we do so.

Pursuant to the order passed by this Court on 10.12.1998 the Registrar General has reported that the inordinate delay in placing the SLP for judicial consideration is attributable to the dereliction on the part of certain named persons in the Registry. We direct the Registrar General to place this matter before the Hon'ble Chief Justice of India for such action as His Lordship deems fit on the administrative side."

In view of the above Order and to avoid such recurrence in future every dealing Asstt. is hereby directed to invariably mention the period of sentence in the Limitation Report prepared in each and every Jail Petition as well as on the top of Part II file.

As soon as a Jail Petition is received by dealing Asstt. concerned he should put up the file to the Section Officer within three days after thoroughly examining as per the guide-line (copy enclosed) issued in this behalf.

The Section Officer while signing the Limitation Report will ensure after verifying from the file the correctness of the sentence recorded by the dealing Asstt. in the Limitation Report and on Part II file. He should immediately place the file before the Assistant Registrar.



Assistant Registrar will check up the Jail Petition and pass directions regarding action to be taken. He should ensure that sentence mentioned in the Limitation Report is correct. The Assistant Registrar will immediately place all such files before the Deputy Registrar for the purpose of scrutiny.

*sd/-*  
(B.P. Bhatt)  
Joint Registrar  
17.12.1998

Copy to:

All concerned

## SUPREME COURT OF INDIA

NO.5/Regr.(J-II)/2001  
NEW DELHI, DATED 5TH OCTOBER, 2001

C I R C U L A R

Criminal Appeal No. 1001 of 2001 entitled B. Baburaj Acharya Vs Central Bureau of Investigation was listed before the Hon'ble Court on 4<sup>th</sup> October, 2001, and the Hon'ble Court passed the following Order:-

"We find that the appellant has not surrendered. It is pointed out that there is no specific rule requiring a certificate or a statement that the appellant has surrendered before the appeal is entertained. Under Order XXI of the Supreme Court Rules, 1966 which deals with criminal appeals whether by special leave or otherwise, there is a requirement for the petitioner or the appellant to surrender. An application for exemption can be made but if the exemption is not granted, the appeal or special leave petition is not entertained if the person concerned does not surrender.

The present appeal arises under Section 10 of the Special Court (Trial of Offences Relating to Transactions in Securities) Act. There are no special rules framed in regard thereto under the Supreme Court Rules, but applying the principle contained in Order XXI in these cases also arising out of the judgments of the Special Court where sentence of imprisonment has been awarded, the normal rule to surrender should apply.

The Registry should process this and similar cases accordingly."

Registry to take notice of the above directions and Order passed by the Hon'ble Court and act accordingly.

Sd/-  
(A. I. CHEEMA)  
REGISTRAR (J-II)

COPY TO : ALL CONCERNED.

SUPREME COURT OF INDIA

No.F.47/Judl.I/2002  
New Delhi, dated 16<sup>th</sup> January, 2002.

C I R C U L A R

It has come to notice that recently in Criminal Appeal No.472 of 2000 entitled Raja @ Lalit Versus State of Madhya Pradesh, the directions as contained in Circular No. F.20/Judl.I/99 dated 3.11.1999 with regard to indicating the time taken for hearing the matter and at the stage at which the matter was disposed of, i.e., whether at the preliminary stage or at the stage when the leave was granted and matter disposed of on the same day or after hearing at length on subsequent date(s) were not strictly adhered to as neither the Court Masters concerned recorded the time taken by the respective counsel in arguing the case nor the Section concerned incorporated the fact that the matter was heard and disposed of on the same day in the Office Report circulated to the Hon'ble Judges. This caused inconvenience to the Hon'ble Judge.

In view of this, it is emphasised upon all concerned that while preparing the Record of Proceedings and/or Office Report, it must be ensured that the time taken by the counsel for all the parties in arguing the case is recorded in the Record of Proceedings by the Court Masters to facilitate the Branch concerned to prepare an Office Report for soliciting Orders with regard to the payment of fees to the counsel appearing as Amicus.

It is further directed that when an Office Report regarding payment of fee to Amicus Curiae is posted before the Hon'ble Court, the Record of the main matter must also be placed before the Hon'ble Court.

It is made clear that this direction must also be complied with in Civil matters to avoid any eventuality while taxing the Bill of costs.

*sd/-*  
(B.M. Gupta)  
Registrar (Judl.I)

Copy to:

All concerned

SUPREME COURT OF INDIA

F.52/JUDL/2002  
DATED: 22ND APRIL, 2002

C I R C U L A R

Crl.A.No.327 of 1997 entitled State of Maharashtra Versus Arvinder & Ors was listed on 13<sup>th</sup> February, 2002, when Mr. J.D. Jain, Advocate, appointed as Amicus Curiae on behalf of respondent did not appear before the Court with the result the Court was pleased to pass the following Order:-

"No one appears.  
Not this week."

This matter was again listed before the Court on 14<sup>th</sup> March, 2002, and Mr. J.D. Jain, Advocate A.C. again did not appear, consequently the Hon'ble Court was pleased to pass the following Order:-

"This matter was taken up for hearing yesterday and after proceeding with the matter for some time in the absence of learned Amicus Curiae, this Court thought it fit to adjourn the matter as partly heard. Today also, the learned Amicus is not available. Records depicts that the Amicus was also not available on earlier occasions. In that view of the matter, the office would do well to engage another lawyer as Amicus Curiae in the matter and cancel the appointment of the present lawyer as Amicus Curiae. Let this matter stand over for a period of four weeks. Registry to act expeditiously in the matter. Not to be treated as Part-Heard."

For the sake of ready reference the relevant directions in this behalf issued by Hon'ble the Chief Justice of India regarding appointment of Amicus Curiae are reproduced hereunder:-

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(iii) In case, if an amicus curiae fails to appear before the Court on the date of hearing then the name may be struck off from the panel of amicus curiae under the orders of the Registrar (Judl.), unless the lapse is condoned by the Hon'ble Court and subject to any other directions of the Hon'ble Court.

In order to obliterate the inconvenience to the Hon'ble Court and maintain uniform practice in the Registry it is hereby directed that whenever an amicus curiae is appointed in a matter and he does not appear before the Court, the Dealing Assistant should immediately place the file before the higher officers to obtain directions in this regard from Registrars.

This practice should invariably be followed by all concerned.

Sd/-

(A. I. CHEEMA)  
REGISTRAR (J-II)

Sd/-

(B. M. GUPTA)  
REGISTRAR (J-I)

SUPREME COURT OF INDIA

No.F.10/Jud1/06  
Dated: 2<sup>nd</sup> August, 2006

OFFICE ORDER

Ref: (1) Circular No.F.3/Jud1./06 dated 18<sup>th</sup> March, 2006  
(2) Office Order No.F.5/Jud1./06 dated 8<sup>th</sup> May, 2006

Hon'ble the Chief Justice of India has been pleased to direct that Criminal matters (except Criminal Writs) in which service is complete but neither counter/reply/objections has been filed by the respondent nor an application for extension of time for this purpose has been filed within the time stipulated in Supreme Court Rules for filing counter/reply/objections, the matter shall be treated as 'complete' and listed before the Hon'ble Court.

It has been directed by Hon'ble the Chief Justice of India that in Criminal Writs, where counter-affidavit is not filed should first be listed before Registrar for completing it by filing of counter-affidavit.

All the Joint Registrars and Deputy Registrars of the concerned sections are required to direct the Section Officers working under them to identify those matters which are covered under the above-mentioned directions and if found 'Complete' send the file to A.R. (listing) to obtain a future date of listing.

In view of recent changes in listing procedures, as already directed, every Dealing Assistant and Section Officer handling files of Criminal matters shall be responsible to ensure that at all times in all Criminal matters, due care is taken for immediately sending files of Criminal matters to J.R. (CC) to ensure that computer is updated whenever there is change in the status of such matters from 'Incomplete' to 'Complete' and vice-versa.

Sd/-  
(Ashok I. Cheema)  
Registrar (J-I)

Copy to: All Judicial Sections



SUPREME COURT OF INDIA

No.F.15/Jud1/04  
Dated: 20<sup>th</sup> November, 2006

OFFICE ORDER

A number of instances have come to notice showing inordinate delay by the Registry in processing the Appeals/Petitions received from the Jail. Criminal Appeal No. 1004 of 2006 arising out of Special Leave Petition (Criminal) No.4873 of 2006, Nathu & Paras Ram v. State of Rajasthan, filed from Jail on 10<sup>th</sup> June, 2004 along with a copy of the judgment of the High Court, was listed for the first time on 4<sup>th</sup> September, 2006. Taking serious view of the delay, the Hon'ble Court vide order dated 31<sup>st</sup> October, 2006 observed that the Rules must be read in consonance with the fundamental rights of the prisoners and that when a prisoner sends a petition or an appeal from jail, the same requires "immediate attention of this court". While issuing directions to the Registry on this subject, the Hon'ble Court has directed that the first listing of such matters should not be delayed and they must be urgently placed before the Court.

Some other lapses/mistakes, in dealing with Jail Petitions Appeals, have also been brought to the notice of Hon'ble the Chief Justice of India. It has, therefore, become necessary to issue fresh directions for dealing with the Appeals/Petitions received from Jail (for the sake of brevity hereinafter, referred to as "Jail Petitions")

In supersession of all earlier office orders to the contrary on the subject, Hon'ble the Chief Justice of India has been pleased to issue the following directions to be strictly followed by all concerned:-

(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 of 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, alongwith 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 Committee 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 Committee 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;
- (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 (copy enclosed);
- (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 curiae. 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 curiae.
- (f) where the Jail Petition is not accompanied by a declaration or affidavit stating therein that no similar petition/appeal has 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 state, 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 the 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 curiae and calling up 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 directions 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 3 of the 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 the Supreme Court Rules, 1966 and the period specified therefor.
- (15) The Jail Petition shall be placed before the Hon'ble Court on the earlier opportune date, alongwith all the documents presented therewith including the written arguments etc., and an intimation of the date on which the matter is listed shall be sent in Form 'B' to the petitioner through the jailor and to the amicus curiae nominated for purpose of the case.
- (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 be 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 records;



- (b) The fact that the petitioner/appellant stands released from the 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 alongwith appropriate Office Report for directions.

Sd/-

[A.I. Cheema]  
Registrar (Judl.)  
20<sup>th</sup> November, 2006

Copy to: All concerned.

FORM-'A'

TELEGRAPHIC ADDRESS: "SUPREMECO"

DIARY NUMBER: \_\_\_\_\_ Sec...  
SUPREME COURT OF INDIA  
NEW DELHI  
DATED: \_\_\_\_\_FROM:THE ASSISTANT REGISTRAR,  
SUPREME COURT OF INDIA,  
NEW DELHITO:\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

...Petitioner(s)/Appellant(s)

Versus

...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)/Appellants(s) is/are undefended, you are appointed as Amicus Curiae at State expense to argue the Petition/Appeal on behalf of the Petitioner(s)/Appellants(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)/Appellants(s) to take instructions and assist him.

Registry is taking steps to process the matter 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,

sd/-  
ASSISTANT REGISTRAR

Copy to

C/O THE SUPERINTENDENTsd/-  
ASSISTANT REGISTRAR

TELEGRAPHIC ADDRESS: "SUPREMECO"

DIARY NUMBER: \_\_\_\_\_ Sec...  
 SUPREME COURT OF INDIA  
 NEW DELHI  
 DATED: \_\_\_\_\_

FROM:

THE ASSISTANT REGISTRAR,  
 SUPREME COURT OF INDIA,  
 NEW DELHI

TO:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Criminal Appeal/Special Leave Petition (Cri)/Writ Petition (Cri)/  
 Transfer Petition . (Cri) 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 of  
 \_\_\_\_\_.

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

Yours faithfully,

Sd/-

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.

Sd/-

ASSISTANT REGISTRAR

Copy to:

\_\_\_\_\_  
 C/o THE SUPERINTENDENT

Sd/-

ASSISTANT REGISTRAR

106  
F.No.17/Judl./2006

SUPREME COURT OF INDIA

Dated: 28<sup>th</sup> November, 2006

CIRCULAR

Vide circular No.F.82/Judl./2005 dated 4<sup>th</sup> May, 2005 it was pointed out that in terms of Order XXI Rule 17A of Supreme Court Rules, 1966, the Appeal record is to consist of SLP paper books and paper books of Courts below which have to be in English, plus all such additional documents that the parties may file from the record of the case, if the printed records of the Courts below be not available. It was specially directed that in case High Court paper books are not available or such paper books were not prepared in the High Court, counsel for the appellant shall file appeal record containing additional documents including FIR, charges, evidence/depositions, etc. within six weeks of intimation regarding receipt of the Original Record, duly bound and supported by an affidavit as to their correctness, after serving copies on counsel for the respondent. It was also required that counsel for the respondent shall, if necessary, file within two weeks of the service on him of the copies of the appellant's record such documents as are not included by the appellant. Another requirement of the circular was that, in case, the documents to be included in the paper books are in a language other than English, the same shall be got translated into English by a person conversant with both the languages and the translator shall certify that he has fairly and accurately translated the said documents.

It has been noticed that some appeals listed before the Hon'ble Court had neither the paper books of the Courts below, in English, nor all the documents necessary for adjudication of the appeal. Such lapses caused inconvenience to the Hon'ble Court besides resulting in postponement of hearing.

In view of the above, the following directions are issued to be strictly and scrupulously carried out by all concerned.

- (i) In case the High Court paper books are not available or such paper books were not prepared in the High Court or if the entire paper book of any of the Courts below is not in English a notice shall be issued to the counsel for the appellant requiring him to file the appeal record, in English, containing & additional documents necessary for adjudication of appeal including FIR, charges, evidence/depositions, documents and statement of accused etc. within six weeks of intimation regarding receipt of the Original Record duly bound and supported by an affidavit as to their correctness, after serving copies on Counsel to the respondent.
- (ii) Counsel for the respondent shall, if necessary file within two weeks of the service on him of the copies of the appellant's record such documents as are not included by the appellant.
- (iii) In case the documents to be included in the paper books are in a language other than English, the same shall be got translated into English by a person conversant into both the languages and the translator shall certify that he has fairly and accurately translated the said documents.
- (iv) Where the appellant or the respondent, as the case may be, is in jail and not represented by an Advocate-on-Record, the State shall file the appeal record in terms of para (i) or (ii) above, as the case may be, within the period specified therein.
- (v) In appeals involving death sentence, the whole record shall be prepared and filed by the respondent State.
- (vi) In case paper books of Courts below are fully in English but sufficient sets are not available or the impression on the paper book(s) is dim or illegible, a notice shall

be issued to counsel for the appellant requiring him to get sufficient number of legible paper books prepared within one week of receipt of notice.

(vii) If appellant or the respondent, as the case may be happens to be in Jail and is represented by Amicus Curiae, provided by Supreme Court Registry, in such cases, the State shall get prepared paper books in sufficient numbers. A notice shall be issued to the standing counsel of the concerned state requiring him to get prepared and file the paper books within one week of receipt of notice.

(viii) In case, any notice of the Registry for prosecution of the appeal in accordance with Rules is not complied with by the counsel for the parties Summons for Non-Prosecution shall be issued.

Failure to carry out these instructions, in their letter and spirit, shall be viewed seriously and render the officer/official at fault to strict disciplinary action.

sd/-

(V.K. Jain)  
Registrar General  
29<sup>th</sup> November, 2006

copy to:

All concerned.

## SUPREME COURT OF INDIA

No.F. 51/Judl./2002  
New Delhi, dated 15<sup>th</sup> April 2002

## CIRCULAR

It is informed to all the concerned that whenever any curative petition is filed in which a relief is claimed against a final judgment/order of this Hon'ble Court, after dismissal of the review petition; in view of the law laid down by the Hon'ble Court in its Judgment dated 10.4.2002 in writ Petition (Civil) No.306 of 1997 along with other connected petitions, titled as Kupa Ashok Hurra v. Ashok Hurra etc. etc., besides the compliance of the other requirements regarding the filing of petitions, it is also necessary for the petitioner in view of observations of the Hon'ble Court at page 48 and at page 49 in first para-

1) To mention VERY STRONG REASONS on which the filing of the petition is necessary. For example-

A) Violation of principles of natural justice and that he was not a party to the lis but the judgment adversely affected his interest or, if he was a party to the lis, he was not served with notice of the proceedings and the matter proceeded as if he had notice.

And/or

B) Where in the proceedings a learned Judge failed to disclose his connection with the subject-matter or the parties giving scope for an apprehension of bias and the judgment adversely affects the petitioner

2) To make an averment that the grounds mentioned

in the Curative Petition had been taken in the Review Petition and that it was dismissed by circulation ; and that no new grounds have been taken in this curative petition.

- 3) To enclose a certificate by a senior Advocate with regard to fulfilment of the above requirements in the following terms:-

"Certified that the curative petition has been examined by me and it appears to me that very strong reasons viz.....exist to entertain the petition seeking reconsideration of judgment/order dated..... of this Hon'ble Court in the matter of ..... The curative petition fulfills the requirements as laid down in the judgment dated 10.4.2002 in the matter of - Rupa Ashok Hurra v. Ashok Hurra (W.P. © No. 509/1997 etc.)."

- 4) To produce the following number of copies-

1+3+ the number of Hon'ble Judges who disposed of the impugned matter.

Sd/-

(A.I. Cheema)  
Registrar (J-II)

Sd/-

(B.M.Gupta)  
Registrar (J-I)



SUPREME COURT OF INDIA

No.F.2/Judl./2007

May 8, 2007

C I R C U L A R

Contempt Petition @ No. 72 of 2007 in Civil Appeal No.2812 of 2005 was listed on 30<sup>th</sup> April, 2007 along with Office Report dated 28<sup>th</sup> April, 2007, stating "Original Appeal Paper-Books have been weeded out after due preservation. Inconvenience caused is very much regretted". The Hon'ble Court on November 10, 2005 had passed the following order:

"Heard learned counsel for the parties.

We do not find any ground to interfere with the impugned order.

The appellants are granted time till 31<sup>st</sup> August, 2006 to vacate the premises in question upon filing a usual undertaking in this Court within a period of four weeks from today.

No costs."

As per Circular No.Sec.1B/2/1996 dated 24.1.1996, the Paper Books of Civil Appeals are preserved for one year from the date of order of dismissal/disposal, Paper Books of the said Civil Appeal were destroyed on 20<sup>th</sup> April, 2007, whereas in this case the time to vacate the premises in question was granted till 31<sup>st</sup> August, 2006. The Hon'ble Court was of the opinion that the Paper-Books ought not to have been destroyed before 31<sup>st</sup> August, 2007 and, in such cases, period of one year for the purpose of destruction of Paper-Books should be reckoned from the date of expiry of the period granted by the Hon'ble Court for compliance of the direction and not from the date of the Order.

...2/-

:2:

Therefore, it is directed that in all such cases where time is granted by the Hon'ble Court to comply with the direction given in the order, the Judicial Sections concerned will keep the paper books along with the original files till the expiry of the time granted by the Hon'ble Court in the matter and shall consign the Paper-books of such matters to Record Room only after expiry of the said time.

The paper books in such cases will be destroyed after expiry of six months in Petitions and one year in Appeals to be reckoned from the date of expiry of the time granted by the Hon'ble Court for compliance of the directions given in the order.

The Judicial Sections are directed to take the paper books of Hon'ble CJJ/Hon'ble Judges from Section 1A Annexe/Record Room of such matters and keep the same along with the main file up to the period of expiry of time granted by the Hon'ble Court. The officials who are assigned the work relating to destruction of record in the Record Room and 1A Annexe shall take steps to ensure that paper books in such case are not destroyed before the expiry of the time of one year reckoned as instructed above.

All concerned are directed to take necessary steps from compliance of the said directions scrupulously. Failure to comply with the said directions will be viewed seriously.

sd/-

(T. Sivadasan)  
Registrar (Judl.)

sd/-

(T.N. Sansi )  
Registrar (1A Annexe)

Copy to:

All Concerned

## SUPREME COURT OF INDIA

NO.F.33/94/SCA(I)

New Delhi, dated 2<sup>nd</sup> December, 1994

## C I R C U L A R

The Interlocutory applications filed in disposed of matters is put up upto Deputy Registrar or Joint Registrar, as the case may be for orders regarding registration of the application. The Officers referred to above are expected to look into the nature and urgency of the applications and pass appropriate orders regarding sending the file to listing Branch for listing thereof.

Interlocutory Application No.3 was filed on 31<sup>st</sup> July, 1991 in Writ Petition (Civil) No.72 of 1991 entitled Izharul Haque v. The State of Bihar and others, for extension of time, for completing the elections by 6 months, from 1<sup>st</sup> August, 1991. Unfortunately, this application was listed before the Court (Hon'ble Mr. Justice Kuldip Singh and Hon'ble Mr. Justice B.L. Hansaria) on 18<sup>th</sup> April, 1994 i.e. almost after two years and nine months of the filing of the application and the Court was pleased to pass the following order:

"This Interlocutory Application was filed in the year 1991. There was some urgency in the matter when it was filed. The Registry has listed the I.A. in the year 1994. The officer concerned to explain why this application was not listed immediately in the year 1991.

Mr. B.B. Singh says that this I.A. has become infructuous. It is dismissed as such."

The explanations of the erring officials were placed before Hon'ble Mr. Justice Kuldip Singh and his Lordship, after perusing the same has directed "Judicial Orders must be meticulously complied with. There is a tendency with the Registry to treat Judicial Orders as Administrative and deal with leisurely. Instructions be issued to follow and comply with Judicial Orders strictly."

There, it is hereby directed that;

1. The application filed in disposed of matters;
2. Interlocutory Applications relating to extension of time granted by the Court;
3. Office Report on default and Summons for Non-Prosecution; and
4. Applications for substitution which are to be listed before the Court.

The first part of the document discusses the importance of maintaining accurate records and the role of the auditor in this process. It emphasizes that the auditor must exercise professional judgment and maintain independence throughout the audit.

The second part of the document outlines the specific steps involved in the audit process, from the initial planning stage to the final reporting stage. It details the requirements for the auditor's report and the responsibilities of the auditor in providing a clear and concise summary of the findings.

The third part of the document discusses the ethical considerations that govern the auditor's conduct. It highlights the need for the auditor to adhere to the highest standards of integrity and to avoid any conflicts of interest that could compromise the objectivity of the audit.

The fourth part of the document provides a detailed explanation of the various types of audit opinions that an auditor may issue. It describes the conditions under which each type of opinion is appropriate and the implications of each for the users of the financial statements.

The fifth part of the document discusses the role of the auditor in providing assurance to the users of the financial statements. It explains how the auditor's independent examination provides a level of confidence that the financial statements are free from material misstatement.

The sixth part of the document discusses the legal responsibilities of the auditor and the potential consequences of failing to meet these responsibilities. It notes that the auditor is liable to the users of the financial statements for any negligence or fraud that results in a material misstatement.

The seventh part of the document discusses the importance of the auditor's communication with the client and the need for a clear understanding of the scope and objectives of the audit. It emphasizes that the auditor must maintain a professional relationship with the client and avoid any undue influence.

The eighth part of the document discusses the role of the auditor in providing assurance to the public and the need for the auditor to maintain a high level of transparency and accountability. It notes that the auditor's report is a key piece of information for investors and other stakeholders.

The ninth part of the document discusses the importance of the auditor's independence and the need for the auditor to avoid any relationships or interests that could compromise this independence. It emphasizes that the auditor must be free from any bias or pressure that could affect the objectivity of the audit.

The tenth part of the document discusses the role of the auditor in providing assurance to the public and the need for the auditor to maintain a high level of transparency and accountability. It notes that the auditor's report is a key piece of information for investors and other stakeholders.

must be put up to the Deputy Registrar or the Joint Registrar as the case may be. The Officer concerned in turn shall examine the nature and urgency of the application and send the same to Deputy Registrar (Listing) with his remarks showing the urgency for listing of the Application. In case if there is some defect in the filing, the concerned Advocate may be requested on telephone or by writing for curing the defect looking to the urgency to the matter and if the Advocate or party fails to cure the defect in that case the officer concerned after examining the nature and urgency of the application may direct that application may be listed with office report.

The Deputy Registrar (Listing) will direct the listing of such Application on the earliest possible date and in case of any difficulty he will seek the instructions from the Registrar (Listing).

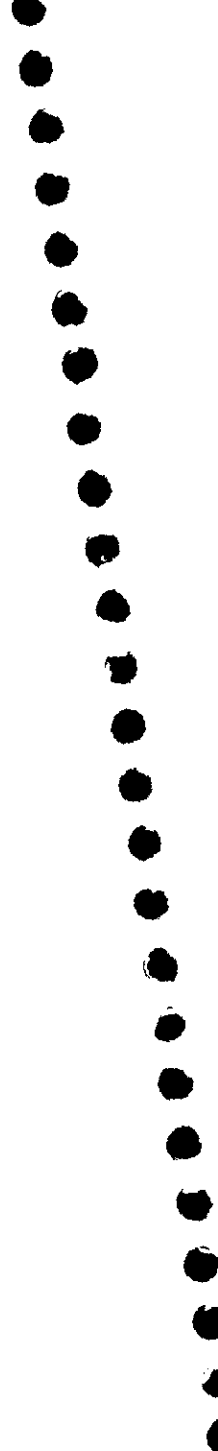
It is also enjoined upon all the Sections Officers and Assistant Registrar-in-Charge of the Judicial Sections that all the Judicial Orders must be meticulously complied with failing which disciplinary action will be initiated.

These directions must be followed by all concerned strictly to avoid any explanation by the Court and to avoid any unpleasant situation which may result into initiation of disciplinary action.

sd/-  
L.C.BHADOO  
Registrar  
(Judl.-I)

Copy to:

All Concerned.



## SUPREME COURT OF INDIA

No.F.II/JudI/96

New Delhi, dated 29<sup>th</sup> March, 1998

## C I R C U L A R

Whenever Civil Appeal is required to be transferred either to Printing Section or to Decree Section where it is likely to be detained for months together, it is directed that a certificate to the effect that no action is pending, which is required to be taken by the transferring section, shall be given and this certificate must be signed by the Assistant Registrar of the section concerned in order to avoid any lapses on the part of the section, transferring the file. The section to which the file is being transferred shall also see that the certificate referred to above has been given and if such certificate has not been given, the file should be returned back to the transferring section for giving the requisite certificate.

This practice shall invariably be followed by all concerned.

Sd/-

(L.C. BHADOO)  
REGISTRAR (JUDL-I)

Copy to:

All concerned.

SUPREME COURT OF INDIA

No. F. 22/Judl/96

New Delhi, dated 6<sup>th</sup> June, 1996

C I R C U L A R

It has been observed that whenever an Assistant or Sr. Clerk is transferred from one section to another section for any reason, the concerned clerk proceed on transfer without handing over the charge of his seat to the new incumbent in a proper way which creates lot of problems and in some matters some urgent actions remain pending without the knowledge of the new incumbent or the concerned S.O./A.R. It is, therefore, enjoined upon all the S.Os/A.Rs. that whenever any Assistant or Sr. Clerk is transferred from one section to another section on account of promotion or any other reason, he/she shall handover the charge of the seat to the new incumbent in a proper way and shall also inform about the urgent actions to be taken in the files and shall also account for each and every file being dealt with by him or her. It may take two or three days to handover the charge but the handing over of the charge should be proper and a charge report of handing over and taking over must be prepared in this respect and counter signed by the S.O. concerned and if some urgent section is not taken by the new incumbent on the ground that he/she did not know that urgent action is pending to be taken then the Assistant, who has



been transferred, as well as the new incumbent shall be held responsible for that lapse. Section Officers and Assistant Registrars of the Section concerned shall also ensure that the files have been properly handed over to the new incumbent.

Strict compliance of this circular is required from all concerned.

Sd/-

(L.C. BHADOO)  
REGISTRAR (JUDL-I)

Copy to:

All concerned.

## SUPREME COURT OF INDIA

No.F.23/Judl/96

New Delhi, dated 28<sup>th</sup> August, 1996

## C I R C U L A R

Of and on, it has been observed by the Hon'ble court that the photocopy of the Judgments and orders meant to be included in the paper books of the Hon'ble Judges, bear the signatures of the Hon'ble Judges and have taken serious view of this.

In the past also vide Circular dated 26<sup>th</sup> September, 1994, directions on the same subject were issued to the effect that every dealing Assistant/Section Officer concerned shall ensure that the copies of the Judgment/signed orders, which are included in the paper books shall not bear the signatures of the Hon'ble Judges.

Even after issue of the aforesaid circular, one more such case was noticed in Review Petition (Civil) No.1355 of 1996 in Civil Appeal No.7769 of 1996 and the officers concerned take shelter on the ground that the Daftry hurriedly got the photostat of the Judgment/Order with the signatures of the Hon'ble Judges and inadvertently the same was included in the paper books, which is of course sheer negligence on the part of the officials of the Registry.

It is evident from the facts mentioned above that the concerned officials and officers are not attentive to see that whenever the Judgments or orders of the court are to be included in the paper books, the same must not bear the signatures of the Hon'ble Judges.

It is, therefore, once again emphatically stressed that the concerned dealing Assistant and Section Officer shall ensure that whenever the documents as aforesaid are meant to be included in the paper books of the Hon'ble Judges or meant to be supplied to the advocates, do not bear the signatures of the Hon'ble Judges.

Any one found lacking in this behalf will be dealt with strictly and stern disciplinary action will be initiated against the erring officials.

sd/-

(L.C. BHADOO)

REGISTRAR (JUDL-I)

Copy to:

All concerned.

## SUPREME COURT OF INDIA

No.F.30/Judl/96

New Delhi, dated 5<sup>th</sup> May, 1996

## OFFICE ORDER

In continuation of Circulation F. No. 44/2000-SCA(G) dated 29.4.2000, it is directed that each Section will undertake the exercise of physical verification of the matters. The Section Officers will personally ensure the correctness of the physical verification and actual pendency with each person. Accordingly, the computer data must also be updated. Other relevant information of the judicial files should also be cross-checked with the data available in computer and if any inaccuracy is noticed the same may be rectified and then updation be completed.

It is further directed that the Assistant Registrar of the concerned Section will ensure that action in the files is complete. He shall also see whether action in the files is being taken by the Dealing Assistants on time and record a note in the file that no action is pending in the matter. If he finds that some action is pending for long time or action taken is not proper, he should call for explanation of the person concerned with intimation to the Registrar concerned and guide the staff member about the action to be taken.

It is emphasised that the Vacation will be granted to the staff members on the sole recommendation of these two above mentioned Officers (Section Officer and Assistant Registrar) concerned on the presumption that the above instructions have been duly complied with.

By Orders

Sd/-  
(Suresh Chandra)  
Additional Registrar

Copy to:

All concerned.

No.F.33/2000/SCA-(I)

SUPREME COURT OF INDIA

(ADMN.I SECTION)

Dated November 21, 2000

## C I R C U L A R

It is brought to the notice of all concerned that some original files of Civil and Criminal Appeals dealt with by Sections XII-A, XV and II-A were found lying unguarded in the verandah in front of Court No.3 at about 7.00 p.m. on 26.4.2000 by a very senior officer while he was passing through that area. These files related to the matters listed before Court No.3 on 25.4.2000. The above act of leaving the original files of live matters unguarded in the verandah constituted a serious lapse on the part of the concerned officials responsible for the safeguard of the same as there was every possibility of these original files being lost/taken away by some unauthorised persons/destroyed, if escaped notice. A preliminary enquiry conducted into the matter, as aforesaid, and to fix the responsibility for the negligence revealed that the concerned Court Master (Non-Shorthand), Clerk in the Court Master Room and two Peons deployed for duty in Court No.3 on 26.4.2000 were responsible for the lapse for their failure to take appropriate measures for retrieval of these files from the Court. In the light of the aforesaid incident, greater care and caution is required to be exercised by all concerned for effective maintenance

and safeguard of the files and other records particularly while these are in transit. It has to be ensured by all concerned that the records requisitioned by other Sections/Courts reaches its destination and is retrieved back at the earliest.

With a view to avoid recurrence of such a serious lapse in future, all concerned, in particular Court Masters and other officials responsible for handling the files are hereby directed to take extra care and keep strict vigil on the movement of the files and it should be ensured that the files/records sent to Courts/other places are retrieved back in time and sent to the custodian. The Class-IV staff deputed for carrying/taking back files must be given strict directions by concerned Officers to perform their duty effectively and not to leave the files unguarded at any unauthorised place. Recurrence of any such lapse shall be viewed seriously and anyone found failing/lacking in his duty shall be liable for disciplinary action.

Sd/-

(K.A. Gopinatha Rao)  
Joint Registrar (Admn.)

Copy to:

All concerned.

## SUPREME COURT OF INDIA

No. (sic) /2001

NEW DELHI, Dated 24<sup>th</sup> May, 2001

## C I R C U L A R

On 14<sup>th</sup> May, 2001, a meeting of Senior Supervisory Officers was held with Ld. Registrar (Judl.) and after due deliberations, the following directions are issued.

Attention is invited to Office Order No.40/J-I/1994 dated 5<sup>th</sup> December, 1994. It is further elaborated that the Addl. Registrar/Joint Registrar, who is heading the Section will hereinafter personally call for the files of Not Ready matters (appeals) and suggest the appropriate action to be taken by the sub-ordinate staff so that the appeals are made ready without further loss of time. The cut off year for the purpose would be 1999.

The Deputy Registrar concerned shall undertake the examination of the Ready Appeals and SLPs, tagged on with them, may be in the Terminal List or Weekly List. Their responsibility will be to ensure that the Appeal is ready in all respects to be boarded for hearing before the Hon'ble Court. It is pertinent to mention here that though the Dy. Registrars have undertaken this exercise in past too, but instances have come to notice where the Office Report

:2:

included in the paper books was prepared long back before the actual date of hearing. Normally it may create suspicion about its authenticity as there is every possibility of turn of events by efflux of time. It is, therefore, enjoined upon all the dealing Assistants, Section Officers and the Assistant Registrars to make fresh Office Report in the matter, but in any case should not bear the date more than three months prior to the date of hearing. This will be the sole responsibility of the Dy. Registrar to check this aspect in each and every ready matter.

The Assistant Registrars are called upon to check upto date all the After Notice (SLP) matters. They should check whether the actions taken by the sub-ordinates in the matter is in conformity with the rules, practice and procedure including the Judicial circulars. If improper action is detected, they should immediately bring it to the notice of the dealing Assistant and the Section Officer and guide them proper action.

The above duties should be regularly performed and during this vacation steps be taken to check as many files/or if possible, all files on these counts.

...3/-

13:

Necessity has been notice to the rejuvenate the reminiscence of the officers/officials on the judicial side that if any action is to be taken by the counsel/party in person, that should be asked by a letter followed by the reminder only and if the needful is not done within the stipulated time mentioned in the reminder, the matter should be placed either before the Id.Registrar or the Hon'ble Court as the case may be, for appropriate orders under the appropriate provisions of the rules. The Officers should avoid unnecessary exchange of correspondence with the counsel/party.

The above instructions should be followed conscientiously.

By orders

Sd/-

(B.P. BHATT)  
JOINT REGISTRAR  
24/5/2001

Copy to:

All concerned.



## SUPREME COURT OF INDIA

F.No.1/Judl.2006

Dated 3<sup>rd</sup> January, 2006

## CIRCULAR

It has been noticed that Judicial files in the Judicial Sections are not being maintained properly. Even when the file becomes bulky more papers are being kept in the same file due to which original papers come out of the file and get torn. The files are also not being kept properly in file board. It has also been noticed that Judicial files are also not being handled properly by Peons when taking them from one Section to another, Court Masters' Room, Courts vice-versa etc.

All the concerned are, therefore, directed to see that Judicial files are maintained properly, kept in file board and when the file becomes bulky another volume of the said file is opened.

All the Section Officers of Judicial Sections may see that the above directions are followed scrupulously. In case of any dereliction, concerned Section Officer will be held responsible.

sd/-

Registrar (J-II)

sd/-

Registrar (J-I)

Copy to: All concerned.

SUPREME COURT OF INDIA

No. F.5/2007-SCA(T)

New Delhi, dated January 16, 2007

OFFICE ORDER NO. 20/2007

Hon'ble the Chief Justice of India has been pleased to approve the Manual of Office Procedure on Judicial Side containing practice, directions and other information with regard to the working of the Registry on Judicial side. The Manual is meant for internal use and guidance of the officers and staff of the Supreme Court Registry and is being released on the website of the Supreme Court for information of all concerned. One copy each of the Manual will be provided to all Officers upto Section Officers ~~and~~ being sent in their respective offices/sections.

Duties and responsibilities of various officers and officials working in judicial sections, as contained in the Manual are annexed for information and observance by all concerned.

sd/-  
(V.K. Jain)  
Registrar General

Copy to: All Concerned.

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.

Duties and Responsibilities of Dealing Official

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 numbers 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 directions 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

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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 Dy. 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.

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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.



:7:

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 Siting 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.

## SUPREME COURT OF INDIA

No.F.I/Training/Judl./2007

Dated 8<sup>th</sup> May, 2007

## OFFICE ORDER

During the ensuing Summer Vacation all the Judicial Sections will undertake the exercise of physical verification of the matters. The Section Officers will personally ensure the correctness of the physical verification and actual pendency with each official. Accordingly, the computer data will be updated. Other relevant information relating to the cases will also be cross checked with the data available in computer and if any inaccuracy is noticed the same will be rectified and updation completed.

Dealing Assistants shall check their files to ensure that necessary actions have been taken in each case. They shall also check the files of all the connected matters and ensure that they too are complete in all respects. A Report in this regard shall be submitted by each dealing assistant to the Section Officer, who shall submit the same to his Assistant Registrar. The Assistant Registrar of the concerned section will see and ensure that actions in the files are complete. He shall inspect whether action in the files is being timely taken and that no action is pending in the matter. If he finds that some action is pending for long time or action taken is not proper, he should call for explanation of the person concerned and guide the staff member about the action to be taken. He will also ensure that appropriate steps for return of original records of disposed of matters to the respective High Courts/Courts below are taken and all the disposed of files, where no action is pending, are consigned to the Record Room.

Deputy Registrars/Joint Registrars of all Judicial Sections shall check the files of not ready matters and examine whether necessary timely action is being taken to make the matters ready and give appropriate directions in this regard, wherever necessary. They shall select at random and examine files of at least 30 oldest matters of each dealing assistant in the Sections under them and give necessary directions where some discrepancy is noticed. They shall prepare their Report as per Annexure-A (Points of inspection) and place the same in the respective files. A list of files examined in which Reports as per Annexure 'A' are included shall be submitted to Registrar. Corrections, additions in the formats, if any, be suggested to Registrar.

By Registrar/Joint Registrar of all Judicial Sections shall ensure that in the sections under their control all files have been clearly identified whether they are "Ready" or "Not Ready" matters and in co-ordination with Addl.Registrar CC, computer system has been duly updated.

The Section Officers of the Record Room shall ensure that the weeding of files is complete up to date as per the prescribed norms and no file is kept lying on the floor. They shall get physically checked the consigned files with Consignment Register and report if or not any file is not found. The Assistant Registrar of Record Room shall ensure that the scrutiny of scanned files is expedited and a report is submitted to the Registrar in this regard.

Deputy Registrar (IA) shall see to it that Paper Books of all the ready matters appearing in the Terminal List are available and arranged in serial order during the vacation. If the Paper Book of any matter is not available, he should bring it to the notice of the concerned Deputy Registrar/Joint Registrar immediately who will ensure availability of the same.

The Assistant Registrar of Sections II and II-A shall ensure that Paper Books of all Jail Petitions are made ready. The Assistant Registrars may, if required, distribute the work on this court to other available staff members.

The Deputy Registrar/Assistant Registrar of Sections V & VI shall see and ensure that the backlog of translation work is fully cleared and the original records of disposed of matters are sent back to the respective High Court/Courts below during the vacation. A report shall be submitted to Registrar in this regard.

The Joint Registrar of Editorial Branch shall ensure that the backlog of his Branch is cleared and for this purpose the services of two Court Masters may be utilised with the aid of the Dy.Registrar (Courts).

Additional Registrar of Sections XIII & XIII-B shall ensure that no decree shall remain outstanding.

Sd/-  
(T.Sivadasan)  
Registrar (J-I)  
8.5.2007

Sd/-  
(T.N. Sansi)  
Registrar (J-II)  
8.5.2007

Circulated to:

All concerned

## SUPREME COURT OF INDIA

No.F.6/2007-SCA(C)  
New Delhi, dated May 11, 2007

OFFICE ORDER NO. 111/2007

विषय - न्यायाधीशों की संख्या

Taking into consideration the pendency of cases in this Court, Hon'ble the Chief Justice of India has been pleased to revise the norms to determine the staff strength in the Sections on the Judicial side and direct that each dealing official shall be assigned work consisting of 300 unit.

The other approved norms as notified vide Office Order No.32/2006 dated 19/1/2006 remain unchanged.

Sd/-  
(T.N. Sanki)  
Registrar

copy to:

All Concerned.

SUPREME COURT OF INDIA

No.11/Regstr(J)/1983  
Dated July 18, 1983

C I R C U L A R

In Order to have a uniform practice in the matter of issuing formal orders the following procedure may be followed by all concerned.

- 1) When a Writ Petition is dismissed after notice in which ex-parte stay was already granted, a formal order vacating the said ex-parte stay is required to be issued.
- 2) When a Writ Petition is dismissed at preliminary hearing and also at final hearing in which no stay was granted there is no necessity to issue any formal decree or order.
- 3) When a Writ Petition is dismissed at the final hearing in which no stay was granted but costs have been awarded, there is no necessity to issue a formal order or decree. The file may be sent to the taxing officer for taxing the bill as and when filed.
- 4) When a Writ Petition is dismissed at the final hearing in which stay was granted formal order/decrece is necessary to vacate the stay order.

However, in case of batches of Writ Petitions involving common question, like levying taxes or duties, as has been already directed by the Court in some earlier cases, there is no necessity to issue a formal order/decrece vacating the stay as the respondent who is the government and who is to implement the order will be aware of the dismissal of the Writ Petitions and the consequent vacation of stay.

- 5) When a Special Leave Petition is dismissed after notice in which stay was granted, the practice for has been to issue only the letter of dismissal and not a formal order vacating the stay. It has been brought to notice that in

notice that in some cases this was causing difficulty for the respondent to take further steps in the matter as there was no formal order vacating stay and he was unable to produce it before the Court where proceedings were stayed pursuant to this Court's earlier order. Similarly in the landlord and tenant matters also where time is given for filing an undertaking and the same has not been filed there is no formal order indicating the same.

Therefore, in Special Leave Petition which is dismissed after notice in which stay was already granted a formal order dismissing the Special Leave Petition and vacating the stay may be issued instead a simple letter. Similarly, where the undertaking or any other direction is not complied with and petition is dismissed for the said non-compliance, a formal order indicating the said non-compliance and the dismissal of the matter may be issued.

6) In appeals dismissed with no order as to costs or where the Courts' order is quoted in the formal order the practice not to give the second clause in the formal order namely "and this Court Doth further Order that this order .....by all concerned" may be discontinued and the said clause may be indicated in the formal order even in those case.

Sd/-  
 (R. Subba Rao)  
 Registrar (Judl.)  
 18.7.1983

## RECORD OF PROCEEDINGS OF THE SUPREME COURT

W.F.No.1849/73.  
(For Prel.hearing)

Nathoo & Ors. Vs. State of Maharashtra & Ors.

(With application for ex-parte stay)

29.7.74: This Petition was called on for hearing  
today.

CORAM:

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE P. JAGANMOHAN REDDY  
HON'BLE MR. JUSTICE K.K. MATHW  
HON'BLE MR. JUSTICE M.H. BEG  
HON'BLE MR. JUSTICE A. ALAGIRISWAMI

For the Petitioner: Mr. J.R. Pandey, constituted Attorney

Upon perusing the papers, the Court, while observing that the constituted attorney cannot appear, dismissed the petition.

Sd/-

ASSISTANT REGISTRAR



## SUPREME COURT OF INDIA

Dated August 23, 1982

## C I R C U L A R

In modification of the circular dated August 11, 1982 it is hereby notified as follows:

1) Advocate-on-Record of this Court and parties are requested to contact only the Assistant Registrar concerned during the working hours for obtaining information regarding cases pending in this Court. As far as possible, the information sought will be made available the same day if the request is made before 1 P.M. Advocate-on-Record and parties are requested not to visit any of the Sections except with the previous permission of the concerned Assistant Registrar.

2) Advocate-on-Record and parties are requested to see the Registrar (Judl.) for mentioning matters for urgent listing, between 1.30 and 2.00 P.M. 4.30 and 5.00 P.M. only.

3) In cases where the Advocate-on-Record desires to obtain a copy of the proceedings of the Court on the very day, he may file the requisite application in that behalf before 11.00 a.m. affixing the necessary copying fee, indicating the Court and the Item No. of the matter. The

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Section Officer of the copying Branch will make a Court-wise list of the cases wherein the advocates want a copy of the proceedings on the very day and will send the same to the Court Master of the Court concerned. The Court Master concerned shall take out an extra copy or copies of the proceedings or Orders according to the said list and send the same to the Section Officer of the Copying Branch by 3 P.M., so that the copies can be issued that very day. In cases where the proceedings relate to the grant of an ex-parte order, the copy shall be delivered to the Advocate, provided that he produces before the Section Officer, Copying Branch, proof of his having paid the process fee and of his having supplied copies of Notice of Motion and of the application. The Section Officer, Copying Branch, shall ensure that copies of the orders required are issued that very day.

BY ORDER OF THE HON'BLE  
THE CHIEF JUSTICE OF INDIA

Sd/-

(REGISTRAR (JUDL.))

Copy to:

1. Hon. Secretary, Supreme Court Bar Association. He is requested to bring the contents of the above circular to the notice of the members of the Bar.
2. All Officers of the Court for necessary action

This circular covers circular dated 11.9.82.

## SUPREME COURT OF INDIA

## OFFICE ORDER (JUDL) NO. 16 OF 1982

New Delhi, November 8, 1982

- 1) It has been observed that petitions entitled as 'Writ Petitions' are filed impleading the Judges or the officers of this Court as parties. The filing counter shall examine such petitions at the time of filing itself and as far as possible no petition shall be received at the counter without directions of the Registrar to receive the same. In any case, if by chance any such petition is received the same shall not be registered without specific orders from the Registrar.
- 2) It is noticed that matters which are civil in nature are filed as criminal writ petitions. This aspect also should be carefully looked into by the filing counter before any petition filed as a criminal writ petition is registered. In case of doubt, the matter should be referred to the Registrar.
- 3) It is also noticed that various applications are filed after a matter is disposed of in the nature of applications for directions or modification. On scrutiny it is noticed that majority of such applications are for review and to circumvent the procedure of the review petition, such miscellaneous applications are being filed. Therefore, in all matters wherever any application is filed in a disposed of matter, before the said application is registered the file should invariably

be sent to the Deputy Registrar concerned who shall examine whether it is in order and can be registered as a miscellaneous application otherwise he may refer the same to the Registrar for directions.

4) In landlord-tenant matters it has been noticed that when the special leave petition is dismissed, the Court directs an undertaking to be given within a stipulated period. It has been observed that in a number of cases such undertakings were not filed within the time granted and the Registry has not intimated the Court concerned about the default. It should be noted that in such matters both the section officer and the dealing assistant concerned must keep a note of the last date for filing the undertaking in the diary and see that the necessary intimation, if the undertaking is not filed, is sent immediately after the expiry of the time granted by the Court. Assistant Registrars also may keep a note of such matters in their diary and check up that action is taken without any delay.

Sc/-

(R. Subba Rao)  
Registrar (Judl.)  
8.11.1982

Circulated to: All Concerned.

144A

SUPREME COURT OF INDIA

CIRCULAR

JULY 27, 1983

It has been brought to the notice of the Hon'ble the Chief Justice of India that in some cases when notice has been issued to the respondent and he sends some papers by post for being considered by the Court at the time of hearing the matter after notice stating he will not be able to appear in person and that the said written submission may be taken into consideration, the office has been returning the same stating that there is no application for exemption from personal appearance and also that the papers sent by post cannot be received.

In all cases where papers are received by post stating that the said written submission may be placed before the court in the absence of the person concerned, Hon'ble the Chief Justice of India has directed that the practice so far being followed i.e. returning the said papers should be discontinued and the papers received must be circulated to the Court for consideration.

Sd/-

(Registrar (Judl.))

## SUPREME COURT OF INDIA

## Record of Proceedings

I.A.No.5 in C.A.No.2336/85

The Food Corpn.of India Staff Union ..Petitioner

vs.

The Food Corpn.of India & Ors. ...Respondents  
(For vacating stay)

Date: 17/9/92

## CORAM:

HON'BLE MR. JUSTICE A.M. AHMADI  
HON'BLE MR. JUSTICE M.M. PUNCHHI  
HON'BLE MR. JUSTICE K. RAMASWAMYFor the Petitioner: Mr. Govind Mukhoty, Sr.Adv.  
M/s Naresh Kaushik & Shankar  
Diwate, Advs.

M/s Lalitha Kaushik, Adv.

For rr.1: Mr. D.D. Thakur, Sr.Adv.  
Mr. Y.P. Rao, Adv.

For rr.2: Mr. YP Rao, Adv.

for rr.No.4: Mr. UR Lalit, Sr.Adv.  
Mr. RC Verma, Adv.

For rr: Mr. S.K. Bhattacharya, Adv.

for rr: Mr.SR Bhat, Adv.

For intervenor: M/s PS Khara and MM Kashyap, Advs.

UPON hearing counsel the Court made the following

...contd.

144-C

O R D E R

The I.A. is dismissed. The grievance of the landlord counsel for the intervenors that he was not served with copy of the application, is not without substance. Henceforth the Registry should ensure that the service is effected.

Sd/-  
(Sunil Kumar)  
Court Master

Sd/-  
(Prem Lata Sharma)  
Court Master

## SUPREME COURT OF INDIA

No.F.10/J-I/1995

New Delhi, dated 18 January, 1995

## CIRCULAR

In Petition for Special Leave to appeal (Civil) No.16717 of 1992 entitled Sarman Pte Ltd. vs. Umesh Kumar Rajaria & Anr. supplementary affidavit filed on behalf of respondent No.1 with the remark 'Matter not listed within 5 days' was circulated to the Hon'ble Judges on 6<sup>th</sup> January, 1995 without ascertaining the date on which the matter is listed before the Court, whereas the hearing of the matter was concluded and the Judgment was reserved on 4<sup>th</sup> January, 1995.

Where the hearing is concluded and the judgment is reserved in the matter and the Court has not ordered the party to file either written arguments or synopsis and some/documents are filed by the parties, they shall be circulated with the remark "To be used with leave of the Court."

Before circulating the documents as referred above, the section concerned must ensure:

- 1) The copies are legible.
- 2) There is no inter-lining encircling and unwanted remarks on the said documents.

It is enjoined upon all concerned to comply with the circular strictly in order to avoid any possibility of committing mistake and inconvenience to the Hon'ble Judges.

The officers (AR, DR, JR & Addl.Regrs) supervising the Sections are requested to ensure the compliance.

Sc/-

(L.C. BHADOO)  
REGISTRAR (J-I)

Copy to:  
All concerned.



## SUPREME COURT OF INDIA

No.F.75/Judl.1/1995

New Delhi, dated 10 November, 1995

## CIRCULAR

Sometimes certain secret reports or documents are received in sealed cover and when the matter comes up for hearing before the Court, the same are opened before Their Lordships and if, Their Lordships so direct, the documents referred to above are sent to residential office of the Hon'ble CJI/Judges in a sealed cover. In such a situation, the Court Masters are hereby directed to put such documents in an envelope and seal that envelope in a proper way, putting the seal all around, minimum at five places, so that the envelope is not opened easily. Such envelopes shall be sent through a Special Messenger and not alongwith the ordinary dak to be delivered at the residential office of the Hon'ble CJI/Judges, and the Private Secretary to the Hon'ble CJI/Judges, receiving the envelope shall sign the Peon book, indicating that the envelope was properly sealed, when it was received at the residential office of the Hon'ble CJI/Judge and they should also ensure that nobody should open that without the instruction of the Hon'ble CJI/Judge.

This practice must be followed by all concerned.

Sc/-

(L.C. BHADOO)  
REGISTRAR (J-I)

Copy to:

1. Supervising Jt. Registrars;
2. D.S. (Courts);
3. Dy. Registrars;
4. Asst. Registrars;
5. Section Officers;
6. S.O. (R&I)
7. Court Masters'
8. A.R.-cum-P.S. to Hon'ble CJI/Judges

## SUPREME COURT OF INDIA

No.F.26/Jud1-I/1996

New Delhi, dated 21st August, 1996

## CIRCULAR

Invariably, the Court Masters are calling for the files, either for reference of the court or the matter listed before the Court on that day is covered by the judgment of this Hon'ble Court, passed in a particular matter. At that spur of moment, it becomes difficult to trace out the file of a particular matter and the precious times of the court is wasted for non-availability of such files and sometimes the matters have to be adjourned on that count.

It is generally seen that the reference of such matters are either in the court proceedings or in the petition of appeal itself, listed before the Court and if the section concerned is somewhat diligent in looking into the file before sending the same to the Court Master, it can lay hands on the file in advance which can be required by the court for reference. In order to avoid such a situation, the sections concerned are required to scrutinise the files of the matters included in the weekly list on the day of issuance of the list or in advance and on scrutiny if they find any reference of a particular matter which can be required by the court, they shall procure that file and keep with them, so that if the court required that file for reference, the same can be made available without any loss of time of the court and if they find that the referred to matter is still pending the same can be tagged being on the same subject in that case that matter may also be tagged and listed before the court for hearing after obtaining the orders from the officer deputed for the purpose.

This must be followed by all sections concerned scrupulously and any dealing Assistant or the supervisory staff of that section found lacking, shall be liable to disciplinary action, which may lead to serious consequences.

Sd/-

(L.C. BHADOO)  
REGISTRAR (J-1)

Copy to:

All concerned.

## SUPREME COURT OF INDIA

No.F.2/Judl-I/1997

New Delhi, dated 10th January, 1997

## CIRCULAR

Sometimes while disposing of the appeal the Hon'ble Court gives urgent and immediate directions to be complied with by the Registry. It has been observed that the section concerned without going through the judgment sends a certified copy to the High Court or Tribunal, as the case may be, and thereafter completing other formalities just like completion of index etc., sends the file to the section dealing with preparation of the decree. In this way, the directions given by the Court are left unattended for months together and the purpose of directions to be complied with immediately is sometimes frustrated or unduly delayed.

In order to avoid such lapses, the Assistant Registrar of the section concerned, who certifies the copy of the judgment to be sent to the Court below, shall go through the judgment and if the section has failed to take notice of the directions of the Court, shall require the section to do the needful and only thereafter shall pass an order to transfer the file to the section dealing with preparation of the decree.

At the same time, the decree section must also check at the time of receiving of the file as to whether the section concerned has sent the file after taking necessary action as per the directions of the court or not. If not, the decree section should send the file back to the concerned section for taking action as per the directions of the Hon'ble Court.

This must be followed by all the sections and the erring section shall be punished for the lapse.

Sd/-

(L.C. BHADOO;  
REGISTRAR (J-I))

Copy to:

All concerned.

## SUPREME COURT OF INDIA

No.F.2/J-I/1997

New Delhi, dated 27 January, 1998

## CIRCULAR

Hon'ble the Chief Justice of India has been pleased to pass the following orders:-

(A) In order to expedite hearing and disposal of batch matters involving same point of law or arising from a common judgment which are to be listed together for hearing either as per the practice prevailing in the Registry or pursuant to Hon'ble Court's orders such matters may be grouped as category 'A' & 'B' matters; Category 'A' would consist of those matters which are ready for hearing and category 'B' would consist of matters which are not ready for hearing. Category 'A' matters should be listed for hearing on priority basis and category 'B' matters should be listed for hearing and disposal in the light of decision in Category 'A' matters as soon as individual matters become ready for hearing.

(B) There are some cases pending in this Court upon decision whereof the High Courts and Subordinate Courts can decide large number of cases involving the same question of law which are pending there. Such cases will be accorded priority in hearing and the decision communicated to the High Courts (not only the High Court or the Tribunal against whose decision the particular case was filed but all the High Courts or Tribunals, as the case may be)

....2/-

within a week so that the Courts where cases involving the same question are pending may dispose of the cases on the basis of the decision of this Court. The High Courts in turn may communicate the decision to the Subordinate Courts and direct them to dispose of similar cases on priority basis.

(C) Cases involving the questions of law which are raised frequently before this Court will be accorded priority in hearing as the same are already covered by earlier decision of this Court.

(D) Copies of judgments in cases involving larger public interest will be sent to all the High Courts promptly for guidance so that the High Courts may decide cases involving the same point expeditiously in the light of this Court's judgment.

In order to implement the directions the following guidelines will be observed:-

(1) So far as the matters at 'A', 'B' & 'C' are concerned the Additional Registrar with the assistance of Joint Registrar/Deputy Registrar incharge of the concerned Section will monitor the cases and identify them for listing on priority basis as per the directions of Registrar (Judicial) in consonance with directions mentioned above.

2) So far as sending of the copies of judgments at 'C' & 'D' is concerned, as soon as judgment in a particular case is delivered the Section Officer of concerned Section will place the same before the Additional Registrar who will peruse the judgment and issue necessary directions to the concerned Joint Registrar/Deputy Registrar whether copies are to be sent to all High Courts/Tribunals and other authorities, and the Joint Registrar/Deputy Registrar will ensure that copies of the Judgment are sent properly to all the High Courts/Tribunals and other authorities by the Section concerned.

The above Guidelines will be followed scrupulously and any lapse on the part of the concerned Officer will be viewed seriously.

sd/-

(L.C. BHADOO)  
REGISTRAR (J-1)

Copy to:  
All concerned.

## PRACTICE DIRECTIONS

PROCEDURE TO BE FOLLOWED IN THE MATTERS IN WHICH THE COURT ORDERS "HEARING EXPEDITED", "SHORT MATTER" & "SPECIALLY DIRECTED MATTERS"

Where the Hon'ble Court, while granting leave, orders hearing of the matter to be expedited, all the sections on judicial side are directed to do the following:

1. If any advocate fails to file process fee and spare copies of the special leave petition-cum-petition of appeal within a fortnight, the default of the advocate may be reported to the Court

2. As soon as the spare copies of the special leave petition-cum-petition of appeal as well as process fee are filed, the office shall issue notice of lodgment of petition of appeal within a week from the receipt of the process fee etc.

3. In the forwarding letter to the High Court, it shall be specifically mentioned that the Court has directed the hearing of the matter to be expedited, and as such the High Court is requested to transmit the original record alongwith the paper books, if available, and also the certificate of service within a month of the receipt of the letter.

If the original record as well as the certificate of service is not received from the Court whose judgment is under appeal, -within the time stipulated in clause (3) above, a D.O. letter may be written to the Registrar, High Court, requesting him to expedite the despatch of the original record as well as certificate of service.

5. If the original record and the certificate of service are not received from the Court below within a month from the issue of the aforesaid D.O. letter, the matter may be placed before the Court by way of an office report for appropriate orders.

6. Every section shall maintain a separate register of such matters and shall take timely action, just like valuation etc.. in these matters and these registers may be checked by the officers supervising the section personally.

7. The officers supervising the sections shall also maintain a statement of such matters and shall see that no unnecessary time is wasted in taking the requisite action.

8. It should be seen that such matters are made ready within a period of six months from the date of the order of the Court.

Sd/-

(L.C. BHADOO)  
REGISTRAR (JUDL.I)  
21.11.98

Copy to:

All Concerned.



SUPREME COURT OF INDIA

No.2/Regr.(J.II)/2002  
February 25, 2002

CIRCULAR

In matters like Presidential Reference, suo-motu contempt; matters in which the Hon'ble Court has taken suo motu cognizance; for example (1) "Death of 25 chained inmates in Asylum fire in Tamil Nadu; (2) "Enforcement & Implementation of Dowry Prohibition Act, 1981", (3) "Noise Pollution - Implementation of the law for restricting use of loud speakers and high volume producing sound system"; and matters in which there are no rival parties, the cause-title cannot be "X vs.Y" but has to go by the subject matter. In all such matters, the cause-title would start with the words "In Re:". Then the subject may be shown. Against the subject matter words like "Petitioner" "Appellant" etc. cannot be put or retained. In the File or Cause List, if at all names of Respondents & their Advocate are to be shown, then below the subject matter as mentioned above, those names and the names of Advocates may be shown after putting dash '-' but there shall be no such prefixes like "Mrs." etc. before names of Respondents. For example the title can be :-

"In Re: Death of 25 chained inmates in Asylum Fire in  
Tamil Nadu

1) U.O.I. - Advocate X Y Z

2) State of Tamil Nadu - Advocate A B C

Respondents

This should be followed uniformly in all such matters. In Computer also, it will be fed like this so that the updating and containing of information in regard to such cases would be convenient.

Unless otherwise directed by the Hon'ble Court or the Hon'ble Judges. In the Judgments/Orders & Record of Proceedings, only the subject matter may be shown as the cause title.

( B.M. GUPTA )  
REGISTRAR (J-I)  
Ed/-  
( A.I.CHEEMA )  
REGISTRAR (J-II)

Copy to:  
All Judicial Sections & Officers.  
JR-cum-PPS to Hon'ble CJI  
All the AR-cum-PS to Hon'ble Judges  
DR (Courts)  
All Court Masters.

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the Daily List, same should be brought to the notice of the Registrar (Judicial) immediately for such direction as may be deemed necessary.

It has also been noticed that in some matters listed on a particular date, a miscellaneous application is filed after the Daily List is out. Such application is simply circulated and correction made in the list of the Court Masters by most of the Branches but the said application is not added through the Supplementary Cause List. As a result, no specific order is recorded on such application in the Record of Proceedings by the Court Master and the said application remains pending in the data even after such application has become redundant/infructuous. It is, therefore, directed that when an application is filed in a listed matter after the Daily List is out and is circulated to the Court, the same should invariably be added in the Supplementary Cause List, so as to enable the Court Master to obtain the orders thereon.

It is further directed that as and when there is a direction by the Court to issue notice to the Attorney General for India, in such matters, the 'Attorney General for India' is required to be shown in the Cause List along with the names of Advocates. For this purpose, 'Attorney General for India' has been given the code '1371'. When the notice is issued to the Attorney General for India by the concerned Branch in a matter, the User of the said Branch should check the data to ensure that the 'Attorney General for India' has been updated by DEU Branch. In case the same has not been

1567

SUPREME COURT OF INDIA  
(COMPUTER CELL )

No.F.50/Judl.-I/2002  
Dated : 3<sup>rd</sup> April, 2002

CIRCULAR.

In the Weekly and Daily List of Regular Hearing matters, it is often noticed that an Application for Stay/Bail/Prayer for Interim Relief appear along with the appeal which, in fact, is required to be listed for disposal much before the appeal is made Ready for Regular Hearing. It is, therefore, directed that all the Branches should take steps to get such an application/prayer for interim relief in a pending appeal listed as early as possible before the appeal is made Ready for Regular Hearing.

It has also been noticed that in some cases, application for substitution in respect of the first appellant or first respondent is also listed with the appeal but the word 'dead' in brackets is not added against the name of the first appellant/respondent in the Cause Title. It is, therefore, directed that as and when an intimation is received about the death of the first appellant/first respondent or an application for substitution in this respect is filed, the Cause Title must be updated immediately by adding the word 'dead' in brackets against the name of deceased appellant/respondent. Besides, when any of the parties is reported to have died or an application for substitution is filed and for this reason the appeal becomes 'Not Ready', the appeal must be got deleted from the Weekly List immediately. In case the appeal has already appeared in

updated by the DEU Branch, the data must be updated by the User of the concerned Branch so that same may appear in the Cause List. Present practice of entering this information in GATE shall continue in addition.

These directions should be followed scrupulously by all concerned.

*sd/-*  
( E.M. Gupta )  
Registrar (Judl.I)

Copy to :-

All concerned.

No.RG/Jud1/2002/1  
New Delhi, dated the 16<sup>th</sup> May, 2002

CIRCULAR

Pursuant to the discussion and deliberations which took place during the meeting with representatives of the Advocates-on-Record Association held on Friday, May 9, 2002 pertaining to the grievances and difficulties experienced by the Advocates-on-Record in the matter of filing, listing and processing of matters for hearing purpose, the Hon'ble the Chief Justice of India has been pleased to direct the Registry to take appropriate steps/measures in order to mitigate the difficulties of members of the Bar and the litigant-parties.

In terms of the decisions taken in the abovesaid meeting, the following points are circulated to all concerned for necessary compliance at appropriate level:

FILING COUNTER:

Time allowed for re-filing of the matters by the Advocates-on-Record after rectification of the defects pointed out by the Registry, hereinafter should be 28 days instead of 15 days. However, re-filing of any matter by the AORs beyond 28 days should in no case be entertained unless it is accompanied by a proper Application for condonation of delay in filing the time-barred matter.

Out of the seven Filing Counters, viz., Counter Nos.6 to 12 presently being utilized for re-filing purpose, four Counters would be reserved exclusively for re-filing of SLPs. Of these four Counters, two Counters would be used for SLPs (Civil) - one for Advocates and the other for Clerks etc. The other two Counters would be used for SLPs (Criminal) - one for Advocates and the other for Clerks etc. The remaining three Counters can be used for re-filing of other matters. However, if on a particular time/day, there is heavy rush on a particular Counter and there is no work on the other Counters, then the work at the former may be shifted to the later to clear the rush.

of work. Similarly, in case in a given situation there is rush of work on all the seven Re-filing Counters, then Counter Nos. 13 and 14 meant for Caveat and Enquiries may be utilized, apart from the normal work of Caveat & Enquiries, for the purpose of re-filing of matters. If despite all these measures all the Re-filing Counters on account of extra-ordinary workload on a particular day are unable to cope with situation, then Joint Registrar (I-B) looking to the ground realities may depute more officials to undertake the re-filing work at other places. He would be responsible to ensure smooth functioning of re-filing work for which purpose he shall keep track of re-filing of the matters and personally visit the Counters to devise suitable methodology after assessing the spot-situation so that at every point of time re-filing of the matters works smoothly and no advocate and/or others have to wait for an unduly longer time.

DEFECTS:

In order to mitigate the difficulties of the AORs on account of pointing out of defects piecemeal, Joint Registrar (Section I-B) shall ensure that at the time of scrutiny of the matters, all the defects are pointed out at the very first instance itself and for this purpose he should prepare a comprehensive checklist covering all the defects normally found at the scrutiny stage. This List should be updated and circulated quarterly to the Supreme Court Bar Association as well as Advocates-on-Record Association with a request that the filing Advocates should make every effort to make their matters defect-free with the help of such Check-list so as to avoid unnecessary embarrassment and inconvenience to both the Advocates and the Registry.

If after scrutiny, the matters are found in order in all respects, Joint Registrar (I-B) should also ensure that the matters are registered at the earliest and not later than 24 hours.

Matters of urgent nature should be scrutinized on top priority and if, on scrutiny, found in order, should be registered without any delay so that filing Advocates can take appropriate steps for urgent listing of the matter/s.

As per the prevailing practice, where at the scrutiny stage it is noticed that the impugned judgment/order has been passed by

the High Court/Tribunal on the basis of its earlier decision, then the Registry should insist for copy of such earlier decision after apprising the filing Advocates that it would be in their own interest as the same is placed in the Paper Books of the Hon'ble Judges hearing the matters for their Lordships' perusal. However, if any AOR even after being apprised of the above requirement, shows reluctance or expresses inability to file copy of such earlier decision referred to and relied upon in the impugned judgment/order and insists on processing of the matter further, then an Office Report to that effect may be prepared and placed before the Hon'ble Court for appropriate directions.

OFFICE REPORT:

Instances of inaccurate Office Reports being submitted to the Hon'ble Court have been coming to notice quite frequently. It has, therefore, become imperative that while preparing office Reports, principle of accuracy in all respects is accorded top priority. If the Section Officer/Assistant Registrar while preparing the Office Report comes across any complicated issue requiring guidance of the senior officers, then the Office Report should be submitted to the concerned Deputy Registrar/Joint Registrar for vetting and approval.

COMPENDIUM OF CIRCULARS:

Registrar (J-I) should ensure that as and when any Circular incorporating practice directions concerning filing or processing of matters is issued, a copy thereof should invariably be made available to the office of the Supreme Court Bar Association as also the Advocates-on-Record Association. At the same time, Registrar [J-I] should ensure that copies of the Circulars incorporating such practice directions issued from time to time are kept in the record in the form of a Compendium so that the same can be utilized by the Registry as well as can be furnished, on demand, to the Advocates' Associations.

COPYING:

It has come to notice that despite repeated reminders, quality of certified copies of the judgments / orders issued to the

Advocates and/or parties-in-person has not been upto the mark. At times, it causes inconvenience to the Hon'ble Judges also. Therefore, it is impressed upon the concerned Section Officer and Assistant Registrar to ensure that certified copies of the judgments/orders are clear and legible.

In order to achieve the objective of providing good and legible certified copies to the Advocates/parties, Court Masters and Sections shall also ensure that only clear and legible copies fit for photostat are sent to the Copying Section.

#### ADVANCE LIST ON WEB SITE

Effective from re-opening of the Court after the on-going Summer Vacation, Advance List of Admission matters listed on Miscellaneous days should be made available on the Website of this Court to enable the Advocates to have access to the same through internet. Registrar (J-I) shall take necessary steps in this behalf.

#### I.As IN PENDING OLD MATTERS

The Applications filed in old pending matters are not dealt with promptly and the registration gets delayed, at times inordinately. It is, therefore, impressed upon all concerned to attend to these Applications promptly without any delay. Upon scrutiny, if an Application is found in order, it must be registered the same day and in any case not later than three days from the date of filing. In case the Application is found to be defective, the defects noticed by the Registry must be communicated to the concerned AOR immediately and he should be asked to rectify the defects at the earliest so that his Application can be processed and registered. If the defects are of mandatory nature, the AOR should be specifically informed that unless the defects are rectified, the Application would not be registered and listed. After rectification of the defects, the same Application should be registered without any delay.

#### MONITORING & GUIDANCE BY SUPERVISORY OFFICERS

Section Officer, Assistant Registrar and Deputy Registrar/Joint Registrar of the concerned Section should monitor the processing of Applications filed in old pending matters.



Concerned Deputy Registrar and Joint Registrar should regularly visit the Section to personally supervise the seat-wise position of pendency of receipts. All the supervisory officers, viz., Deputy Registrar, Joint Registrar, Additional Registrar and Registrar should regularly visit the Sections and ascertain from the concerned Clerks/Assistants/Section Officer and Assistant Registrar (i) whether all the receipts are being attended to and cleared promptly. If not, explanation therefor must be sought from the concerned Clerk/Assistant; (ii) whether there is any difficulty in processing the matter/s.

Supervisory officers must also ascertain from the officials of the Sections the position of Applications for Impleadment and for bringing Legal Representatives on record and to see that these Applications are being processed accurately and promptly.

The problem quite frequently faced by the Judicial Sections is with regard to service of notices, summons etc. on the opposite party. The supervisory officers should take feedback from the officials of the Sections and in case of any problem on this aspect they should guide them in taking appropriate remedial measures. If it is found that in a given case the filing Advocate is not taking proper steps for effecting service on the opposite party, then action as per the Rules must be taken promptly.

Supervisory officers should also ascertain from the officials of the Sections whether valuation in the matters is being done accurately and promptly. In case of any difficulty faced by the Section officials, the supervisory officers should guide them on this aspect also.

During the on-going Summer Vacation, supervisory officers, i.e., Assistant Registrar and above of all Judicial Sections must ensure that all actions in the pending matters i.e. examination of service position, examination of valuation, summoning of original records and also actions on all pending Applications viz. Application for Impleadment, Application for bringing Legal Representatives on record and other Applications are timely completed so as to make the matters ready for hearing. Apart from this, timely initiation and completion of actions in disposed of matters, i.e. return of original records, consignment

of files to Record Room, despatch of dismissal letters in Special Leave Petitions should also be ensured. In this direction, Registrar (J-I) and Registrar (J-II) should devise necessary method of guidance of the officials of the Judicial Sections.

Joint Registrar (I-B) and Deputy Registrar (I-B) should organize imparting of training to all the officers working under them covering all aspects of filing in the Registry including scrutiny of the matters, categorization of the matters etc. They should devise a methodology so that matters involving same or similar point of law are listed before one Court so as to avoid conflicting orders by different Benches.

All concerned are enjoined upon to ensure scrupulous compliance of the above directions. Any lapse in this behalf shall be viewed seriously.

Sd/-  
[L.C. BHADOO]  
REGISTRAR GENERAL

Copy to:

1. All Officers & Staff on the Judicial side.
2. Secretary, Supreme Court Bar Association.
3. Secretary, Supreme Court Advocate-on-Record Association.
4. Notice Board.
5. All concerned.

SUPREME COURT OF INDIA

No.F.84/Judl./2005

Dated : 6<sup>th</sup> October, 2005

C I R C U L A R

In order to avoid unnecessary expenditure on sending of telegrams, it is hereby directed that in future telegrams should ordinarily be sent only when it is essential for compliance of the order passed by the Hon'ble Court. In other cases if it is felt necessary to send telegrams, it should be done with written approval of the concerned Joint Registrar/Dy.Registrar.

Sd/-  
(J.K.Sharma)  
Registrar (Judl.II)

Sd/-  
(V.K.Jain)  
Registrar (Judl.I)

Copy to: All Judicial Sections.

SUPREME COURT OF INDIA

No.F.5/Judl./TW/VI/06

Dated: 9<sup>th</sup> September, 2006

OFFICE ORDER

In order to streamline the procedure of official translation of documents, it is hereby directed that all concerned will henceforth follow the following procedure:-

(a) In matters, where party has to bear expenses for translation, the Section Officer of concerned Judicial Section shall mark the documents to be translated and take approval of his Deputy Registrar/Joint Registrar and then will send the file to the Section Officer of Section-VI.

(b) The Section Officer of Section-VI, after calculation of the estimated amount of translation, will have the said estimated amount approved by his Deputy Registrar/Joint Registrar and thereafter return the file to the Section Officer of the concerned Judicial Section for getting the estimated amount deposited by the party concerned.

.....P/2

(c) On the estimated amount being deposited, the Section Officer of the concerned Judicial Section will return the file to Section-VI for having the translation work done.

(d) The Section Officer of Section-VI will then obtain approval of the name of the Translator from his Deputy Registrar/Joint Registrar. The Register containing names of Translators of different languages shall be maintained and work shall be allocated chronologically.

(e) After getting the translation done and receiving bill from the Translator, the Section Officer of Section-VI will send the file along with the bill to the Registrar (Admn.I)/Head of Office through Registrar (Section-VI) for according financial sanction and for payment.

(f) The Section Officer of Section-VI, after receiving such orders, will return the file to the Section Officer of concerned Judicial Section. It is, however, made clear that other urgent actions should not be held up for want of the file from Section-VI. The same can be requisitioned and sent back immediately after completing the action.

.....P/3

(g) In Jail Petitions, the steps at (b) and (C) (supra) for sending the file to concerned Section, are not required. Section - VI will, therefore, take the next step as per (d) immediately.

All concerned are directed to ensure that the above directions are followed scrupulously.

Sd/-  
(T.N.SANSI)  
Registrar (Sec.VI)

Sd/-  
(ASHOK I.CHEEMA)  
Registrar (Judicial)

Copy to:-

All concerned.

SUPREME COURT OF INDIA

F.No.16/Judl./2006

NEW DELHI, DATED NOVEMBER 17, 2006

C I R C U L A R

Special Leave Petition (C) No.6642 of 2006 entitled M/s Indian Refrigeration Industries vs. Ram Rattan Sharma was listed before the Hon'ble Court on November 15, 2006 when the Hon'ble Court was pleased, inter alia, to pass the following order :

"By order dated 24.4.2006 of this Court, the Management (Petitioner herein) was directed to deposit Rs.5,000/- towards legal expenses for the respondent-workman. It is now represented by the learned counsel for the Management that the said direction has already been complied with and the sum of Rs.5,000/- has already been deposited. In view of the deposit now made, workman has filed a petition for withdrawal of legal expenses of Rs.5,000/-. The permission is granted to the respondent-workman to withdraw the sum of Rs.5,000/- from the Registrar of this Court. I.A.no.3 is ordered accordingly.

It is now brought to our notice that further to our order dated 29.9.2006 permitting the respondent workman to withdraw a sum of Rs.5,000/- from the deposit made by the Management, the Registry insisted the learned counsel for the respondent to take out a separate application for withdrawal, which in our opinion is not required to be done. When a direction of the above nature is issued by this Court, the concerned party is only required to apply to the Registrar for payment in terms of the said directions and no formal application is again required to be made. The Rules require that the Court's directions must be brought to the notice of the Registry for

compliance and the same may be done by a letter enclosing a copy of the Court's order."

The aforesaid directions given by the Hon'ble Court are circulated for immediate and strict compliance by all concerned.

[ A.I.CHEEMA ]  
REGISTRAR [JUDL.I]

CIRCULATED TO ALL CONCERNED



S U P R E M E C O U R T O F I N D I A

No.F.19/Judi./2006.  
Dated 2<sup>nd</sup> December, 2006.

C I R C U L A R

Learned Registrar General has informed that Hon'ble the Chief Justice of India has directed that:-

As regards Order of Publication of Multiple Opinions, whenever there are more than one opinions/Judgments in a matter, they may appear in the Flying Sheet attached to the Judgment/Order and consequently in the Law Reports, in the following order:-

- i) Majority/Leading Judgment/Order.
- ii) Supplementing Reason(s)/Judgment(s).
- iii) Concurring Judgment(s)/Order(s).
- iv) Dissenting Judgment(s)/Order(s).
- v) Order of the Court.

As regards (ii) to (iv), if there are more than one supplementing Reason(s)/Judgment(s), Concurring Judgment(s)/Order(s) and Dissenting Judgment(s)/Order(s), rule of seniority may be adopted. In case of doubt, Joint Registrar (Editorial) may be consulted by the concerned AR-Cum-PS/Court Master/Stenographer.

All concerned are directed to take note and act accordingly.

Sd/-  
(ASHOK I.CHEEMA)  
Registrar (Judicial)

Circulated to:

- 1. Joint Registrar (Editorial)
- 2. All the AR-cum-PSs/Court Masters/Stenographers.

S U P R E M E C O U R T O F I N D I A

No.F.20/Judl./2006.  
Dated 2<sup>nd</sup> December, 2006.

C I R C U L A R

Learned Registrar General has informed that Hon'ble the Chief Justice of India has directed that:-

For the purpose of recording Names of Appearing Counsels in Judgments, Advocates-on-Record be requested to give the Memo of Appearance on the date Judgment/Order is reserved, correctly mentioning therein names of all the Counsels who appeared on various dates including the date, the Judgment/Order is reserved, for the party represented by the Advocate-on-Record. In case such a detailed Memo of Appearance is not furnished on behalf of a party, the names shown in the Memo of Appearance furnished on behalf of that party on the date of reserving the Judgment/Order shall be shown for that party. The names should be written in capital letters in order to avoid any mis-spelling. If no Memo of Appearance at all is furnished on behalf of a party on the date of reserving the Judgment/Order, the name only of the Advocate-on-Record of that party should be shown in the Flying Sheet and consequently in the Law Report.

All concerned are requested to note and act accordingly.

( ASHOK I.CHEEMA )  
Registrar (Judicial)

Circulated to:

- 1.The Secretary, Supreme Court Bar Association with five spare copies of the Circular with a request that this may be displayed on the Notice Board of the Bar Association for the information of the Members of the Bar.
- 2.The Secretary, Advocate-on-Record Association with five spare copies of the Circular with a request that this may be displayed on the Notice Board of the Association for the information of the Members of the association.
- 3.Joint Registrar(Editorial).
- 4.All the AR-cum-PSs/Court Masters/Stenographers.

SUPREME COURT OF INDIA

4<sup>th</sup> December, 2006

CIRCULAR

- Ref:1) Circular No.F.3/Judl./06 dated 18<sup>th</sup> March, 2006  
2) Office Order No.F.5/Judl./06 dated 8<sup>th</sup> May, 2006  
3) Office Order No.F.10/Judl./06 dated 2<sup>nd</sup> August, 2006  
4) Office Order No.F.13/Judl./06 dated 6<sup>th</sup> September, 2006  
5) Office Order dated 15<sup>th</sup> September, 2006  
6) Office Order dated 20<sup>th</sup> September, 2006

-----  
All the Incomplete matters (including Final Disposal matters) on the basis of the above mentioned Circulars and Office Orders are being listed before the Ld.Registrar.

As per settled practice, draft list for Monday and Friday are being sent to the concerned section to check the matter physically on the basis of the above Circular/Office Orders for giving proper remarks whether the matter is Complete or Incomplete. On the basis of the remarks, Complete matters are being listed before the Hon'ble Court and Incomplete matters are being listed before the Ld.Registrar.

It is hereby directed to all the concerned that if the Incomplete matter becomes complete and vice-versa after the draft list sent to the Computer Cell before finalising the cause list as per schedule, such changes shall be informed to Additional Registrar (CC) immediately, so that the matter may be listed before the appropriate Court.

Sd/-  
( Ashok I.Cheema )  
Registrar (J-I)

Copy to: All Judicial Sections

It has been reported that a number of cases, in which either written objections/counter/reply has not been filed despite substantial time having been availed for the purpose, are not being listed either before the Hon'ble Court or before the Registrar. They are not being listed before the Hon'ble Court since such matters are treated as incomplete. They are not being listed before the Registrar since large number of matters have already been listed or are pending listing before them.

In view of the above, as directed by Your Lordship, the matters of the following nature may be treated as complete and may be listed before the Hon'ble Court without first listing them before the Registrars:

1. The matters in which appearance and/or Vakaltnama has been filed, there is no order from the Hon'ble Court as regards filing of written objections/counter/reply and written objections/counter/reply has not been filed though more than six months have expired from the date of service.
2. The matters in which appearance has been filed, an order has been passed by the Hon'ble Court for filing of written objections/counter/reply but written objections/counter/reply has not been filed, though more than 4 months have expired from the date of the order of the Hon'ble Court.
3. The matters in which the Hon'ble Court has directed/permitted filing of Rejoinder but the same has not been filed, though more than 3 months have expired from the date of the order of the Hon'ble Court.

11-  
Registrar General  
15<sup>th</sup> September, 2006

Hon'ble the Chief Justice of India

It has been observed that sometimes this Court adjourns a matter for a specific period/month to enable the parties to file counter-affidavit, rejoinder affidavit etc.

It has also been observed that as and when Contempt Petitions are listed before the Court and this Court directs to issue notice. In such matters, notice is issued to the contemnors and the contemnors are required to attend the Court personally until his appearance is exempted by this Hon'ble Court. Sometimes, there are more than one contemnors, service is effected only on few of them and rest of the contemnors remained unserved.

As per the present practice, all the above-mentioned matters are being treated as 'Incomplete' if counter-affidavit, rejoinder-affidavit are not filed and being listed before Ld.Registrar's Court.

In view of the above facts and circumstances, if approved, following matters may be treated as 'Complete' and may be listed before the Hon'ble Court without first listing them before the Registrar:-

1. Matters which are adjourned by the Court for a specific period/month and counter-affidavit/rejoinder affidavit/any documents, has not been filed.
2. Contempt Petitions in which notice is directed to be issued to the contemnors by this Court and notice for personal appearance has been served on all or any of the alleged contemnors.

Submitted please.

37/-  
J.R. (CC)  
20.9.2016

Ld.Registrar (J-1)

Ld.Registrar General

SUPREME COURT OF INDIA

EDITORIAL BRANCH

No.Ed./Misc./2007  
April 24, 2007

C I R C U L A R

The sub-committee constituted by the Council of Law Reporting has inter alia suggested that for the purpose of maintaining uniformity and to facilitate easy cross referencing of the ratio decidendi in the decisions reported in the journal, paragraph numbers may also be given in all judgments/orders marked for reporting in the SCR, in addition to page numbers and placitum. The Hon'ble Chief Justice of India has been pleased to accept the suggestion and direct the Registry to issue appropriate instructions. Hence, the Assistant Registrar-cum-Principal Private Secretary to Hon'ble the Chief Justice of India, Assistant Registrars-cum-Private Secretaries to Hon'ble Judges, shorthand knowing Court Masters and Senior Personal Assistants and Personal Assistants are directed to give paragraph numbers, consecutively, in all the judgments/orders, so that the judgments/orders marked for reporting contain the paragraph numbers.

( T. SIVADASAN )  
Registrar (Judl.)

Copy to :

1. The AR-cum-PPs to Hon'ble the CJI
2. All AR-cum-PSS to Hon'ble Judges
3. All shorthand knowing Court Masters and Senior PAs/PAS

RECORD OF PROCEEDINGS OF THE SUPREME COURT

SPECIAL LEAVE PETITIONS (CIVIL) NOS. 1236-1240 OF 1970

- 176 -

RECORD OF PROCEEDINGS OF THE SUPREME COURT

SPECIAL LEAVE PETITIONS (CIVIL) NOS. 1236-1240 OF 1970

(From the Judgment and Order dated 2.7.1969 of the Orissa High Court in Special Jurisdiction Cases Nos. 72-76/1964).

State of Orissa

- Versus -

M/s. Dinabandhu Sahu & Sons.

(With C.M.Ps. Nos. 2456-2459/70)

2.4.71: These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.A. MAIDIALINGAM  
HON'BLE MR. JUSTICE A.N. RAY

For the Petr : Mr. V.C. Mahajan, Advocate and  
Mr. R.N. Sachthey, Advocate.

UPON perusing the limitation report and hearing counsel thereon, the Court ruled that S.L. Ps. Nos. 1237-1240 of 1970 would also get the benefit of time spent in obtaining the certified copy of the Judgment impugned (and would be within time), as they arose out of the same common Judgment.

Then, upon hearing counsel on merits, the Court directed notice to issue to the respondent to show cause why special leave should not be granted.

C.M.Ps. Nos. 2456-2459 of 1970 granted.

(T.K. MAHADEVA RAO)  
ASSISTANT REGISTRAR.

SUPREME COURT OF INDIA

NEW DELHI, the 8<sup>th</sup> Feb., 1993.

CIRCULAR

It has come to our notice that while preparing Office Report regarding period of delay the Office is not giving the exact period of delay and thus the Court is put to inconvenience. Hon'ble Mr. Justice S. Ratnavel Pandian has directed that the Office should mention the exact period of delay while preparing Office Report or Limitation Report in every matter.

This should be followed scrupulously in future in all the matters & the exact days of delay should be underlined in each case.

Sd/-

(P.N. Likhyan)   
REGISTRAR (J-II)   
8-2-93

Sd/-

(Ved Prakash Sharma)   
REGISTRAR (J-I)

Copy to : All concerned.



-113-

No.RG/1/Judl./92  
SUPREME COURT OF INDIA

NEW DELHI, FEBRUARY 7, 1992

C I R C U L A R

Having taken into account that sometimes matters shown in the Cause lists are not taken up for hearing due to last-minute cancellation of Benches, that matters noted for being listed on particular dates pursuant to the previous orders made by the Hon'ble Court, are, in fact, not listed due to compelling reasons such as want to Coram in Adjourned or After Notice Matters, non-availability of Hon'ble Judge resulting in the reduction of the number of Benches, issuance of special directions by the Hon'ble Court limiting the number of matters to be listed on particular dates/before particular Benches, matters noted for being listed on particular dates exceeding the space available in the list for that date, and, issuance of subsequent directions of the Hon'ble Court fixing particular matters for hearing at 2 PM on Mondays before Special Benches resulting in reduction of the number of other matters that can be listed before the affected Benches, etc., that the matters thus not taken up for hearing, or, eliminated from being put in the Cause Lists, are later on being listed on being "mentioned" by the Advocates, or, suo motu by the Registry, in which case, the dates on which matters are listed are found to be inconvenient by the

- 2 -

Advocates leading to further adjournments, and that the Registry has accumulated a large number of such eliminated matters which need to be listed, the Hon'ble the Chief Justice of India has given the following directions:

1. All matters included in the Cause Lists which are not taken up for hearing due to last-minute cancellation of Benches, and, all matters noted for being listed on particular dates which are eliminated from being put in the Cause Lists due to compelling reasons, shall be listed on the Advocates obtaining further dates for the listing of such matters by way of "mentioning" only, and the Registry shall desist from listing them suo motu without advance notice to the Advocates;
2. The Registrar General/Registrar (J) shall give dates for the Listing of all such aforesaid matters on being "mentioned" by the Advocates, keeping in view the room available in the Cause Lists after balancing the number of Fresh Admission Matters which should go into them in accordance with the policy of Listing all Fresh Admission Matters within 15 working days of their registration; and
3. That it shall be the responsibility of the Advocates appearing in the matters aforesaid to obtain fresh dates by way of "mentioning", the only exceptions being, matters in which parties are not represented, or, are appearing in person, or, petitions from jail, or, Public Interest Petitions which have to be listed before the Hon'ble Court. In cases of the latter type, it shall be the responsibility of the concerned Section in the Registry dealing with the matter to obtain fresh dates for their listing from the Registrar General.

.....3/-

While information with regard to matters not taken up for hearing will be available to the Advocates in the respective Cause Lists, date-wise Lists of matters noted for being listed, but eliminated due to compelling reasons, will be put up on the Notice Board for information of Advocates.

Sd/-  
( S. RAI )  
REGISTRAR GENERAL  
7.2.1992

Circulated to:

1. The Secretary, Supreme Court Bar Association with five spare copies of the Notice with a request that the notice may be displayed on the Notice Board of the Bar Association for the information of the members of the Bar.
2. The Secretary, Advocates-on-Record Association with five spare copies of the Notice with a request that the Notice may be displayed on the Notice Boards of the Association for the information of the members of Association.
3. All the Notice Boards outside the Court rooms.
4. All concerned vide Circulation List.

SUPREME COURT OF INDIA

No.F.55-Judl.I/95  
New Delhi, dated 20<sup>th</sup> July, 1995

C I R C U L A R

The matters in which the parties appear in person and are shown in any list of matters to be listed before the Court, all the sections have to give notice to the parties appearing in person giving them one month's clear notice and if the period falls short of one month, the section concerned shall get the matters deleted and no matter in which clear one month's notice is not given shall be listed before the Court.

Strict compliance is requested for.

Sd/-  
( L.C. BHADOO )  
REGISTRAR (JUDL.)

Copy to:

All concerned

The first part of the document  
 discusses the importance of  
 maintaining accurate records  
 and the role of the  
 committee in this regard.

The second part of the document  
 outlines the proposed  
 changes to the  
 existing regulations. These  
 changes are intended to  
 improve the efficiency of  
 the process and ensure  
 that all parties are  
 treated fairly.

The final part of the document  
 provides a summary of the  
 key points and a  
 list of the proposed  
 changes. It is hoped that  
 these changes will be  
 implemented as soon as  
 possible.

SUPREME COURT OF INDIA  
NEW DELHI

No./DR(L)/CIR/1996  
13<sup>th</sup> February, 1996

C I R C U L A R

In order to avoid the inconvenience, hardship and occurrence of the likely mistakes on account of the last minute rush to the Listing Branch by the staff of the Judicial Sections for getting the corrections/additions, deletions carried out through the Supplementary List of the matters listed in the Daily List for the immediate following day, the following procedure is hereby introduced with immediate effect:-

- i) Whenever any modification/addition/deletion is to be incorporated in the Supplementary List/Daily List for the immediate next day, the Dealing Asstts should contact the Deputy Registrar (L)/Assistant Registrar (L) well in time, say not later than the forenoon of the day on which the Supplementary List of miscellaneous matters and Daily-List of Regular Hearing Matters are taken out. They should do so only after the proposal for addition/deletion/modification is approved by the Deputy Registrar/Joint Registrar of the Branch concerned;
- ii) As far as tagging of the matters are concerned, the intimation for tagging to be carried out through the Supplementary List may be sent to the Deputy Registrar (L)/Assistant Registrar (L) not later than the forenoon of the day on which the Supplementary List of the Miscellaneous Matters and the Daily-List of Regular Hearing Matters are taken out. A copy thereof may also be sent to Section (I-A)/Section (I) for procuring the Paper Books of these tagged matters and when orders for tagging are issued;
- iii) Any lapse on account of failure to get the matters corrected/added/deleted through the Supplementary List/Daily List will be the sole responsibility of the branch concerned in view of the fact that the Advance List, Weekly List and Daily-List are issued well in time and thereby it is the duty of the branch concerned to go through the list scrupulously and get the matters corrected/added/deleted according to the requirement.

By Order.

Sd/•

DEPUTY REGISTRAR(L)

Copy to:

All the Officers on the Judl.Side.

IN THE SUPREME COURT OF INDIA

No.F.2/Judl.I/1997

New Delhi, dated 27<sup>th</sup> Jan., 1998

C I R C U L A R

Hon'ble the Chief Justice of India has been pleased to pass the following orders :-

(A) In order to expedite hearing and disposal of batch matters involving same point of law or arising from a common judgment which are to be listed together for hearing either as per the practice prevailing in the Registry or pursuant to Hon'ble Court's orders such matters may be grouped as category 'A' & 'B' matters; Category 'A' would consist of those matters which are ready for hearing and category 'B' would consist of matters which are not ready for hearing. Category 'A' matters should be listed for hearing and disposal in the light of decision in Category 'A' matters as soon as individual matters become ready for hearing.

(B) There are some cases pending in this Court upon decision whereof the High Courts and Subordinate Courts can decide large number of cases involving the same question of law which are pending there. Such cases will be accorded priority in hearing and the decision communicated to the High Courts (not only the High Court or the Tribunal against whose decision the particular case was filed but all the High Courts or Tribunals, (as the

case may be) within a week so that the Courts where cases involving the same question are pending may dispose of the cases on the basis of the decision of this Court. The High Courts in turn may communicate the decision to the Subordinate Courts and direct them to dispose of similar cases on priority basis.

(C) Cases involving the questions of law which are raised frequently before this Court will be accorded priority in hearing as the same are already covered by earlier decision of this Court.

(D) Copies of judgments in cases involving larger public interest will be sent to all the High Courts promptly for guidance so that the High Courts may decide cases involving the same point expeditiously in the light of this Court's judgment.

In order to implement the directions the following guidelines will be observed:-

(1) So far as the matters at 'A', 'B' & 'C' are concerned the Additional Registrar with the assistance of Joint Registrar/Deputy Registrar incharge of the concerned Section will monitor the cases and identify them for listing on priority basis as per the directions of Registrar (Judicial) in consonance with directions mentioned above.

.....3/-



(2) So far as sending of the copies of judgments at 'B' & 'D' is concerned, as soon as judgment in a particular case is delivered the Section Officer of concerned Section will place the same before the Additional Registrar who will peruse the judgment and issue necessary directions to the concerned Joint Registrar/Deputy Registrar whether copies are to be sent to all High Courts/Tribunals and other authorities, and the Joint Registrar/Deputy Registrar will ensure that copies of the Judgment are sent properly to all the High Courts/Tribunals and other authorities by the Section concerned.

The above Guidelines will be followed scrupulously and any lapse on the part of the concerned Officers will be viewed seriously.

Sd/-

(L.C. BHADOO)  
REGISTRAR (JUDL-I)

To:

All concerned.

SUPREME COURT OF INDIA

No.F.17/Judl.I/1998

New Delhi, dated the 4<sup>th</sup> Dec., 1998.

C I R C U L A R

As per the present practice, applications for condonation of delay in filing the petitions of appeal are being listed before the Hon'ble Single Judge in Chambers. Since dismissal of such an application can merit dismissal of the appeal itself as barred by time, it has now been directed by Hon'ble the Chief Justice of India that hereinafter applications for condonation of delay in filing Petition of appeal are to be listed alongwith the appeal in court instead of before the Hon'ble Judge-in-Chamber. All the officers on the Judicial side shall take appropriate action to comply with the above directions which comes into force with immediate effect. By order.

Sd/-

( L.C. BHADOO )  
REGISTRAR (JUDL-I)

To:

All concerned.

SUPREME COURT OF INDIA

No.F.3/Judl.I/1999  
New Delhi, dated the 5<sup>th</sup> February, 1999.

C I R C U L A R

As per the practice prevalent if an advocate desires early listing of a miscellaneous matter or I.A. he is required to take a date by way of mentioning either before the Hon'ble Chief Justice's Court or before the Ld.Registrar General. For this purpose, the counsel is required to fill up a listing proforma giving details of the matter as per columns in the proforma. On that listing proforma the concerned branch is required to report as to whether the particular miscellaneous matter or I.A. is ready for listing.

It has been observed that the dealing Assistants/Sections Officers and the Assistant Registrars or branches give their report in a routine & casual manner without proper examination with reference to file as to whether such miscellaneous matter/IA is ready for hearing. For example, on the listing proforma filed by the Advocate in CrI.M.P.No.2977/98 in CrI.A.No.1704/96 the branch concerned made the reporting on 19.11.1998 that CrI.M.P.No.2977/98 - (Appln.for bail) ready for hearing and on that basis the counsel obtained the date for early hearing from the Ld.Registrar General. This report was given by the concerned officials without examining the file since on 03.12.1997 the

Hon'ble Court has passed an order inter alia directing that "the prayers of bail be made before the appropriate bench for which liberty is given to mention before the Hon'ble Chief Justice". Therefore, it was the duty of the concerned branch to report on the listing proforma that the date for early hearing is to be obtained by way of mentioning before the Hon'ble Chief Justice's Court. This fact was not reported on the listing proforma with the result the counsel obtained the date from the Ld.Registrar General contrary to the specific directions of the Court.

Similarly, in SLP(C) Nos.15542-15543/98 the advocate wanted an early date for listing of the matter. On the listing proforma though it was reported that this SLP is tagged with SLP(C) Nos.13102-13107/96 and the service is incomplete the branch concerned has not noted that this is a "three Judges Bench not ready matter".

In order to avert recurrence of such lapses on the part of the officials, it is hereby enjoined upon all the officers on the judicial side that in future while making any report on the listing proforma or on other proforma, such a proforma for depositing the money etc. the concerned officials before making any report will examine the file personally particularly on the following aspects and give an appropriate report on the listing proforma covering these aspects :

- i) Whether the misc. matter or the misc. application is ready for hearing.
- ii) Whether there is any specific direction or order of the Hon'ble Court regarding listing or mentioning etc.; if so what is the direction;
- iii) Whether this is a tagged matter and whether this particular matter could be listed under-entently for hearing;
- iv) status of other tagged matters;
- v) whether there is a specific direction of the Court to list the matter on a regular hearing day;
- vi) Whether the matter/IA is to be listed before Hon'ble Three/Five/Seven/Eleven Judges Bench;
- vii) Whether the matter sought to be listed is a special bench matter, i.e. whether it requires to be listed before a particular Hon'ble Judge or Judges;
- ix) If the officials are required to report on the lodgment schedule for the purpose of depositing the money they should report on the schedule as to whether the money is to be deposited in fixed

deposit or as per any other directions of the Court.

Any lapse on the part of the officers and staff will be viewed seriously and stern action will be initiated against the erring officials.

Sd/-

( L.C.BHADOO )  
REGISTRAR (JUDL-I)

Copy to :

All concerned.

IN THE SUPREME COURT OF INDIA

No.F.7/Judl-1/1999  
New Delhi, Dated 26<sup>th</sup> July, 1999

C I R C U L A R

SLP(C) No.8508 of 1998 and SLP(C) No.9901 of 1998 (both are tagged together) were listed before Hon'ble Court consisting a Bench of Hon'ble the Chief Justice, Hon'ble Mr.Justice V.N.Khare and Hon'ble Mr.Justice M.B.Shah on 17.12.1998 for hearing. The Hon'ble Court was pleased to pass the following order in this matter :-

"Heard in part.  
List again."

As the matter remained part heard so it was to be listed again before the same Bench. My predecessor, learned Shri L.C.Bhadoo fixed the date 26.3.99 for listing the matter again and subsequently after seeking the directions he put a following note in the file -

"File placed before the Hon'ble Chief Justice of India. Released from part heard."

Further the matter was listed before the Hon'ble Court consisting a Bench of Hon'ble the Chief Justice, Hon'ble Mr.Justice M.J.Rao and Hon'ble Mr.Justice N.S.Hegde, on 26.3.99 and the Hon'ble Court was pleased to pass the following order -

"List as part heard in accordance with the noting dated 17.12.98 before the appropriate Bench."

As per the Order dated 26.3.99 the matter was to be listed as a part heard matter before a Bench consisting of Hon'ble the Chief Justice, Hon'ble Mr.Justice V.N.Khare and Hon'ble Mr.Justice M.B.Shah. But instead of listing the matter before the Bench above-mentioned the matter was listed before a Bench consisting of Hon'ble the Chief Justice, Hon'ble Mr.Justice M.J.Rao and Hon'ble Mr.Justice N.S.Hegde on 19.7.99. On that day, the Hon'ble Court was pleased to pass the following Order -

"It appears that the Registry has once again over looked the order of 26<sup>th</sup> March, 1999 and has again wrongly listed this case before this Bench when it ought to have been listed before the Bench which had heard the case in part on 17<sup>th</sup> December, 1998. List again.

This Registry should be careful in future and ensure that such lapses do not occur."

The noting in the file subsequent to 10.3.99 shows that the concerned officers did not take any note of the Order dated 26.3.99 of the Hon'ble Court.

When the matter was shown in the final list before a wrong Bench in the light of Order dated 26.3.99 the officers too of concerning Section XVII ought to have brought this fact in the notice of concerning officers. Due to this negligence the Hon'ble Court had to adjourn the matter with the above-mentioned directions on 19.7.99.

It is a matter of great regret for all of us. We should assess the work of ourselves and be careful in future. From now onwards we should leave no stone unturned to make a bulls eye to achieve the perfection in our work and to earn a satisfaction of our superiors. At the same time I cannot restrain myself conveying my displeasure to all the concerned officers/officials who are mainly responsible for the above lapse.

Hope the recurrence will be avoided in future.

Sd/-

( B.M. Gupta )  
Registrar (Judl.)  
26.7.1999

To:

All concerned.



SUPREME COURT OF INDIA

No.F.25/Jud1/2000  
DATED :5TH APRIL, 2000

CIRCULAR

It has been often seen that whenever the Draft List of misc. matters, which are to be listed before the Court, is sent to the Sections concerned for checking of the matter/s the Sections check the matters without physical verification of files and in a casual manner, despite previous directions in this regard, with the result that although there are important directions such as matter is to be listed after service is complete or after some report is filed, still such matters have been listed before the Court, even before completion of service, etc.

For example CONT.P.(C) 158/1998 in W.P.(C) No.585/1994, U.O.I. VERSUS RESHMA YADAV & ORS. was directed to be listed after the service is complete. The concerned section did not give proper remarks in the Draft List of Listing Section with the result the matter was listed on 28-3-2000. In order to avoid recurrence of such lapse, it is hereby enjoined upon all the Assistant Registrars and Section Officers to check and Dealing Assistants of Sections on the Judicial side to ensure that in future while checking the Draft List the concerned Dealing Assistants of the Sections before giving the remarks will examine the file personally, particularly on the above aspects and give appropriate remarks. Merely putting '✓' or initials are not enough. Specific remarks like "checked, "O.K." or "May (or May not) be listed" etc. need to be put. A serious view will be taken for any lapse if any in future.

SJ/-

( A.I.CHEEMA )  
REGISTRAR (JUDL-II)

Sd/-

( B.M.GUPTA )  
REGISTRAR (JUDL-I)

Copy to : All concerned.

SUPREME COURT OF INDIA

No.F.34/Judl.I/2000

New Delhi, dated the 13<sup>th</sup> June, 2000.

C I R C U L A R

It has been noticed that many matters had been made ready or may become ready in future by the Branches after issuance of the Terminal List. It will now be the duty of the Section Officer and Assistant Registrar of the Branch concerned to send files of the following categories to AR(Listing) for seeking directions regarding their inclusion in the Weekly List keeping in view of the urgency of the matter.

1. Specially directed/adjourned matters.
2. Short Matters
3. Expedited Matters
4. Matters in which accused are languishing in Jail
5. Group Matters
6. Part-heard Matters
7. Matters pertaining to the year 1992 or prior thereto (of any category)

The Supervisory Officer of the Section have, therefore, to ensure that these directions are complied with. Any deviation from the direction shall be viewed seriously against the erring official/officer.

( B.M. GUPTA )  
REGISTRAR (J-I)

IN THE SUPREME COURT OF INDIA

No. 51

Dt. 24-7-2000

OFFICE - ORDER

It is noticed that some of the group matters which were listed before the Hon'ble Court in the past, some matters of those groups were not ready for hearing. It caused inconvenience to the Hon'ble Court.

It is directed for immediate action that before listing any group matter, it is to be seen that the matters are ready for listing in all respects. If all the matters are not ready in a particular group, whether that group can be listed for hearing in the light of Circular No. F.2/Judl./-1/1997 dated 23<sup>rd</sup> January, 1998 and F.9/Judl.-1/1998 dated 29<sup>th</sup> July, 1998. Before listing such a group, a note in this regard shall be recorded in the file by DRs/JRs. If a particular group of matters is not worth listing then the file should be placed before the undersigned through the Additional Registrar.

94/-  
( B.M. GUPTA )  
REGISTRAR (JUDL.I)  
24-7-2000

Copy to :-

1. Mr. Suresh Chandra, Addl. Registrar
2. Mr. T.N. Sansi, Addl. Registrar
3. Mr. A.L. Jain, Addl. Registrar
4. Mr. B.P. Bhatt, Jt. Registrar
5. Mr. V.K. Sabharwal, Jt. Registrar
6. Mr. R.K. Goel, Jt. Registrar

For compliance.

IN THE SUPREME COURT OF INDIA

No.F.42/JUDL./2001

NEW DELHI, DATED THE 2ND MAY, 2001

CIRCULAR

It has been often seen that most of the Sections are not promptly sending the files relating to FINAL DISPOSAL Matters for further date, despite previous directions in this regard with the result that there are number of files in which dates are not given.

For example CrI.A.No.509/97 A.Chandra Shekhar Vs.Addl.Distt. & Sessions Judge was adjourned as the service is not complete pursuant to Court's Order dated 19.12.97. In another matter the SLP(C) No.13482/98 United India Insurance Co.Ltd. vs. Gulam Nabi Bhat, pursuant to Court's Order dated 16.11.98, the Court directed to issue notice but the Section II and XVIA did not care to send the files for further date with the result the matters could not be listed. Further, it has also been seen that most of the Sections are not promptly sending the files relating to FINAL DISPOSAL matters for further date 'when the Hon'ble Court does not sit for any reason and the matters are not taken up for hearing.'

In order to avoid recurrence of such lapse, it is hereby enjoined upon all the Asstt.Registrars and Section Officers to check and Dealing Assistants of the Section on the judicial side to ensure that in future after taking necessary action pursuant to Court's order the FINAL DISPOSAL matters are sent to D.R.(Listing) for further dates. A serious view will be taken for any lapse, if any in future.

(A.I.CHEEMA)  
REGISTRAR (J-II)

(B.M.GUPTA)  
REGISTRAR (J-1)

Copy to:

All concerned.

IN THE SUPREME COURT OF INDIA

NEW DELHI, DATED THE 25TH MAY, 2001

CIRCULAR

It has been often seen that some of the Sections are not promptly sending the files to D.R.(Listing) relating to Final Disposal matters for a date pursuant to Court's order for issuance of notices and also are not promptly sending the files for updatation to A.R.(Listing) after issuance of notices pursuant to Court's Order with the result that such matters are not listed and fresh notices are to be issued by the concerned Branches, after obtaining fresh dates from D.R.(Listing). It has also been seen that some of the Sections are not promptly sending the files for a date after issuance of notices for hearing the matters in due course.

For example in SLP(C) No.6269/99 entitled Haseen Ahmad & Anr. vs. State of U.P. & Ors. vide order dated 3-5-99 the Hon'ble Court directed to issue notice. The Branch concerned (Section XI) issued notice on 18/22-8-99 for hearing the matter in due course. Thereafter after a gap of two years the file was sent to D.R.(L) for further date for listing Final Disposal matters.

Ld.Registrars Circular No.F/42/Judl.2001 dated 2.5.2001 also refers.

To avoid recurrence of any lapse, as already directed by Id. Registrars, all the Sections on judicial side are directed to take action promptly relating to Final Disposal matters as follows:

1. Send the files 'when the Hon'ble Court does not sit for any reason and the matters are not taken up for hearing'.
2. Send the files relating to Final Disposal for a date pursuant to Court's order (s) for issuance of notices and thereafter send the files for updation to A.R. (Listing) promptly.
3. Send the files to D.R. (Listing) for further date in which the notices for hearing the matters in due course, pursuant to Court's order, has been sent by the concerned Branch.

DEPUTY REGISTRAR (LISTING)

SUPREME COURT OF INDIA

DATED : NOVEMBER 20, 2003

CIRCULAR

It has been observed that despite repeated requests, the concerned sections are sending the files for correction/tagging etc. in the suppl.List for Monday, Tuesday and Friday on or after 5 p.m. on Mondays and Thursdays and on or after 1 p.m. on Saturdays. Because of this last moment correction/tagging the suppl.Lists are delayed and is being issued late which is very inconvenient to the Hon.Judges.

To overcome this problem, it is hereby directed that now onwards, the files for correction/tagging etc. be sent to DR/AR(L) by 3 p.m. on Mondays and Thursdays & by 11 a.m. on Saturdays. In case if Monday and Thursday is a holiday then the files be sent for correction/tagging etc. on Tuesday and Wednesday by 3 p.m. and in case, Saturday is a holiday the files be sent on Friday by 3 p.m.

For strict compliance.

( G.K. SHARMA )  
DEPUTY REGISTRAR (LISTING)

COPY TO: ALL CONCERNED

SUPREME COURT OF INDIA

No.F.69/Jud1./2004

New Delhi, Dated the 5<sup>th</sup> January, 2004.

C I R C U L A R

It has been observed that unnecessary delay is caused in issuing the daily cause list and the supplementary list. In order to avoid any delay, the following directions are issued to the Judicial Sections/Officers concerned:

1.Directions to Judicial Sections

Whenever any addition/deletion/modification is to be incorporated in the supplementary list/daily list for the immediate next day, the same should be got done not later than the forenoon of the day on which the supplementary list of the miscellaneous matters and daily list of regular hearing matters are taken out. Circulation from the Branches should reach Listing Sections-I & IA by 4.30 P.M. and in exceptional cases by 5.00 P.M. and in case of Saturday by 12.30 P.M. or in exceptional cases by 1.00 P.M. relating to the matters of the next day. The Assistant Registrars/S.Os should ensure that the circulation should be sent as soon as it is ready and should not wait for sending the whole circulation together at the eleventh hour. The documents received in the Branch more than one day prior to the date of listing should be acted upon immediately and sent to Sections I & IA for inclusion/circulation and should not be kept for circulation for the last day. The office reports to Sections I & IA should be sent as per the circulars dated 29.7.99 and 20.1.2003 issued on the subject.



Directions to Section 1-B

D.R. Section 1-B shall complete the action of tagging of the matters which are listed on the next day by 1.00 P.M. and if the matter is listed on Monday then the tagging should be completed by 11.00 A.M. on Saturday. Staff on the filing counters be instructed to put the time of receipt on the documents filed which pertains to the matters listed on the next day. While accepting the documents it will also be ensured with the help of computer whether the documents filed relate to the matter listed on the next day and if so, the documents be immediately sent to the Section concerned.

3. Directions for D.R. (Listing)

Supplementary list should be ready for printing by 5.00 P.M. and the daily list should be ready for printing by 4.45 P.M. The list should be ready for transmission 15 minutes before the above mentioned time.

4. Directions to D.R. (Courts) for Court Masters

The Court Masters are directed to send the handwritten slips in the first instance to D.R./A.R. (Listing) for necessary action at their end to be followed by a typed proceeding as usual, if it relates to the matters to be listed on the next day and in other cases the Court Masters should give complete and correct reporting immediately after the Court rises for the day. In case of mentioning also, if there is any direction regarding Listing of the matter on the next day in such case handwritten slip be immediately sent to the Listing Branch and the typed proceeding may follow. If any document/order/file is to be sent at the Residential Office as far as possible the same should reach R & I Branch by 5.30 P.M. and for despatch beyond that time advance intimation be given to the R & I Branch telephonically so that they are ready to send the documents by special messenger as

soon as they are received by them.

The above directions should scrupulously be complied with by the all concerned.

(B.M. GUPTA)  
REGISTRAR (J-I)

COPY TO:

All concerned.

CIRCULAR  
(COMPUTER CELL)

DATED 27.09.2004

Presently, the matters in which the Hon'ble Court has directed that:

1. List for final disposal.
  2. List for hearing and disposal.
  3. List for final hearing.
  4. Notice shall also state that the case will be disposed of at the SLP stage.
  5. Issue notice on the SLP indicating that the matter would be finally disposed of at the notice stage itself.
  6. Issue notice on the SLP indicating that the matter would be disposed of finally at the next date of hearing:
- are being treated as "Final Disposal" Matters.

It has now been directed by Hon'ble the CJI on 24.09.2004 that only those matters in which the Hon'ble Court has directed that (1) list for final disposal (2) list for final hearing (3) list for hearing and disposal are to be treated as final disposal matters for the purpose of listing.

It, is, therefore, hereby enjoined upon all concerned on the Judicial Side to ensure that only matters of the nature mentioned at S.No.1 to 3 above are treated as final disposal matters and the remaining matters mentioned at S.No.4-6 above are treated as ordinary "after notice" matters. All the Section Officers and concerned Assistant Registrars, are, therefore, required to scrutinize the files of all the pending matters presently categorised as "Final Disposal Matters", recategorise them as per the new orders and send for updation to D.R.(CC) through A.R.(Listing-Categorisation) immediately in order to avoid inconvenience to Hon'ble Judges and wrongly listing of the matters.

All the Dealing Assistants, Section Officers and Assistant Registrars shall ensure that proper remarks are given in the draft list against each Final Disposal Matter.

Directions to be followed scrupulously by all concerned.

Sd/-  
ADDITIONAL REGISTRAR(CC)

COPY TO : ALL CONCERNED

## SUPREME COURT OF INDIA

No.8/Judl./2004

Dated November 24, 2004

OFFICE ORDER

From the latest Monthly Statement it is revealed that a number of not Ready matters (Special Leave Petitions, Review Petitions, Contempt Petitions and Interlocutory Applications) are lying in the Branches. There are also many matters which are shown as Ready in Part I but no future date is appearing in the Computer.

All the JRs/DRs are directed to instruct the Section Officers under their jurisdiction to send all the ready matters to AR (Listing) for obtaining a date. This may be done within a week. It may be noted that the Section Officers will be held personally responsible if any ready matter without updation is found in the Branch. Efforts be also made to make Not Ready Matters ready at the earliest.

Sd/-

(J.K.SHARMA)

REGISTRAR (J-II)

Sd/-

( V.K.JAIN )

REGISTRAR (J-I)

Copy to: All JRs/DRs (Judicial Sections)

SUPREME COURT OF INDIA

F.81/Judl./2005

Dated: 1<sup>st</sup> February, 2005CIRCULAR

Matters of very urgent nature are mentioned and required to be taken up for hearing by Hon'ble Judges at their residential offices after court hours and /or during court holidays subject to mention being made before the Hon'ble the Chief Justice of India. As per the existing practice, Court Masters are being summoned and deputed only to record the proceedings/orders in that case/cases.

Services of the Private Secretaries/Sr.P.As. posted at the residential offices can be utilized to record proceedings/orders whenever matters are taken up on an urgent basis, as above. The services of the Court Masters may not ordinarily be requisitioned for the aforesaid purpose.

This circular is in supersession of the circulars dated 23.12.2004 and 06.01.2005 issued by Deputy Registrar(Courts).

Sd/-

(V.K.JAIN)

REGISTRAR(JUDL.)

Copy to: All Concerned

IMMEDIATESUPREME COURT OF INDIA  
(SECTION-IB)No.3/IB/05  
Dated March 28,2005CIRCULAR

In order to ensure early listing of Habeas Corpus Petitions, Jail Petitions, Bail matters in which the accused is in custody and Applications for early Hearing/Pre-ponement of date, Hon'ble the CJI has been pleased to direct as under:

- (i) Concerned Section will complete processing including preparation of paper books, appointment of A.C. in Jail Petitions/Appeals, where the accused is in custody, within one week of the receipt. Such petitions will be listed on the very first Misc. Day immediately after two weeks from the date on which the file is sent for listing.
- (ii) Fresh Bail Matters where the accused is in custody and Habeas Corpus Petitions, 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.
- (iii) Once a JAIL Petition/Bail Matter in which the accused is in custody, is adjourned, and the 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. Same practice will be followed for listing of Applications for Early Hearing /Pre-ponement of Hearing.

These directions shall come into force w.e.f.31.3.2005. All concerned may please note.

sd/-  
(V.K.JAIN)  
REGISTRAR (JUDL.)

Circulated to:

1. The Secretary, Supreme Court Bar Association with five spare copies of the Notice with a request that the Notice may be displayed on the Notice Board of the Bar Association for the information of the members of the Bar.
2. The Secretary, Advocate-on-Record Association with five spare copies of the Notice with a request that the Notice may be displayed on the Notice Board of the Association for the information of the Members of the Association.
3. All the Notice Boards outside the Court.
4. All concerned alongwith Cause List.

## SUPREME COURT OF INDIA

No.F.85/Judl./2005

New Delhi, Dated:10<sup>th</sup> Nov.,2005CIRCULAR

Hon'ble the Chief Justice of India has been pleased to direct as follows:

- 1.Mentioning of Adjourned/After Notice Matters in which hearing of the matter is sought at a date earlier than the date fixed by the Hon'ble Court/by the Registry, as well as Mentioning of Interlocutory Applications (including Contempt Petitions) seeking urgent directions/relief in Adjourned/After notice/disposed of/Leave granted Matters, shall henceforth be done only before the Hon.Court having Coram in that matter.
- 2.Mentioning of Interlocutory Applications (including Contempt petitions) seeking urgent directions/relief in such After Notice/disposed of/Leave Granted matters, where no coram is available for reasons such as retirement/non-sitting of Hon. Judges, shall continue to be done before Hon. the Chief Justice of India or before other Hon. Court(s),if any,specified for mentioning.
- 3.Mentioning of Fresh Matters where listing earlier than the scheduled date and /or urgent relief such as stay/bail etc. is sought shall continue to be made before Hon'ble the Chief Justice of India and/or,before other Hon'ble Court(s),specified for mentioning.

4. Mentioning of applications for early hearing of Regular Matters shall continue to be made before Hon. the Chief Justice of India. If, however, His Lordship is presiding a Constitution Bench, it shall be done before other Hon. Court(s) specified for mentioning.

These directions shall come into force with effect from 16.11.2005.

Sd/-  
(V.R.JAIN)  
REGISTRAR (JUDL.)

To

1. All concerned
2. President, Supreme Court Bar Association
3. President, A.O.R. Association
4. The Advocates, alongwith Cause List



SUPREME COURT OF INDIA

No.F.9/Judl./2006

Dated: 18<sup>th</sup> August, 2006CIRCULAR

It has come to notice that some of the Sections are not promptly sending the files in which letter/application/Report has been sent by the Subordinate Court/Authorities/Arbitrator/Court Commissioner requesting for extension of time, for a date to AR (Categorisation) with the proper remarks viz: "Request from Subordinate Court/Authority/Arbitrator/Court Commissioner for extension of time and early date to be given before expiry of time", with the result, there was delay in listing an "Office Report for Directions", since the same was listed through computer which caused inconvenience to the Hon'ble Court.

For Example:

In Civil Appeal Nos.7891-7892 of 2002 titled Pratibha Singh & Anr. Vs. Shanti Dev Prasad & Anr., the Hon'ble Court, consisting of Hon'ble Mr. Justice B.N. Agrawal and Hon'ble Mr. Justice P.P. Naolekar, vide its order dated 21<sup>st</sup> July, 2006 passed, inter alia, the following order:

"Call for a report from the Registry as to why report dated 1st October, 2005, received in this Court from executing court has been placed after nine months.

\*\*\*                      \*\*\*                      \*\*\*                      \*\*\*

In order to avoid recurrence of any lapse, it hereby enjoined upon all the Assistant Registrars and Section Officers and Dealing Assistants of the Sections on the Judicial side to ensure that in future in such matters where the Subordinate Court/Authorities/Arbitrator/Court Commissioner has sought extension of time by sending letter or application or report, such files be sent promptly to Assistant Registrar (Categorisation) with the remarks "Request from Subordinate Court/Authority/Arbitrator/Court Commissioner (as the case may be) for extension of time and early date to be given", AND Assistant Registrar (Categorisation) after categorisation will then send such files immediately for date through Joint Registrar (CC).

Directions to be followed scrupulously by all concerned AND any lapse in complying with the above directions will be viewed seriously.

Sd/-

REGISTRAR (JUDL.)

Copy to:

All concerned

SUPREME COURT OF INDIACIRCULAR

No.F.18/Judl./2006

1<sup>st</sup>December, 2006

In supersession of the previous orders, if any on the subject, Hon'ble the Chief Justice of India has been pleased to issue following directions in the matter of issue of notices in Statutory Appeals:

1. 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.
  
3. 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.

The above-referred directions be strictly carried out by all concerned. Any breach in compliance of the directions shall be viewed seriously and render the officer/official in default to suitable disciplinary action.

Sd/-  
(V.K.JAIN)  
REGISTRAR GENERAL

Copy to: All concerned

SUPREME COURT OF INDIA

No.F.21/JUDL./2006  
Dated:December 13,2006

CIRCULAR

This Hon'ble Court in Crl.A.Nos.136-137 of1998 arising out of SLP(Crl.)Nos.2159A and 2159B of 1996 while granting leave on 29<sup>th</sup> January,1998 directed that the Criminal Appeals be placed for hearing after the decision of the High Court in the remanded proceeding in SLP(Crl.)No.2159 of 1996 and gave liberty to the parties to mention before the Hon'ble Chief Justice of India for fixing an early date of hearing after disposal of the appeal before the High Court.

1. The above referred appeals were, however, listed before the Hon'ble Court as a regular matter on 10<sup>th</sup> October,2006, when the Hon'ble Court passed the following order:

"By order of this Court dated 29.1.1998 these appeals were kept pending , pending disposal of the matter remanded to the High Court for its decision. This Court was informed by the Registrar(Administration) of the Rajasthan High Court,Jaipur by his letter dated 30<sup>th</sup> January,2006 that the said Criminal Revision Petition No 56/1996 was listed for hearing at Serial No.77 in the cause list of hearing cases dated 23.1.2006.

Counsel for the parties are not able to tell us categorically as to whether the aforesaid criminal revision petition has been disposed of. Let this matter come up after two weeks. In the meantime, the Registry shall also seek necessary information from the Registry of the Rajasthan High Court at Jaipur".

: 2 :

3. The appeals were again listed for hearing, as a regular matter, on 15<sup>th</sup> November, 2006, without the remanded proceeding in SLP (CRL.) No. 2159 of 2006 being concluded. The Hon'ble Court inter alia, passed the following Order:

"We are informed that the matter has not yet been disposed of by the High Court. The Registrar General is directed to issue suitable directions to the Registry to be careful and not list matters for hearing which are not ready. If necessary, an office report may be placed for direction of the Court in appropriate cases."

It is again impressed upon all concerned to ensure that unless otherwise directed, the matter which are not ready should not be listed for regular hearing. If necessary, an office report may, in appropriate case, be placed, on miscellaneous side, seeking directions of the Hon'ble Court.

Sd/-  
(ASHOK I. CHEEMA)  
REGISTRAR (Judl.)

Copy to:

All concerned.

SUPREME COURT OF INDIA  
OFFICE OF REGISTRAR GENERAL

16<sup>th</sup> December, 2006

CIRCULAR

It has been reported that sometimes paper books are being sent late to the residential offices of the Hon'ble Judges, which causes inconvenience to their Lordships. The following directions are, therefore, issued for strict compliance by all concerned:

1. First 15 mentioning matters will be dealt with in all respects by A.R. (Mentioning) who will check the matters, prepare briefs and take all necessary steps to make them ready for mentioning. Paper books shall be sent to the residential offices of the Hon'ble Judges so as to reach there latest by 7.00 PM. In case, A.R. (Mentioning) happens to be on leave on a particular day, this work will be done by Mrs. Vijay Luxmi Kapoor, Joint Registrar. If both are on leave, Mr. M.P. Singh, Joint Registrar, will do this work. Difficulty, if any, in adhering to the time schedule will be brought to the notice of Registrar (Judl. I) for information and directions.
2. Mentioning matters beyond 15 and upto 30 will be dealt with in all respects by Mrs. Vijay Luxmi Kapoor, J.R., who will check the matters, prepare briefs and take all necessary steps to make them ready for mentioning. Paper books shall be sent to the residential offices of the Hon'ble Judges so as to reach there latest by 7.00 p.m. In case, Mrs. Vijay Luxmi Kapoor happens to be on leave on a particular day, this work will be done by Mr. M.P. Singh, Joint Registrar. If both are on leave, Mr. Ashok Kumar, Addl. Registrar, will do this work. Difficulty, if any, in adhering to the time schedule will be brought to the notice of Registrar (Judl. I) for information and directions.
3. Mentioning matters beyond 30 will be dealt with in all respects by Mr. Ashok Kumar, Addl. Registrar, who will check the matters, prepare briefs and take all necessary steps to make them ready for mentioning. Paper books shall be sent to the residential offices of the Hon'ble Judges so as to

reach there latest by 7.00 p.m. In case, Mr. Ashok Kumar happens to be on leave on a particular day, this work will be done by Mr. S. C. Malik, Addl. Registrar. Difficulty, if any, in adhering to the time schedule will be brought to the notice of Registrar(Judl.I) for information and directions.

4. Where the request for mentioning is received in a pending matter, the officer dealing with the request shall immediately call for the necessary information from the concerned Section Officer. It shall be the duty of the Section Officer to give his report within one hour of receiving the request. Default, if any, on the part of any Section, shall be immediately brought to the notice of Registrar(Judl.I), for information and necessary directions.
5. Deputy Registrar (R&I) will ensure, before leaving the office, that the paper-books of the matters in which request for mentioning are received have been sent to the residential offices of the Hon'ble Judges.
6. Any lapse in compliance of these directions shall be viewed seriously and will render the concerned officer to strict disciplinary action.
7. Failure, if any, to observe these directions in all respects, shall be brought by Registrar(Judl.), to the notice of the undersigned.

Sd/-

Registrar General

To all concerned.

SUPREME COURT OF INDIAF.5/Judl./2007  
April 17, 2007CIRCULAR

1. It is hereby notified for the information of all concerned that the following norms/guidelines have been laid down for listing of urgent matters during the ensuing vacation/holidays:

Every matter should be accompanied by an affidavit, 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 shall be 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.

2. The following matters shall be treated as matters of urgent nature for listing during the vacation/holidays:

1. Matters in which death penalty has been awarded;
2. The petition for Habeas Corpus and matters relating to it;
3. Matters relating to imminent apprehension of demolition of property;
4. Matters relating to dispossession/eviction;
5. Matters relating to violation of human rights.
6. Matters relating to and of general public importance;
7. Matters for anticipatory bail and matters filed against orders-refusing/granting bail;

.....2/-

- 2 -

3. The following matters shall not be treated as matters of urgent nature for hearing/ listing during Vacation/Holidays;

1. Matters arising out of interlocutory orders;
2. Matters relating to remand orders;
3. Matters arising out of life sentence or sentences for more than one year;
4. Service matters involving transfer and/or reversion, dismissal and removal from service;
5. Transport matters, except those relating to cancellation of permits and needing urgent interim orders;
6. Matters relating to decrees and their execution.

4. It is hereby further notified for the information of all concerned that no request for listing during vacation will be entertained before 4 p.m. on 17<sup>th</sup> May, 2007 and that urgent requests received for listing from 4 p.m. on 17.5.2007, upto 1p.m. on 19.5.2007 will be considered for listing on 21.5.2007. Listing of urgent matters during the vacation will be regulated by including all urgent matters filed during the week i.e. from 21.5.2007 upto 1 p.m. on 25.5.2007 on the next Monday, namely on 28.5.2007 and so on.

Sd/-

(T. SIVADASAN)  
REGISTRAR (J-I)

Copy to:

ALL CONCERNED