



**HIGH COURT OF TRIPURA
AGARTALA**

THE HIGH COURT OF TRIPURA RULES, 2023



FOREWORD

It is said that, ignorance often leads to imagined grievances and imputed motives, which have their own baleful consequences.

For almost a decade, even after its coming into existence, w.e.f. March 23rd, 2013, the Rules with respect to the practice and procedure of the Gauhati High Court at Guwahati, with necessary modifications, applied to the High Court of Tripura by virtue of Section 28E of the North-Eastern Areas (Re-organization) and other Related Laws (Amendment) Act, 2012. These Rules continued to be in force till formulation of new Rules, viz., the High Court of Tripura Rules, 2023, incorporating Rules governing practice and procedure in vogue since the establishment of High Court of Tripura.

The need for having our own Rules of practice and procedure was felt because of the sea change in the practice and procedure, in civil and criminal litigations. Experiencing the necessity of altering the Rules in order to ensure delivery of justice to the people of Tripura with greater speed and that substantial justice is not thwarted due to technicalities, a Rule Committee comprising of Hon'ble Mr. Justice S. Talapatra, Judge, High Court of Tripura (as He then was) and Senior Advocates and Senior Registrars was constituted a few years back. It started drafting the Rules initially by holding its frequent sittings with perseverance and these draft Rules were considered by the existing Rules Committee with certain amendments. With the passage of time, number of cases being filed in the High Court of Tripura has been constantly on the rise which paved the path to adopt new methods and utilization of advance technology to ensure streamlining of the listing procedure, better court case



management, ensuring timely disposal, transparency, accountability, consistency to make the process litigants and lawyers-friendly and to sub-serve the aspirations of the stakeholders. It took into account the suggestions of the Senior Advocates and the Senior Judicial Officers who are the members of the Rules Committee and gave the stamp of approval on December 6th, 2022. With the prior authorization of the Full Court of the High Court of Tripura these Rules have been titled as **"The High Court of Tripura Rules, 2023"**. This resulted in conceptualization and introduction of scheme of rationalization of listing of cases before the Benches of the High Court of Tripura by formulating the Case Flow Management Rules with the principal object to strengthen the Court functioning and make it transparent, rational, responsive and also enhancing efficiency in docket management for dispensing quality justice to the litigants.

The Rules Committee, in its endeavour, has made efforts to clarify, to elaborate and to incorporate provisions to meet out the changing times to make the working in the High Court transparent, rational and responsive. To achieve the same, the contribution of all the members of the Committee especially Shri S. M. Chakraborty and Shri D. R. Chowdhury, Senior Advocates, has been commendable.

I would be failing in my duty if I do not record my appreciation for the intellectual investment made by the members of the Rules Committee comprising of my Brother Judges, Justice Arindam Lodh and Justice S. G. Chattopadhyay ably assisted by the Registry team of Shri Data Mohan Jamatia, Member Secretary, Tripura State Legal Services Authority (erstwhile Registrar General), Shri Vishwajeet Pandey,



Registrar General, Smt. Mou Banerjee, Deputy Registrar (Judicial) and Shri Subhadeep Saha, Deputy Registrar (Vigilance)-cum-CPC.

Appreciation is also due for the Sub-Committee comprising of Shri Vishwajeet Pandey, Registrar General, Smt. Mou Banerjee, Deputy Registrar (Judicial) and Shri Subhadeep Saha, Deputy Registrar (Vigilance)-cum-CPC who have taken the pain of proof-reading of this voluminous document.

The sincere efforts of the members of Stenographer's Cadre of the Registry namely, Smt. Satabdi Dutta, Shri Dipak Das, Smt. Moumita Datta, Smt. Purnita Deb, Shri Deepraj Chaudhuri, Smt. Manti Debbarma, Smt. Deepshikha Das, Shri Riki Sarkar, Shri Nitish Debbarma and Smt. Dinashree Debbarma are commendable without the services of whom the Rules could not have been converted into editable form.

If there be any shortcomings, I would be happy to welcome all suggestions in this regard.

The publication of the High Court of Tripura Rules, 2023 will not only facilitate the Judges and Advocates of Tripura in discharge of their duties but will also help a lot to the Registry Officers, employees and litigant public.

Justice T. Amarnath Goud

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THE HIGH COURT OF TRIPURA RULES, 2023

HIGH COURT OF TRIPURA, AGARTALA

NO.F.3(35)-HC/2023/369

Dated, Agartala, 4th January, 2023

In exercise of the powers conferred under Article 225 of the Constitution of India, Section 28E of the North Eastern Areas (Re-organization) and Other Related Laws (Amendment) Act, 2012 (Act No. 26 of 2012), Section 122 of the Code of Civil Procedure, 1908 and all other powers enabling it in this behalf, the High Court of Tripura hereby makes the following rules in relation to the practice and procedure in the High Court of Tripura:

CHAPTER I
GENERAL RULES

Preliminary

1. SHORT TITLE AND COMMENCEMENT:-

- (1) These Rules may be called “The High Court of Tripura Rules, 2023”.
- (2) They shall come into force from the date of their publication in the Tripura Gazette.
- (3) They shall apply to all proceedings and matters in the High Court commenced on and after the said date and shall also apply, as far as may be practicable, to all proceedings taken on and after the said date in all causes and matters then pending in the High Court. If any doubt or difficulty arises in the application of any of these Rules to pending causes or matters, the relative papers shall be placed before the Chief Justice who may pass such order as he considers just and proper in the circumstances of the case and a compliance with such order shall be sufficient compliance with the provisions of these Rules.
- (4) The Forms prescribed by or under these Rules are in addition to the forms prescribed in the “Code” for the prescribed procedure and shall be used for the purposes or the proceedings for which they are prescribed with such modifications as the circumstances of the case may require.
- (5) Where any forms, fees, charges or other matters required by these Rules are not prescribed by these Rules themselves, they may be determined or settled by or in accordance with the directions of the Chief Justice.
- (6) On the coming into force of these Rules all existing Rules, Orders, Circulars, Practice, Convention or the like governing any matter dealt with or covered by these Rules shall stand repealed:

Provided that this repeal shall not affect or invalidate anything done, any action or decision taken, any disposal made, any decree, order or proceeding made or issued under the existing Rules before the commencement of the Rules.

CHAPTER-II
DEFINITIONS AND INTERPRETATIONS

- (1) **In these rules, unless the context otherwise requires-**
- (i) **“Advocate”** means a person whose name is entered on the roll of advocates prepared and maintained by a State Bar Council under the Advocates Act, 1961 (25 of 1961) and includes a Senior Advocate. It shall include a partnership or a firm of advocates.
 - (ii) **“Appointed day”** means the date on which these rules shall come into force.
 - (iii) **“Appropriate Bench”** means in relation to any matter, the bench which is competent under these rules or orders issued from time to time in this regard to dispose of the matter finally.
 - (iv) **“Approved Courier”** means the courier on panel of Approved Couriers.
 - (v) **“Bench”** means a bench of Judges and shall include Single Judge in relation to matters which can be disposed of by a Single Judge.
 - (vi) **“Certified”** in relation to a copy shall have the same meaning as is assigned to it in section 76 of the Indian Evidence Act, 1872.
 - (vii) **“Chief Justice”** means the Chief Justice of the High Court of Tripura and includes a Judge appointed under Article 223 of the Constitution to perform the duties of the Chief Justice.
 - (viii) **“Code”** means the Code of Civil Procedure Code, 1908 in relation to civil matters and the Code of Criminal Procedure Code, 1973 in relation to criminal matters.
 - (ix) **“Constitution”** means the Constitution of India.
 - (x) **“Court appealed from”** includes a Tribunal or any other judicial or quasi judicial body from which an appeal is preferred to this Court.
 - (xi) **“Courier”** means a proprietorship concern, a firm, a company or a body corporate engaged in the business of delivering postal articles.
 - (xii) **“District Judge”** means the District and Sessions Judges of Tripura.

- (xiii) **“Electronic Mail Service”** means the summons sent in predesigned template form by electronic mail, digitally signed by the presiding officer of the Court or any other person authorized in this behalf.
- (xiv) **“Full Bench”** means three Judges’ Bench.
- (xv) **“Full Court”** means all Sitting Judges.
- (xvi) **“Division Bench”** means Bench comprising of two Judges.
- (xvii) **“Special Bench”** means Bench constituted by the Chief Justice under his administrative powers.
- (xviii) **“Larger Bench”** means Bench comprising of more than three Judges.
- (xix) **“High Court”** means the High Court of Tripura established under Section 28A (1) (c) of the North Eastern Areas (Re-organisation) Act, 1971, as amended in 2012.
- (xx) **“Judge”** means a Judge of the High Court.
- (xxi) **“Judgment”** includes decree, order, sentence or determination by any Court, Tribunal or any other Authority having jurisdiction to decide a matter.
- (xxii) **“Judicial Officer”** means an in-service officer of Tripura Judicial Service.
- (xxiii) **“Letter Petition”** means an informal written communication, press release by electronic or print media addressed or coming into notice respectively to the High Court or the Chief Justice or any Judge of the High Court and upon which the High Court has taken legal actions in terms of PIL.
- (xxiv) **“Notice”** includes ‘summons’.
- (xxv) **“Organization in reference to PIL”** shall include a non-Governmental Organization, trust registered under law, an Association of Persons-registered or otherwise but shall not include individual person or person agitating any cause before the Court in their personal capacity.
- (xxvi) **“Paper Book”** means a collection of papers, their transliterations or translations, as the case may be, with fly leaf, index etc, made-up in accordance with these Rules for the use of the Judge or Judges hearing the case.

- (xxvii) “**Postal Address**” means the last address within the local limits of the territorial jurisdiction of the High Court filed by a party to a case in the High Court or in the lower Courts at which service of notice, summons or other process may be made on him.
- (xxviii) “**Prescribed**” means prescribed by or under these Rules.
- (xxix) “**Proof of Delivery**” means report submitted by the Approved Courier in the communication of the Court and included the reasons of non-delivery.
- (xxx) “**Postal Article**” includes the envelopes, packets, parcels containing summons, notices, documents or other communications of the Court handed over for service to the Approved Courier with the label “**COURT SUMMONS SERVICE**”.
- (xxxi) “**Public Interest Litigation (PIL)**” without limiting the generality of the expression shall mean a legal action under Article 226 of the Constitution of India initiated in the Court for the enforcement of any Civil, Constitutional and human rights of the public in general or a class or a community as a whole or protection of any general interest of such public or class or community.
- (xxxii) “**Registry**” means a cell constituted by the Chief Justice of the High Court which shall be headed by an officer not below the rank of Deputy Registrar. Letter Petitions shall be processed by the Registry for being placed before the Public Interest Litigation Committee.
- (xxxiii) “**Public Interest Litigation Committee**” means the Committee consisting of at least two sitting Judges nominated by the Chief Justice.
- (xxxiv) “**Registrar General**” includes other Registrars.
- (xxxv) “**Registry**” means the Registry of the High Court of Tripura.
- (xxxvi) “**Respondent**” includes an intervener.
- (xxxvii) “**Recommendation Committee**” means the committee constituted by the Chief Justice of the High Court, consisting of Registrar General, one officer of the High Court not below the rank of Registrar and one officer of the Tripura Higher Judicial Services, for preparing a panel of proposed Approved Couriers.
- (xxxviii) “**Sealed**” means sealed with the seal of the High Court.

- (xxxix) **“Senior Advocate”** means an Advocate designated under sub-section (2) of Section 16 of the Advocates Act, 1961 or any Rules/Guidelines issued by the High Court from time to time in this regard.
- (xl) **“Stamp Reporter”** means an officer appointed by the Chief Justice to perform the functions under the Court Fees Act, 1870 and to tax costs.
- (xli) **“State”** means the State of Tripura.
- (xlii) **“Subordinate Court”** means any Court, Tribunal or Authority whose decree, orders, sentences, or proceedings are subject to appeal, reference, revision to or by the High Court under any law for the time being in force, or are subject to the jurisdiction of the High Court under Article 226 of the Constitution or to its superintendence under Article 227 of the Constitution.
- (xliii) **“Supreme Court”** means the Supreme Court of India.
- (xliv) **“Supreme Court Rules”** means the Rules of the Supreme Court for the time being in force.
- (xlv) **“Vacation Judge”** means a Judge on duty during a vacation under the order of the Chief Justice.
- (xlvi) **“Vakalatnama”** means a document in writing signed by a person or by his recognized agent or by some other person duly authorized by or under a power of attorney to make such appointment, to act for and on behalf of him in the High Court.
- (xlvii) **“Filing”** means and includes every plaint, written statement, petition, memorandum of appeal, affidavit, application and every pleading within the meaning of Code of Civil Procedure, 1908 and Code of Criminal Procedure, 1973 which is filed with the High Court Registry or tendered to the Court electronically and taken on record by the Court and which is also signed or attested by an advocate or a party or both.

(2) **INTERPRETATION:-** In these Rules, unless the context otherwise requires:

- 1) Capitalized terms have the meanings as defined in the rules;
- 2) A reference to a singular includes the plural and vice-versa;
- 3) A reference to a gender includes both the gender;
- 4) A reference to a law is a reference to that law as amended and applicable in the state of Tripura.

- (3) Terms, words and expression not defined herein shall have the meaning assigned to them in Acts or Rules from which they draw their origin.
- (4) The General Clauses Act, 1897 shall apply for the interpretation of these Rules as it applies for the interpretation of an Act of Parliament or of State Legislatures.
- (5) Whereby these Rules or by any order of the Court any step is required to be taken in connection with any cause, appeal or any matter before this Court, that step shall, unless the context otherwise requires, be taken in the Registry.

Where any particular number of days is prescribed by these Rules, or fixed by an order of this Court, in computing the same, the day from which the period is to be reckoned shall be excluded and if the last day expires on a day when the Court is closed, day and any succeeding day of which Court remains closed shall also be excluded.

CHAPTER III
ADMINISTRATIVE BUSINESS OF THE HIGH COURT

1. STANDING COMMITTEE

There may be a standing committee consisting of Chief Justice, Administrative Judge and at least two other Judges nominated from time to time on rotation for a period as the Chief Justice decides. The Standing Committee shall be charged with the control and direction of the subordinate Courts so far as such control and direction are exercised otherwise than judicially.

2. THE STANDING COMMITTEE SHALL HAVE POWER, WITHOUT REFERENCE TO THE JUDGES GENERALLY-

- (i) to dispose of all correspondence within its own Department urgent in its nature and not of general importance;
- (ii) to make recommendations for promotion of Subordinate Judges as well as of the Higher Judicial Service Officers, their initial posting on promotion or appointment;
- (iii) to make recommendations to the Government for the vesting of special powers under any special Act;
- (iv) to make recommendations for the deputations of the Officer(s) of Subordinate Judicial Service, Higher Judicial Service to posts under the Government of India, the Government of Tripura or other State Government or to Foreign Service;
- (v) to make recommendation to the State Government for compulsory retirement of any Judicial Officer of any rank:

Provided that notice of the decision of the Standing Committee shall be circulated to the Full Court within ten days from the date of the decision and if any member of Full Court desires within three weeks of the decision, the matter is to be discussed at a meeting of the Full Court and then no action will be taken till the decision of the Full Court;

- (vi) to pass orders of transfer of District & Sessions and Additional District & Sessions Judges;
- (vii) to pass orders of the transfer and posting of Subordinate Judges with or without the powers of an Additional Sessions Judges and Civil Judges;

- (viii) to issue orders regarding the promotion of Civil Judges;
 - (ix) to pass orders of suspension, initiation of departmental proceedings against members of the Higher Judicial Service and Subordinate Judicial Service and consequential orders in the said proceedings other than that of dismissal from service;
 - (x) to issue Circular and general letters to the subordinate Courts;
 - (xi) to dispose of any matter which might have been dealt with by the Judge in charge of the Administrative Department, but which he has referred to the Committee for their opinion; and
 - (xii) to dispose of any matter referred to it by the Full Court which might have been dealt with by the Full Court.
3. Every order passed and every draft letter approved by the Standing Committee shall be signed by each member of it.
4. The Chief Justice may from time to time apportion the executive and administrative business of the Administrative Department among the Judges constituting the Standing Committee.
5. In case of difference of opinion, the matter shall be decided by the Chief Justice.

6. SPECIAL COMMITTEES

- (i) A Special Committee may be appointed by the Chief Justice at any time to consider and report to Chief Justice upon any matter which may be referred to such Special Committee.
- (ii) Such committee shall have power to enter upon and conduct any correspondence which the members of such committee may consider desirable in order to enable them to prepare their report.
- (iii) Every order passed and every draft letter approved by a Special Committee shall be signed by each of its members.

7. APPEAL COMMITTEE

- (i) There shall be an Appeal Committee consisting of three Judges of the Court to be nominated by the Chief Justice from time to time for the disposal of appeals and representations made to the Courts on the

administrative side by ministerial officers in Class III and by Class IV employees of the High Court and subordinate Courts.

- (ii) Every final order passed by the Committee on the appeal or the representation, as the case may be, shall be signed by all the members of the Committee.
- (iii) The decision of the Committee shall be final.

8. POWERS AND DUTIES OF JUDGE-IN CHARGE

- (i) For more effective control and supervision of the subordinate Courts, the District Courts should be divided on the basis of separate administrative districts. Every district in the state there shall be Judge-in-charge to be nominated by Chief Justice. Chief Justice may, however, nominate one Judge for more than one district.
- (ii) The Judge-in-charge of the district shall hereinafter be called the “Portfolio Judge(s)”.
- (iii) The Portfolio Judge(s) so nominated shall aid and advise the Chief Justice in exercising effective control and superintendence over the subordinate Courts of the district concerned.
- (iv) The Portfolio Judge(s) is to inspect all Courts including the Courts of executive magistrate and district council at least once in a calendar year. In case, however, the concerned Portfolio Judge(s) is unable to inspect any Courts, the same may be entrusted to any other Judge by the Chief Justice.
- (v) All the administrative matters including transfers and posting of the officers shall be routed through the Portfolio Judge(s) of the concerned district.
- (vi) All the administrative problems of the district shall be attended to by the Portfolio Judge(s) concerned.
- (vii) The Portfolio Judge(s) of each district will undertake inspection of monthly statements, periodical returns furnished by the subordinate civil & criminal Courts.
- (viii) The Portfolio Judge(s) of each district will give his opinion and/or shall fill up the annual confidential roll (hereinafter called “ACR”) in respect of different judicial officers posted in Courts as the case may be of the concerned district(s).

- (ix) Such ACRs containing the opinion of the concerned Portfolio Judge(s) will be placed before the Chief Justice for gradation.
- (x) In case of officers of Higher Judicial Service, he shall forward his duly filled ACR to the Portfolio Judge(s). The Portfolio Judge(s) will give his remarks and thereafter ACR will be placed before the Chief Justice for gradation.

9. MATTERS TO BE DEALT BY FULL COURT MEETINGS

On the following matters decision shall be taken by the Judges at a meeting of the Full Court:-

- (i) All appointments which by law are to be made by the High Court and which are not otherwise expressly provided for by the rules in this Chapter;
- (ii) All recommendations for the dismissal from office of Judicial Officers;
- (iii) Proposals for designating Advocates as Senior Advocates under Section 16(2) of the Advocates Act, 1961;
- (iv) Matters relating to the service conditions, facilities and amenities of the Judges of the Court;
- (v) Constitution of Rule Committee under Section 123 of the Code and nominating Members of the Rule Committee;
- (vi) Consideration of matters relating to the Chief Justices' Conference;
- (vii) High Court Calendar.

10. THE FOLLOWING MATTERS ON WHICH JUDGES HAVE TO BE CONSULTED, MAY BE DISPOSED OF BY CIRCULATION OF FILES:

- (i) Proposed changes in the law where the proposal emanates from the Government or, in other cases, where a Committee or any Judge of the Court considers that action is called for.
- (ii) The Administration Report yearly submitted to Government when passed by the Judges of the Standing Committee.
- (iii) Rules which when published will have the force of law.
- (iv) Subjects connected with the relation between the Supreme Court and the High Court.

11. Except for some special reason, the papers relating to any matter for discussion at a meeting of the Full Court shall be circulated to all the Judges before the day of the meeting.

12. The proceedings of all meetings of the Full Court and of the Standing Committee shall be recorded in books to be kept for that purpose by the Registrar General and shall be at all times be open to inspection when called for by any of the Judges.

13. The Chief Justice may, on grounds of administrative exigencies or in the interest of administration, pass an order at any time suspending the operations of Rules 1, 2 and 4 either indefinitely or till such time as he specifies in the order.

14. If such an order as is mentioned in Rule 13 is passed, the functions and powers of the Standing Committee shall be performed and exercised by the Full Court.

15. PROCEDURE FOR THE FULL COURT MEETINGS/STANDING COMMITTEE

(i) Preparation of Paper Book:-

The Registry shall prepare the paper books, well in advance, of the meeting of the Full Court, the Standing Committee or the sub-committee, as the case may be, with respect to matters to be considered and discussed. The paper book shall contain all the relevant material necessary to apprise the Judges concerned with the issues involved.

(ii) Meeting of Administrative Committee/Full Court:-

The Chief Justice may call for meetings of Standing Committee or Full Court, as the case may be, whenever there is business to be disposed of. The business of the Standing Committee and the Full Court may be transacted either at a meeting or by video conferencing or by circulation.

(iii) Procedure For Circulation:-

So far as convenient, papers for circulation shall be sent by the Registrar General to the Judges in their order of seniority, commencing with the junior Judge, for their concurrence or comment as required, and be obtained from them within a reasonable time looking to the urgency involved. It shall not be necessary to send papers to any Judge who is not for the time being in station.

(iv) Effect of a Judge not expressing his opinion within three days on urgent paper:-

When a Judge does not write his opinion within three days from the date when he receives any urgent paper sent to him for opinion, he shall be deemed to have declined to express any opinion on the matter.

(v) Papers to be submitted to the Chief Justice after circulation:-

After any papers have been circulated for opinion, they shall, be submitted to the Chief Justice, who shall examine the matter and order accordingly.

(vi) Notice of meeting to Judges:-

The Registrar General shall give to the concerned Judge, except in a case of emergency, at least one clear day's notice, in the case of a meeting of the Standing Committee and three clear day's notice in the case of the Full Court Judges' meeting, of the date, place and hour when such meeting would be held and of the business to be brought before such meeting. It shall not be necessary to give notice of a meeting of the Administrative Committee to any Judge who is not for the time being in station.

(vii) Quorum:-

The quorum necessary for the transaction of business shall be not less than two-third of the members in the case of meeting of Standing Committee, Sub-Committees and not less than one-half of the Judges in the case of a Full Court Judges' meeting.

(viii) Proceeding to be recorded:-

The proceedings of the meetings of the Full Court, the Standing Committee, and the Sub-Committees, as the case may be, shall be recorded and signed by the members concerned. Such record may be made either at the time of meeting or subsequently from the notes taken.

(ix) Custody of the minute book:-

The Minute Books of the proceedings recorded shall be kept in the safe custody of the Court and shall not be removed from the Court premises except by the Registrar General with the permission of the Chief Justice.

16. EFFECT OF ANY IRREGULARITY IN OR OMISSION TO FOLLOW THE PROCEDURE LAID DOWN IN THIS CHAPTER:-

- (i) For the removal of doubt, it is hereby mentioned that all administrative work disposed of by the Chief Justice, the Administrative Judge or any other Judge or Judges to whom the work has been assigned by the Chief Justice for disposal shall be deemed to be disposed of by the Court.
- (ii) No irregularity in, or omission to follow, the procedure laid down in this Chapter shall affect the validity of any order passed.

17. RESIDUAL POWERS:-

All other Administrative/Non Judicial business of the Court, not hereinafter specifically mention under these Rules, shall be discharged by the Chief Justice in a manner as he deems fit.

CHAPTER IV

COURT HOURS, SITTING, CAUSE LIST AND ROSTER

1. COURT HOURS

The Court shall open daily, except on holidays/vacation, for the transaction of judicial business. The Judges shall sit in Court between the hours of 10.30 A.M. to 04.30 P.M. with a recess between 01.15 P.M. to 02.00 P.M.

2. OFFICES OF THE COURT, SITTINGS AND VACATION ETC.

- (1) Except closed on Saturdays and holidays, the offices of the Court shall, subject to any order of the Chief Justice, remain open daily from 10.00 AM to 05.00 PM.
- (2) Except on the days which are holidays, both for the Court and the Offices of the Court, the Offices shall remain open during Summer Vacation, Long Puja Vacation and Winter Vacation of the Court at such time as the Chief Justice may direct.
- (3) The Chief Justice may, during any vacation, appoint one or more Judge(s) as Vacation Judge(s) to hear matters of urgent nature. The Vacation Judge(s) may hold Court either in Single Bench or in Division Bench as the situation may warrant during the Vacation.

3. TRANSACTION OF JUDICIAL BUSINESS IN THREE TERMS:-

Unless otherwise ordered by the Chief Justice, there shall be three terms in each Calendar year for the transaction of Judicial work by the Court viz., one term between the reopening after the Winter Vacation and the commencement of the Summer Vacation; one term between the reopening after the Summer Vacation and commencement of the Long Puja Vacation; and one term between the reopening after the Long Puja Vacation and the commencement of the Winter Vacation.

4. PROCEDURE FOR MAKING MOTIONS FOR ADJOURNMENTS: -

Every application or motion for adjournment of the hearing of any matter on the Daily Cause List shall be made to the Court.

5. ADJOURNMENT ON PARTY'S APPLICATION: -

In civil cases, except where an adjournment is made with the consent of the parties or where from insufficiency or want of notice a party has not been able to prepare himself for the hearing of the case, the Court while granting an adjournment may direct the party applying for such adjournment to pay to the opponent or his Advocate such costs as the Court may consider reasonable.

6. COURT MAY ORDER A CASE TO BE ADJOURNED ON APPLICATION:-

On an application being made to it, the Bench may, for sufficient cause shown, order any case listed before it for hearing to be adjourned for such period as may be considered just. In considering whether there is sufficient cause any objection on behalf of the other party shall be taken into account. Such motions shall be made as soon as the Bench begins its work for the day and shall not ordinarily be entertained if made at any other time:

Provided that no adjournment shall be granted under this Rule unless there is sufficient work for the day.

7. APPLICATION THAT A CASE BE NOT LISTED ON ANY PARTICULAR DAY OR DAYS:-

- (1) The Chief Justice may on the application of any party order that a case shall not be placed in the Day's List on any particular day or days.
- (2) Such application shall be duly stamped and signed by the applicant or his Advocate and presented before the Registrar. The application shall be laid before the Chief Justice for orders along with a note by the Registrar showing the extent to which, if at all, the work of the Court will be interfered with, if the application were to be granted.

8. ADVOCATE'S APPLICATION FOR POSTPONEMENT OF HIS CASES:-

- (1) The Chief Justice may on the application of an Advocate postpone his cases for such time as he may deem proper, if he is satisfied that such postponement is necessary on account of a marriage, death or illness or any other unavoidable or urgent reason.

- (2) An application under this Rule shall be accompanied by a list of cases desired to be postponed specifying the occasions, if any, when such case was previously postponed under this Rule. It shall also indicate the cases in which the date of hearing has been fixed by a Bench. If any omission or inaccuracy in this regard is discovered in the application later, it may result in the order of postponement being withdrawn forthwith.

9. ALTERATION OF DATE WHEN FIXED BY A JUDGE:-

If the date of hearing in any case has been fixed by a Judge any alteration in such date shall, so far as possible, be made after consulting him.

10. INSPECTION OF RECORD OF A CASE ON THE DAY'S LIST:-

Except with the permission of the Bench or the Court Master no Advocate shall be allowed access to the record of a case in the Day's List of a Bench before the case is called on for hearing. During the progress of the arguments in the case, any of the parties Advocates may have access to the record when it is not being actually referred to or examined by the Bench.

11. ASCERTAINMENT OF TIME FOR ARGUMENTS FROM THE COUNSEL OF PARTIES:-

- (1) At any time before or as soon as after the commencement of arguments, whether at the stage of admission, orders or final hearing of a case, as may be feasible, the Court may ascertain from the Counsel of each party to be heard, the time which the Counsel's arguments on the matter are likely to take. The Court may be permitted to supplement the oral arguments by written submission, but will not be allowed to exceed the time so fixed, unless the Court itself considers it necessary, or desires that he should do so in any matter requiring further elucidation by oral arguments.

- (2) The time so fixed, may be incorporated in the order sheet.

12. ROSTER:-

The judges shall sit singly or in benches of two or more and dispose of matters in accordance with a roster approved by the Chief Justice. The roster shall be prepared by Registrar (Judicial) in accordance with instructions issued by the Chief Justice. On

approval a copy of the roster shall be supplied to all the Judges, Advocate General and to the Bar. Same shall also be uploaded in the official website of the High Court.

13. ORDER SHEET:-

- (1) As soon as appeal or application which may be registered and numbered as a separate case or reference is received, an order sheet shall be attached thereto. There shall be one order sheet for every case.
- (2) When an appeal or application is presented in Court or before the Registrar the first entry on the order sheet shall be made by the Dealing Assistant concerned. In the case of a reference, it shall also be made by the Dealing Assistant concerned.
- (3) The entry shall indicate the date on which the appeal or application was presented or the reference received in the office.

14. ORDER SHEET TO BE IN CHRONOLOGICAL ORDER:-

The order sheet is intended to be a complete record of the history of the case in chronological order & all orders passed and all office reports in the case, including reports as to deficiency in the amount of court-fees, non-payment of process-fees, service of notices etc., shall be entered thereon.

15. MAINTENANCE OF ORDER SHEET:-

- (1) The order sheet shall be a continuous one consisting of as many sheets as may be necessary. No entries shall be made on a new sheet until all available space on the previous sheet has been utilized.
- (2) The order sheet shall be serially numbered.
- (3) All office reports recorded on the order sheet shall be signed and dated by the clerk concerned, the date being entered immediately below the signature.

16. LIST OF READY CASES:-

Subject to the directions of the Chief Justice, the Registrar shall cause to be published from time to time a list of all cases ready and likely to be put up for hearing before the Court.

17. CAUSE LIST:-

- (1) The following Cause Lists shall be published under the Authority of the Chief Justice:
 - a) Daily Main Cause List; and
 - b) Additional/Supplementary Cause List.
- (2) The Daily Cause List shall be prepared in the following order:-
 - a) The Cases for Pronouncement of Judgment/ Correction of Order/ Speaking to the Minutes/ To be Spoken to.
 - b) The cases at the stage of motion (Part-I).
 - c) The cases at the stage of orders (Part-I).
 - d) The cases at the stage of final hearing (Part-II).
- (3) All matters shall be listed on the Daily Cause List strictly according to their seniority.
- (4) The Daily Cause List shall be notified on the Notice Board as well as in the website of High Court on the working day previous to the day for which the Daily Cause List is notified.

18. EXPEDITED HEARING OF CASES:-

On an application being filed before Court by expressing the urgency, the Court shall examine the matter and if it is satisfied about the urgency, it shall be given top priority and shall be heard expeditiously and disposed of as early as possible.

19. PART-HEARD CASES:-

A case which remains part-heard at the end of the day shall, unless otherwise ordered by the Judge or Judges concerned, be listed at the top of the stage to which the said case belongs, in the Daily Cause List for the day on which such Judge/Judges next sit:

Provided that if any part-heard case cannot be heard for more than two months on account of the absence of any Judge or Judges constituting the Bench, the Chief Justice may order such part-heard case to be laid before any other Judge or Judges to be heard afresh.

20. CASE MAY BE DISPOSED OF ON DATE FIXED IF NOTICES SERVED:-

If on the day fixed for hearing of any case or other matter, it appears that the requisite notices have been duly served, such case or other matter may be disposed of by the Court on that day, But if is not disposed of on that day, no further notice of the date of hearing other than entry in the Day's List on the day on which it is to be heard, shall be given.

21. LISTING OF FIXED DATE MATTERS:-

All the fixed date matters shall be listed on the date so fixed for listing, if the concerned Bench is available on that day. If a case is fixed for a day on which the Court does not sit, unless otherwise directed, the case shall be listed before the same Bench on the next day on which the Court sits, if the business of the Court permits.

22. CASES TO BE CALLED ON IN THEIR ORDER IN DAY'S LIST:-

Cases in the Day's List of a Bench shall, unless otherwise directed by the Bench, be called on and disposed of in the order in which they stand in the List.

23. POWERS OF CHIEF JUSTICE IN PLACING MATTERS ON BOARD:-

Nothing in rules of this Chapter shall apply to cases or classes of cases which are specially ordered by the Chief Justice to be placed on the Daily Cause List.

24. RESIDUARY POWERS:-

Nothing in this chapter shall be deemed to affect the power of the Chief Justice to make such orders, from time to time as he may deem fit in regard to all matters incidental or ancillary to this chapter not specifically provided for.

CHAPTER V

CONSTITUTION OF THE BENCHES, THEIR JURISDICTION AND POWERS

1. CONSTITUTION OF BENCHES:-

The Judges shall sit alone or in such Division Bench as may be constituted from time to time and do such work as may be allotted to them by order of the Chief Justice or in accordance with His Lordship's directions.

2. JURISDICTION OF DIVISION BENCH:-

Except as provided by these Rules or any other Law for the time being in force, the following matters shall be heard and disposed of by a Division Bench:

- (i) All cases which are to be placed before the Division Bench as per the Statutes;
- (ii) Public Interest Litigations (PILs) and other petitions registered on *suo motu* action by the Court to be taken up by the Division Bench, presided over by the Chief Justice unless otherwise specifically ordered;
- (iii) Writ Appeals;
- (iv) All matters relating to tax;
- (v) Appeals under Companies Act;
- (vi) Proceedings under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI);
- (vii) All cases arising out of custodial death;
- (viii) WP(C) relating to Police & Army actions;
- (ix) All Criminal Revision/Criminal petition/Writ Petition relating to National Investigation Agency (NIA) Act;
- (x) WP (Crl) i.e. Habeas Corpus Applications;

- (xi) Death Ref. Cases and all matters where sentence for life/death has been awarded including appeals and revisions against acquittal arising out of cases tried under section 302 IPC;
- (xii) Arbitration Appeals;
- (xiii) Confirmation of Decree of Divorce and such Matrimonial Appeals;
- (xiv) Writ petitions against order of Central Administrative Tribunal (CAT);
- (xv) Contempt Petition (Criminal);
- (xvi) Contempt Appeal and any such matters as may be specifically directed to be listed;
- (xvii) Writ petition challenging acquisition of land;
- (xviii) Writ challenging election processes at pre-election stage;
- (xix) Writ petition (Civil) filed challenging the constitutional validity or vires of any Act or rules;
- (xx) References from a Subordinate Civil or Criminal Court including reference under the Indian Divorce Act, 1869;
- (xxi) All cases where major punishment of dismissal, removal, termination of service is imposed;
- (xxii) All matters relating to disciplinary proceedings;
- (xxiii) All cases involving retiral benefits except where retiral benefits are reduced/withheld pursuant to Disciplinary Proceedings;
- (xxiv) Matter relating to admission in Colleges and Universities;
- (xxv) All matters arising out of awards of Industrial Tribunal;
- (xxvi) All matters arising out of orders of Lokayukta under the Tripura Lokayukta Act, 2008, State Commission under the Consumer Protection Act, 1986, Police Accountability Commission (PAC), Tripura, Tripura Commission for Women (TCW), Tripura Information Commission, Tripura Public

Service Commission (TPSC), Tripura Electricity Regulatory Commission and other bodies headed by retired Judges of the High Court;

- (xxvii) All writ petition where stay of investigation in connection with criminal cases are sought;
- (xxviii) Matter relating to election to offices under the Tripura Municipal Act, 1994, Tripura Panchayat Act, 1993 and Tribal Area Autonomous District (Establishment of Village Committee) Act, 1994;
- (xxix) The matters in which the order of Lok Adalat is challenged;
- (xxx) Any matter in which the order of the High Court passed on the Administrative side is challenged;
- (xxxi) Any matter in which judicial order passed by any bench of the High court is challenged;
- (xxxii) All matters relating to Contract and Tender;
- (xxxiii) All criminal appeals preferred against the sentence of imprisonment for ten years or more;
- (xxxiv) All criminal appeals/revisions petitions filed challenging the order of acquittal involving offences where maximum punishment prescribed for involve offence is imprisonment for ten years or more;
- (xxxv) All cases relating to service matters of Judicial Officers;
- (xxxvi) All regular first appeals, valuation of which exceeds Rs. 10,00,000/- (Rs. Ten lakhs);
- (xxxvii) Commercial matters;
- (xxxviii) Cases involving Government Policy;
- (xxxix) Any other matters as may be specifically directed by the Chief Justice, by any special or general order, to be listed;

3. JURISDICTION OF SINGLE BENCH:-

All matters not specified against rule 2 above shall be heard and disposed of by a Single Bench of the High Court.

4. HEARING OF THE DIVISION BENCH MATTERS BY A SINGLE BENCH:-

When all the judges are incapacitated from hearing any Division Bench matter for any reason, the same shall be heard by the Single Bench of the Chief Justice, if not barred by any Law or Rules and similarly, when the Chief Justice and three of the Judges cannot hear any Division Bench matter for any reason, the same shall be heard by the Single Bench of other Judge who is not incapacitated from hearing the same, if not barred by any Law or Rules.

5. LISTING OF REVIEW MATTERS:-

- (i) Where both the Judges who passed the order/judgment for which review is sought for, are not available or have retired, the matter be placed before the Division Bench presided over by the Chief Justice;
- (ii) Where one of the Judges is available, the matter be placed before the Division Bench of the Chief Justice and the available Judge;
- (iii) Where the Single Judge has retired or is transferred, the matter be placed as per the roster.

6. LISTING OF CONTEMPT MATTERS:-

- i) All Civil Contempt Petitions shall be listed before the same Bench which passed the order regarding which the contempt has been made/alleged to have been made;
- ii) In case the order was passed by a Bench of Single Judge who has retired or is not available in the High Court then the matter shall be placed before the Chief Justice on the administrative side for order regarding listing of the matter.
- iii) If the order of which contempt is complained of was passed by a Division Bench it should be listed before the same Division Bench, if available. In

case such Bench is not available then it should be listed before a Bench comprising of the Chief Justice and the other available Judge of that Bench. In case the Chief Justice is unable to hear the matter, it shall be placed before the Division Bench comprising of said available Judge and any other Judge. If both the Judges are not available then the matter shall be listed before the Bench headed by the Chief Justice.

7. CASES WITHDRAWN UNDER ARTICLE 228 OF THE CONSTITUTION:-

A case withdrawn under Art. 228 of the Constitution of India shall be heard by a Bench of two or more Judges specially appointed by the Chief Justice.

8. REFERENCE TO A LARGER BENCH:-

- i) The Chief Justice may constitute a Bench of three or more Judges as Full Bench to decide a case or any question of law formulated by a Division Bench hearing a case, or where one Division Bench differs from any other Division Bench upon a point of law or usage having the force of law. Where matters relates to a reference from Division Bench, the decision of larger Bench on the question so formulated shall be returned to the Bench hearing the case and that Division Bench shall follow that decision on such question and dispose of the case after deciding the remaining questions, if any, arising therein.
- ii) Any reference under Section 57 of the Indian Stamp Act, 1899 including any other matters which are required to be taken in Full Bench as per Law shall be taken by the Full Bench.
- iii) Every decision of Full Bench shall be treated as binding on all Division Bench and Single Bench, upon the point of law or usage having the force of law determined by the Full Bench, unless it be subsequently reversed by a Bench, specially constituted, consisting of such number of Judges not less than the number of earlier Full Bench or unless a contrary rule be laid down by the Supreme Court.

9. REFERENCE UNDER INDIAN DIVORCE ACT:-

Provisions of Order XLVI of Code of Civil Procedure, 1908 shall apply to references under Section 9 of the Indian Divorce Act.

10. APPOINTMENT OF ARBITRATOR:-

Application relating to appointment of Arbitrator(s) under sub-section (4) to (10) of Section 11 of the Arbitration and Conciliation Act, 1996 shall be placed before the Chief Justice.

11. CONTEMPT IN FACIE CURIAE:-

Where contempt as contemplated by Section 345 of the Code of Criminal Procedure, 1973 is committed before the Court, the Judge or Judges before whom such contempt is committed may take cognizance of the offence and deal with the offender under the provisions of that Code.

12. SENIOR JUDGE:-

Subject to approval of the Chief Justice, the senior most Judge may, in the absence of the Chief Justice, exercise jurisdiction in connection with the arrangement of Benches, listing of cases and other like matters, if so required in case of any urgency.

13. JUDGE ON DUTY DURING VACATION:-

During vacation, with the approval of the Chief Justice, constitution of Vacation Court to deal with urgent matters may be notified, and the during absence of the Chief Justice in such vacation period, any urgent matter may be placed before the Senior-most Judge available in the Station.

14. SUBSEQUENT APPLICATION ON THE SAME SUBJECT TO BE HEARD BY THE SAME BENCH:-

- (i) No application to the same effect or with the same subject as a previous application upon which a Bench has passed any order other than an order of reference to another Judge or Judges, shall, except by way of appeal, ordinarily be heard by any other Bench, however, in case of any clash with the prevailing roster in respect of such listing, the matter shall be placed before the Chief Justice for necessary order on listing.

- (ii) Such application when presented by or on behalf of the person by whom or on whose behalf such previous application was made shall give the necessary particulars of such previous application, the nature and the date of the order passed thereon and the name or names of the Judge or Judges by whom such order was passed.

15. RESIDUARY POWERS:-

Nothing in this chapter shall be deemed to affect the power of the Chief Justice to make such orders, from time to time as he may deem fit in regard to all matters incidental or ancillary to this chapter not specifically provided for.

CHAPTER VI

POWERS & DUTIES OF THE REGISTRAR GENERAL, DEPUTY REGISTRAR AND ASSISTANT REGISTRAR

1. **QUASI JUDICIAL FUNCTIONS OF REGISTRAR GENERAL**

In addition to the other functions, powers and duties of the Registrar General under these rules or any other law or as may be assigned to him by the Chief Justice, the following shall be his functions, powers and duties in relation to judicial proceedings, namely:-

(1) To receive and admit appeal, applications etc.: -

To receive and admit all memorandum of appeal, applications or cross objections, which are presented within the prescribed time, duly stamped or having e-payment receipt, accompanied by the prescribed copies and comply with all the other requirements of the law and these rules.

(2) Listing of application, petitions etc.:

To receive any petition, application, caveat, cross objection etc. and to process the same for listing.

(3) Refusal of registration of matters not brought in conformity with Rules:-

When any matter presented in the Court is not brought in conformity with the requirements of the law and these Rules within the time prescribed or extended by the Registrar may pass an order refusing to admit the matter to the Register.

(4) Form of applications to Registrar: -

Applications entertainable by the Registrar General or the Registrar, as the case may be, shall be presented to him and not before the Bench. All such applications shall be made in writing, on paper of foolscap size with a margin of 2 inches and shall only be in typewritten form.

(5) Compliance as to payments as per order of the Court: -

To deal with all matters relating to the payment of expenses and allowances to witnesses as per order of the Court and all matters relating to any payment as per order of the Court.

The Registrar may stop in his discretion the issue of all or any papers to any person who has failed to pay any fee or charges due to the Court.

(6) Execution of decree and order: -

To send decrees and orders passed by this Court in the exercise of its original, appellate, revisional or extra ordinary jurisdiction to other Courts for execution as per order of the High Court.

(7) Recording of statement:

The Registrar may verify compromise and may record the statement on oath of any person, under the order of the Court.

(8) Disposal of applications as to return of documents: -

Disposal of the applications for return of documents; provided that-

- a) Document being an exhibit to an affidavit or verified petition or forming the material for any application shall not be given back unless the document is an original document, in which case it may be taken back on an order of the Registrar, a certified copy of the original document being retained in the file.

Provided that the order of the Registrar referred in clause (a) above shall be passed on a stamped application made to him accompanied with a certified copy of the document, the return of which is applied for.

- b) When any such document is itself a certified copy it shall not be returned.

Provided that the Registrar may, in exceptional cases, and upon an application supported by an affidavit setting out the grounds upon which the return is asked for, order the return of certified copy thereof upon such conditions as he thinks fit.

(9) To call records from Subordinate Courts: -

To call for records, not produced by party, from the Subordinate Court, or from elsewhere as per order of the High Court, and to send back the same.

(10) Disposal of applications:

Disposal of applications for issue of certified copies, copies of record whether presented by the party to the *lis* or persons strangers to the proceedings, for change or revocation of *Vakalatnama* or for withdrawal of appearances and disposal of applications for inspection or search of records of any matters pending in the High Court.

(11) Matters relating to Court fees: -

To dispose of all matters relating to Court Fees, other than appeals where the subject matter of the appeal itself is regarding amount of Court Fee payable.

(12) Matters relating to witnesses: -

To deal with all the matters relating to payment of expenses and allowance to witness.

(13) Matters relating to notices and summons:

To dispose of all matters relating to service of notices and other processes including signing and issuing of warrants and notices issued under the order of the Court. To dispose of the applications for issue of notice or ordering a particular method of service on the respondents. To dispose of application for issue of notice to the proposed guardians or next friends of minors and lunatics. To dispose of applications for order of substituted service. To condone delay in filling of application for fresh notices.

(14) Service of Notice: -

To dispense with service upon any respondent or opposite party who did not appear in the subordinate Court or who did not file a written statement in accordance with Order VIII Rule 1 CPC.

(15) Security Bond:

To examine and accept a security bond furnished under Rule 10 of order XLI of the Code of Civil Procedure. To extend the time for the submission of findings by the Court below in a case in which issues have been referred for trial to that Court under rule 25 of Order XLI of the Code. To receive an appeal from an original or appellate decree or order of a Subordinate Court, in order to post it for hearing under Order XLI, R.11 of the Civil Procedure Code, 1908.

(16) Return of memorandum of appeal for amendment: -

The Registrar may return for amendment any memorandum of appeal under rule 3 (1) of Order XLI of the Code. Where a memorandum of appeal has been so amended, he shall sign the amendment.

(17) Disposal of letter of request by subordinate Court: -

The Registrar may dispose of letter of requests or requisitions by subordinate Courts for records and documents.

(18) Corrections of defects: -

To require any defect found, as per the check list as ordered by the Chief Justice or as per rules, in any memorandum of appeal, petition, application or other proceedings presented, to be cured in accordance with the procedure or practice of the Court. The Registrar General may in matters which are not of urgent nature, on default to cure the defects despite opportunity(s) given; he may direct the matter to be listed before the Court for necessary order.

Provided that if the matter is stated to be urgent, the same shall be listed before the Court mentioning the same as defective.

(19) Lawazima and other miscellaneous matters: -

To deal with all Lawazima and other miscellaneous matters connected with the progress of a case subject to such orders as the Courts may pass from time to time.

(20) Paper books: -

To dispose of all Lawazima reports relating to the preparation of paper books, and to hear all applications relating thereto.

(21) Call for reports from Subordinate Courts: -

The Registrar General may call for reports from subordinate Courts regarding valuation of any property in respect of any proceeding in the High Court for the purpose of assessing the Court fee, stamp duty, cost etc.

(22) Dispensing with more than one copies of judgment: -

The Registrar General may decide whether filling of one copy of judgments where two or more suits have been disposed of by common judgment be dispensed with.

(23) Refunds: -

The Registrar General may refund upon the order of the Court of such amounts paid or deposited in the Court for any purpose which have not been utilized.

(24) Deposits:

To call for a further deposit where the deposit already made by the appellant in an appeal to the Supreme Court is not sufficient to defray the cost of preparing the record and to fix the time within which such further deposits shall be made.

(25) Matters relating to deceased party:

To receive an inventory of the property, credits and debits of the deceased to which the executor or administrator is entitled or an account of a state showing the assets and applications for disposal thereof. To require an administrator or executor to exhibit or an inventory or account under 317 of Indian Succession Act. To grant extension of time for filling the same and to place it on record before the Chief Controlling Revenue Authority.

(26) Registrar not to extend time or excuse delay exceeding sixty days:-

Subject to the provisions of other rules, the period of time which may be extended or of delay which may be excused by the Registrar for or in doing anything which is required to be done by the rules in a particular time shall not exceed sixty days.

(27) Revision of orders of Registrar: -

Any orders or directions passed by the Registrar or the Deputy Registrar, under these rules or any other rules shall be subject to revision by a single Judge upon a motion of the party aggrieved. The duties of the Registrar under this Rule shall be deemed to be of a quasi-judicial nature and his orders shall be subject to revision by the Court on application by the aggrieved party made within a period of two months or such further time as the Court may allow from the date of the order complained of.

(28) Delegation of powers:

The Registrar General, may with previous approval of the Chief Justice, delegate any of the powers conferred on him under these rules to any other Registrar, Joint Registrar or Deputy Registrar.

Explanation: - The Registrar General while exercising such powers or other Registrar, Joint Registrar, Deputy Registrar while exercising the powers so delegated to

him/them by the Registrar General, shall be deemed to be performing quasi-judicial functions within the meaning of Section 128(2)(1) of CPC and shall have the power of correction under section 152 of the Code of Civil Procedure Code 1908 in respect of all orders passed by him in exercise of such powers.

(29) Additional powers: -

The Chief Justice may by order authorize the Registrar General, Registrars to exercise powers, other than those specified in these Rules relating to any matter from time to time.

(30) Court's jurisdiction unaffected: -

The powers conferred upon, and the functions and the duties assigned to the Registrar General/ Registrar under these rules shall in no way affect the jurisdiction and powers of the Court.

**HIGH COURT OF TRIPURA
AGARTALA**

Administrative powers and duties of Registrars, Officers and their Reporting Authority including the channels of supervision and decision-making process

Sl. No.		Responsibilities & duties	Reporting Authority
1.	Registrar General (RG)	1. Overall supervision of the working of the Registry as Controlling Officer as well as Head of the Department.	Sole Responsibility
		2. All correspondence concerning the Judiciary and to act as Spokesperson for the High Court and to coordinate between the High Court and the Central/State Government in administrative affairs. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-II)→ Dy. Reg (Judl.)/ Dy. Reg (admn.)→ Reg.(Judl.)/Reg. (Admn.)→ RG]</i>	Chief Justice
		3. To prepare Agenda Notes for the meetings of the Full Court/Standing Committee/Special Committee/Appeal Committee and to convene such meetings. <i>[Matters to be routed through concerned Section → Secretary / PS to RG →RG].</i>	Chief Justice
		4. Matters concerning the appointment of President of State Consumer Commission, appointment of Director of Prosecution, appointment of Enquiry Commission and other appointments wherein consultation with or approval etc. of the Hon'ble Chief Justice or the High Court is required. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg (Judl.)→ Reg.(Judl.)→ RG]</i>	Chief Justice
		5. Matters regarding the Chief Justices' Conference and Joint Conference of the Chief Ministers and Chief Justices and implementation of the Resolutions thereof. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→Dy. Reg (Judl.)→</i>	Chief Justice

Sl. No.	Responsibilities & duties		Reporting Authority
		<i>Reg.(Judl.)→ RG]</i>	
	6.	Matters for recruitment including promotion of all Judicial Officers. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg (Vig.)→ Reg. (Vig. & Rules)→ RG]</i>	Chief Justice/Full Court
	7.	Matters of recruitment, promotion, posting and seniority in respect of all staff including Officers under the High Court Services. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg (Admn.)→ Reg.(Admn.)→ RG]</i>	Chief Justice
	8.	Reporting Authority of ACRs of all Gazetted Officers of the High Court except Secretary, PS and PA of Hon'ble the Chief Justice and other Hon'ble Judges and the Judicial Officers posted in the Registry. <i>[Matters to be routed through RG Secretariate → Secretary / PS to RG → RG]</i>	Chief Justice
	9.	Accepting Authority of ACRs of all non-Gazetted staff of the High Court Services. <i>[Matters to be routed through RG Secretariate → Secretary/ PS to RG → RG]</i>	Sole responsibility
	10.	Matters relating to the swearing in ceremony pertaining to the Hon'ble Chief Justice and Hon'ble Judges /Independence Day / Republic Day celebrations, Farewells, Dinners etc. pertaining to the Hon'ble Chief Justice and Hon'ble Judges. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg (Admn.)→ Joint Registrar → Reg.(Admn.)→ RG]</i>	Chief Justice
	11.	All correspondence including L.T.C, Leave Encashment, Concurrent Charge etc. of Judicial Officers. <i>[Matters to be routed through concerned Section → Asstt. Reg.(Admn.-II)→ Dy. Reg (Admn.)→</i>	Portfolio Judge/Chief Justice

Sl. No.		Responsibilities & duties	Reporting Authority
		<i>Reg.(Admn.) → RG]</i>	
	12.	Purchase of furniture and other office items and writing off of unserviceable furniture and office items of the High Court/Subordinate Judiciary (in case of seeking permission) upto Rs. 3 Lakhs. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-II)→ Dy. Registrar (Admn.) →Joint Registrar /DDO(for High Court) → Reg.(Admn.)→ RG]</i>	Sole responsibility
	13.	Purchase of furniture and other office items and writing off of unserviceable furniture and office items of the High Court/Subordinate Judiciary (in case of seeking permission) above Rs. 3 Lakhs. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-II)→Dy. Registrar (Admn.) → Joint Registrar /D.D.O(for High Court) → Reg.(Admn.)→ RG]</i>	Chief Justice
	14.	Leave of the High Court Judges. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Registrar(Admn.→ Reg.(Admn.)→ RG]</i>	Chief Justice
	15.	Establishment of Courts. <i>[Matters to be routed through concerned Section→ Asstt. Reg. (Admn-I)→ Dy. Reg. (Judl.) → Reg. (Judl.)→ RG]</i>	Chief Justice/ Full Court
	16.	Transfer and Posting of all Judicial Officers. <i>[Matters to be routed through concerned Section→ Secretary / PS to RG→ RG]</i>	Chief Justice/ Full Court
	17.	Communication of remarks in the ACRs of Gazetted Officers and staff of the High Court . <i>[Matters to be routed through RG Secretariate→ Secretary / PS to RG→ RG]</i>	Sole responsibility
	18.	Implementation of the Finance Commissions' recommendations and Centrally Sponsored Scheme. <i>[Matters to be routed through concerned</i>	Chief Justice/ Appropriate committee

Sl. No.	Responsibilities & duties		Reporting Authority
		<i>Section → Asstt. Reg. (Admn-II)→ Dy. Reg. (Admn.)→ DDO → Reg. (Admn.)→ RG]</i>	
	19.	i. All kinds of leave of all gazetted officers from the rank of Dy. Registrar up to the rank of Registrar General. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg. (Admn.) → Reg. (Admn.)→ RG]</i>	Chief Justice
		ii. All kinds of leave of officials (non-gazetted/ gazetted) up to the rank of Asstt. Registrar <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg. (Admn.)→Jt.Reg.(for Drivers & Gr-IV staff)→ Reg. (Admn.)→ RG]</i>	Sole responsibility
	20.	i. LTC/HTC of all gazetted officers of the Registry of the High Court <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg. (Admn.)→ D.D.O. → Reg. (Admn.)→ RG]</i>	Chief Justice
		ii. LTC/HTC of all non-gazetted officials of the Registry of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg. (Admn.)→D.D.O.→Reg. (Admn.)→ RG]</i>	Sole responsibility
	21.	Granting of ACP to the staff of the High Court Services. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg. (Admn.)→ DDO → Reg. (Admn.)→ RG]</i>	Chief Justice
	22.	Maintenance of all confidential records including the ACRs of the Gazetted and non-Gazetted employees of the High Court. <i>[Matters to be routed through RG Secretariate</i>	Sole responsibility

Sl. No.	Responsibilities & duties		Reporting Authority
		→Registrar(Admn.)→ RG]	
23.		Litigation by or against the High Court in the Supreme Court. <i>[Matters to be routed through concerned Section→ Asstt. Registrar (Bench) → Dy. Reg. (Judl.) → Reg. (Judl.)→ RG]</i>	Chief Justice
24.		Litigation by or against the High Court in the High Court. <i>[Matters to be routed through concerned Section→ Asstt. Registrar (Bench) → Dy. Reg. (Judl.) → Reg. (Judl.)→ RG]</i>	Chief Justice/any Hon'ble Judge as may be nominated by the Chief Justice.
25.		All matters relating to the infrastructure/construction of the Court buildings/VWDC(in case of financial issues) matters of the District Judiciary. <i>[Matters to be routed through concerned Section → Asstt. Reg.(Admn.-II) → Dy. Reg. (Admn.) → Reg. (Admn.)→ RG]</i>	Appropriate Committee/ Chief Justice/Full Court
26.		All matters relating to Chief Justice's Bungalow. <i>[Matters to be routed through concerned Section → Asstt. Reg. (C.O. Section) →Dy. Reg. (Prot.) → Reg. (Admn.)→ RG]</i>	Registrar General/Chief Justice
27.		Pension, medical reimbursement claims and other dues of the Chief Justice and Judges (Retired and incumbent). <i>[Matters to be routed through concerned Section→ Asstt. Reg.(Accts.) → Dy. Reg. (Accts.)→D.D.O.→Reg. (Admn.)→ RG]</i>	Registrar General
28.		Pension, medical reimbursement claims and other dues of all the serving and retired Judicial Officers/Gazetted Officers/Non-Gazetted staff of the Registry. <i>[Matters to be routed through concerned Section → Asstt. Reg.(Accts.) → Dy. Reg. (Accts.) → D.D.O. → Reg. (Admn.)→ RG]</i>	Registrar General

Sl. No.		Responsibilities & duties	Reporting Authority
		29. Information to the Supreme Court, High Courts, Parliament and Assembly of the State/Central Government. <i>[Matters to be routed through concerned Section → Asstt. Registrar (Admn.II) → Dy. Reg. (Judl.)/Dy. Reg. (Admn.) → Reg. (Judl.)/Reg. (Admn.) → RG]</i>	Chief Justice
		30. Management of cases in the High Court and District Courts including all matters relating to Judicial Work in High Court and District Courts. <i>[Matters to be routed through concerned Section → Asstt. Reg.(Bench) → Dy. Reg. (Judl.) → Reg. (Judl.) → RG]</i>	Chief Justice
		31. All matters relating to the VWDC of the District Judiciary except financial matters <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-II) → Dy. Reg. (Judl.) → Reg. (Judl.) → RG]</i>	Registrar General/ Appropriate Committee/Chief Justice/Full Court
		32. Vigilance and disciplinary matters (including complaints and enquiries) pertaining to all Gazetted and Non-Gazetted officials of the Registry of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i>	Registrar General/ Chief Justice
		33. Confirmation of service pertaining to Judicial Officers of the State and consideration of continued utility of all Judicial Officers on attaining the age of 50/55/58. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i>	Chief Justice/Full Court

Sl. No.	Responsibilities & duties		Reporting Authority
	34.	Granting of selection/super time scale grade to the District & Sessions Judges and for granting of ACP to the Judicial Officers of the State. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i>	Appropriate Committee/Full Court
	35.	Framing of Rules & other matters relating to Rule Section of the High Court and Subordinate Courts. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i>	Chief Justice/ Appropriate Committee
	36.	All matters relating to designation of advocates as Senior Advocates by the High Court and verification of their Income Tax Returns. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i>	Chief Justice/Full Court
	37.	Preparation of draft charge-sheets / memorandum of charge. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i>	Registrar General/ Appropriate Committee/Registrar General/ Portfolio Judge/Chief Justice
	38.	Establishment of field-based network to assess the overall and spoken reputation of the Judicial Officers. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i>	Portfolio Judge/Chief Justice
	39.	Financial matters relating to Computer Section. <i>[Matters to be routed through concerned Section → System Analyst → Dy. Reg. (Vig.)-cum-CPC → Reg. (Admn.) → DDO → RG]</i>	Judge-in-Charge/ Chief Justice

Sl. No.	Responsibilities & duties		Reporting Authority
	40.	<p>Matters relating to purchase of new vehicle including supervision of vehicles and all other office items.</p> <p><i>[Matters to be routed through concerned Section → Asst. Reg. (Admn.-II) → Dy. Reg. (Admn.) → Joint Reg./D.D.O. → Reg. (Admn.) → RG]</i></p>	Chief Justice
	41.	<p>Management and daily maintenance (including AMC) of all properties (including vehicles) of the High Court including official residences of the Hon'ble Judges and staff of the High Court Registry.</p> <p><i>[Matters to be routed through concerned Section → Asst. Reg. (CO Section → Dy. Reg. (Admn.) → Joint Reg. → Reg. (Admn.) → RG]</i></p>	Registrar General/Chief Justice
	42.	<p>All matters relating to purchase of Office items of Store Section.</p> <p><i>[Matters to be routed through concerned Section → Dy. Reg. (Admn.) → Joint Reg./ D.D.O. → Reg. (Admn.) → RG]</i></p>	Registrar General/Chief Justice
	43.	<p>Financial matters relating to computerization in the High Court and Subordinate Courts including utilization of funds released under e-Courts Project.</p> <p><i>[Matters to be routed through concerned Section → System Analyst → Dy. Reg. (Vig.)-cum-CPC → DDO → Reg. (Admn.) → RG]</i></p>	Judge-in-Charge/Chief Justice
	44.	<p>Welfare of the staff members of the High Court.</p> <p><i>[Matters to be routed through concerned Section → Asst. Reg. (Admn.-II) → Dy. Reg. (Admn.) → Reg. (Admn.) → RG]</i></p>	Registrar General

Sl. No.		Responsibilities & duties	Reporting Authority
		45. All matters relating to lawyers' chambers of the High Court. <i>[Matters to be routed through concerned Section → Asst. Reg. (Admn.-II) →Dy. Reg. (Admn) → DDO→Reg. (Admn.)→RG]</i>	Appropriate Committee/ Chief Justice
		46. Beautification / Gardening and all other matters of the High Court and Judges Bungalows. <i>[Matters to be routed through concerned Section → Asst. Reg. (CO Section) →Dy. Reg. (Prot.) →Jt. Reg. → Reg. (Admn.)→RG]</i>	Chief Justice
		47. Infrastructure development and all maintenance works of the High Court. <i>[Matters to be routed through concerned Section → Asst. Reg. (CO Section) →Dy. Reg. (Admn.) →DDO→ Reg. (Admn.)→RG]</i>	Registrar General/ Chief Justice
		48. All matters relating to High Court Canteen. <i>[Matters to be routed through concerned Section → Asst. Reg. (CO Section) →Dy. Reg. (Admn.) →DDO→ Reg. (Admn.)→RG]</i>	Appropriate Committee/Chief Justice
		49. All financial matters and budget of the High Court. <i>[Matters to be routed through concerned Section → Asst. Reg. (Accts.) →Dy. Reg. (Accts.) → DDO→Reg. (Admn.)→RG]</i>	Appropriate Committee/Registrar General/ Chief Justice
		50. Distribution and time to time verification of store materials. <i>[Matters to be routed through concerned Section → Dy. Reg. (Admn.) → Jt. Reg. →Reg. (Admn.)→RG]</i>	Registrar General
		51. Matters relating to detailment of High Court vehicles. <i>[Matters to be routed through Asst. Reg. (CO Section) →Jt. Reg. →Reg. (Admn.)→RG]</i>	Chief Justice

Sl. No.		Responsibilities & duties	Reporting Authority
		52. Attendance of all officials of the Registry of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.I)→Dy. Reg.(Admn.)→ Reg. (Admn.)→RG]</i>	Registrar General
		53. All correspondence concerning the Judiciary and to coordinate between High Court and the Central/State Government in administrative/judicial affairs. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.I)→Dy. Reg.(Admn.)/Dy. Reg. (Judl.)→ Reg.(Admn.)/ Reg. (Judl.)→RG]</i>	Chief Justice
		54. Video Conferencing matter <i>[Matters to be routed through concerned Section → Asst. Reg. (Admn-I) →Dy. Reg. (Vig.)-cum- C.P.C → Reg. (Judl.)→ RG]</i>	Chief Justice
		55. Annual Report of High Court of Tripura <i>[Matters to be routed through concerned Section → Asst. Reg. (Admn.I) →Dy. Reg. (Vig.)- cum- C.P.C. → Reg. (Admn.)→ RG]</i>	Chief Justice
		56. Deputation of Judicial Officers to other Departments <i>[Matters to be routed through concerned Section → Asst. Reg. (Admn.I) →Dy. Reg. ((Vig.)- Cum- C.P.C.) → Reg. (Vig. & Rules)→ RG]</i>	Chief Justice
		57. Observance of High Court Day <i>[Matters to be routed through concerned Section → Asst. Reg. (Admn.-I) →Dy. Reg. (Admn.) → Reg. (Admn.)→ RG]</i>	Chief Justice
		58. Any other administrative work not expressly assigned to any other Registrars	Chief justice
		59. Any other matter not covered by any of the subjects mentioned above.	Chief justice

Sl. No.		Responsibilities & duties		Reporting Authority
2.	Registrar (Vigilance & Rules)	1.	Transfer and Posting of all Judicial Officers. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i>	Chief Justice/Full Court
		2.	Vigilance and disciplinary matters (including complaints and enquiries) pertaining to all Judicial Officers of the State. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i>	Portfolio Judge/Chief Justice/Full Court
		3.	Vigilance and disciplinary matters (including complaints and enquiries) pertaining to all Gazetted and Non-Gazetted officials of the Registry of the High Court. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i>	Chief Justice
		4.	ACRs of the Judicial Officers and communication of the remarks in the ACR. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules)]</i>	Annual Report of High Court of Tripura <i>[Matters to be routed through concerned Section → Asst. Reg. (Admn.I) → Dy. Reg. (Vig.)- cum- C.P.C.) → Reg. (Admn.) → RG]</i>
		5.	Consideration of the representations submitted by the Judicial Officers for expunction of adverse remarks in the ACRs. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules)]</i>	Chief Justice/Full court

Sl. No.	Responsibilities & duties		Reporting Authority
	6.	<p>Matters relating to inspection of the Courts and Tribunals under the supervisory jurisdiction of the High Court by the Hon'ble Portfolio Judges, District Judges and Presiding Officers of the concerned Subordinate Courts of their own Courts and all other matters connected thereto.</p> <p><i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i></p>	Concerned Portfolio Judge/Chief Justice
	7.	<p>Confirmation of service pertaining to Judicial Officers of the State and consideration of continued utility of all Judicial Officers on attaining the age of 50/55/58. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i></p>	Chief Justice/Full Court
	8.	<p>Granting of selection/super time scale grade to the District & Sessions Judges and also for granting of ACP to the Judicial Officers of the State.</p> <p><i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i></p>	Appropriate Committee/ Full Court
	9.	<p>Maintenance of all confidential records including the ACRs of the Judicial officers of the State. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules)]</i></p>	Sole responsibility
	10.	<p>Safe custody of the records pertaining to the competitive examinations conducted by the High Court in connection with recruitment of Judicial Officers and staff of the High Court. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules)]</i></p>	Sole responsibility

Sl. No.		Responsibilities & duties	Reporting Authority
		11. Framing of Rules and other matters relating to Rule Section of the High Court and Subordinate Courts. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i>	Appropriate Committee/ Chief Justice
		12. All matters relating to designation of advocates as Senior Advocates by the High Court and verification of their Income Tax Returns. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules) → RG]</i>	Chief Justice/Full Court
		13. Matters for recruitment including promotion of all Judicial Officers. <i>[Matters to be routed through concerned Section → Asst. Reg. (Admn.-I) → Dy. Reg. (Vig.) → Reg. (Vig.) → RG]</i>	Registrar General/Chief Justice/Full Court
		14. Matters relating to recruitment posting, promotion, transfer of all the staff members of the District Judiciary. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) → Dy. Reg. (Vig.) → Reg. (Vig. & Rules)]</i>	Appropriate Committee/Chief Justice
		15. Lawazima Court of the High Court except the matters as mentioned in Order No.F.40(21)-HCT/BENCH/REGISTRY/2013/7046-82 dated 10.05.2013. <i>[Matters to be routed through concerned Section → Asst. Reg. (Bench) → Dy. Reg. (Judl.) → Reg. (Vig. & Rules)]</i>	Sole responsibility
		16. All matters relating to Judicial Officers of the District Judiciary including leave, leave encashment and vesting of judicial powers etc. <i>[Matters to be routed through concerned Section → Asst. Reg. (Admn.II) → Dy. Reg. (Vig.) → Reg.]</i>	Concerned Portfolio Judge/Chief Justice/Full Court

Sl. No.	Responsibilities & duties		Reporting Authority
		<i>(Vig. & Rules)→ RG]</i>	
	17.	Holding of discrete or preliminary enquiries and evolving a confidential mechanism for such inquiries, supervision of inquiry branch and inquiry cell. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Vig.) →Dy. Reg. (Vig.) → Reg. (Vig. & Rules)]</i>	Concerned Portfolio Judge/Chief Justice
	18.	Critical analysis of the complaints or discrete/preliminary inquiry report to assist the competent authority in deciding as to whether a regular inquiry into the allegation(s) is required. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Vig.) →Dy. Reg. (Vig.) → Reg. (Vig. & Rules)]</i>	Appropriate Committee/ Portfolio Judge/Chief Justice
	19.	Preparation of draft charge-sheet /memorandum of charge. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Vig.) →Dy. Reg. (Vig.) → Reg. (Vig. & Rules)→ RG]</i>	Appropriate Committee/Registrar General/Portfolio Judge/Chief Justice
	20.	Scrutiny of assets & liabilities, statement of the Judicial Officers and overall supervision of Vigilance Section. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) →Dy. Reg. (Vig.) → Reg. (Vig. & Rules)]</i>	Sole responsibility
	21.	Establishment of field-based network to assess the overall and spoken reputation of the Judicial Officers. <i>[Matters to be routed through concerned Section → Asst. Reg. (Vig.) →Dy. Reg. (Vig.) → Reg. (Vig. & Rules)→ RG]</i>	Portfolio Judge/Chief Justice
	22.	First Appellate Authority under Right To Information Act, 2005. <i>[Matters to be routed through</i>	Sole responsibility

Sl. No.		Responsibilities & duties		Reporting Authority
			<i>concerned Section</i> → <i>Reg. (Vig. & Rules)]</i>	
		23.	Deputation of Judicial Officers to other Departments [<i>Matters to be routed through concerned Section</i> → <i>Asst. Reg. (Admn.I)</i> → <i>Dy. Reg. ((Vig.)- Cum- C.P.C.)</i> → <i>Reg. (Vig. & Rules)</i> → <i>RG</i>]	Chief Justice
		24.	Any other matters pertaining to discipline and vigilance not covered by any other specific heading.	Chief Justice
		25.	Any other matters assigned by the Chief Justice, Hon'ble Judges and Registrar General.	Sole responsibility
3.	Registrar (Judicial)	1.	Supervisory Officer relating to all Bench and Judicial matters.	Sole responsibility
		2.	Holding of Lawazima Court of the High Court in absence of the Registrar (Vig.) as per the Order No. 48, dated 08.01.2014.	Chief Justice
		3.	Compilation and management of Judgments delivered by the High Court. <i>[Matters to be routed through Library Section</i> → <i>Chief Librarian</i> → <i>Reg. (Judl.)]</i>	Chief Justice
		4.	Preparation and maintenance of statistical information of cases of the Courts of the District Judiciary. <i>[Matters to be routed through concerned Section</i> → <i>Asstt. Reg. (Statements)</i> → <i>Dy. Reg. (Judl.)</i> → <i>Reg. (Judl.)]</i>	Chief Justice/Full Court
		5.	Preparation of Calendar for the High Court and District Judiciary of Tripura. <i>[Matters to be routed through concerned Section</i> → <i>Asstt. Reg. (Admn-I)</i> → <i>Dy. Reg (Judl.)</i> → <i>Reg. (Judl.)</i> → <i>RG</i>]	Chief Justice

Sl. No.	Responsibilities & duties		Reporting Authority
	6.	Court management and administration. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Bench) → Dy. Reg. (Judl.) → Reg. (Judl.)]</i>	Chief Justice
	7.	Preparation of Roster. <i>[Dy. Registrar (Judl.) → Reg. (Judl.)]</i>	Chief Justice
	8.	Information to the Supreme Court, High Courts, Parliament and Assembly of the Central/State Government relating to Judicial matters. <i>[Matters to be routed through concerned Section → Asstt. Registrar (Admn-II) → Dy. Reg. (Judl.) → Reg. (Judl.) → RG]</i>	Sole responsibility
	9.	Detailing of all Non-Gazetted Class-III Staff of Bench Section. <i>[Matters to be routed through concerned Section → Asstt. Registrar (Admn.-II) → Dy. Reg. (Judl.) → Reg. (Judl.)]</i>	Registrar General
	10.	Reporting Authority of ACRs of all Non-Gazetted Class-III Staff of Bench Section. <i>[Matters to be routed through RG Secretariat → Secretary/PS to RG → Reg. (Judl.) → RG]</i>	Sole responsibility
	11.	Preparation of Paper Books. <i>[Matters to be routed through concerned Section → Dy. Reg. (Judl.) → Reg. (Judl.)]</i>	Sole responsibility
	12.	Matters relating to preparation of certified copies of Orders, documents and uncertified copies of Orders. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Bench) → Dy. Reg. (Judl.) → Reg. (Judl.)]</i>	Sole responsibility
	13.	Matters relating to preparation of Cause List and grouping of cases. <i>[Matters to be routed through</i>	Sole responsibility

Sl. No.	Responsibilities & duties		Reporting Authority
		<i>concerned Section → Asstt. Reg. (Bench) → Dy. Reg. (Judl.) → Reg. (Judl.)</i>	
	14.	File tracking and management of all judicial records from the Filing Section to the consignment of the record in the Record Room. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Bench) → Dy. Reg. (Judl.) → Reg. (Judl.)]</i>	Sole responsibility
	15.	Preparation of decree in the Judicial/Bench Section of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Bench) → Dy. Reg. (Judl.) → Reg. (Judl.)]</i>	Sole responsibility
	16.	Matters relating to issuance of license of Advocates Clerk in the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-II) → Dy. Reg. (Judl.) → Reg. (Judl.)]</i>	Chief Justice
	17.	Management of cases in the High Court and District Courts including all matters relating to Judicial Work in High Court and District Courts. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Bench) → Dy. Reg. (Judl.) → Reg. (Judl.)]</i>	Chief Justice
	18.	Compliance with the Orders and Judgments of the Supreme Court of India and the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Bench.) → Dy. Reg. (Judl.) → Reg. (Judl.) → RG]</i>	Chief Justice
	19.	Destruction/reconstruction of the judicial records in the High Court and conducting inquiry etc. concerning the loss/misplacement of such record.	Sole responsibility

Sl. No.	Responsibilities & duties		Reporting Authority
		[Matters to be routed through concerned Section → Asstt. Reg. (Bench) → Dy. Reg. (Judl.) → Reg. (Judl.)]	
	20.	Jail appeals, complaints and other matters pertaining to jails and UTPs/convicts. [Matters to be routed through concerned Section → Dy. Reg. (Judl.) → Reg. (Judl.)]	Chief Justice
	21.	All matters relating to statements of the High Court and District Courts. [Matters to be routed through concerned Section → Asstt. Reg. (Statements) → Dy. Reg. (Judl.) → Reg. (Judl.)]	Chief Justice
	22.	All matters relating to publication of Court newsletter of the High Court of Tripura. [Matters to be routed through concerned Section → Asstt. Reg. (Admn.-I) → Dy. Reg. (Admn.)/Dy. Reg. (Judl.) → Reg. (Admn.)/Reg. (Judl.)]	Chief Justice
	23.	Litigation by or against the High Court in the Supreme Court. [Matters to be routed through concerned Section → Asstt. Reg. (Bench) → Dy. Reg. (Judl.) → Reg. (Judl.) → RG]	Chief Justice/Any Judge as may be nominated by the Chief Justice
	24.	Litigation by or against the High Court in the High Court. [Matters to be routed through concerned Section → Dy. Reg. (Judl.) → Reg. (Judl.) → RG]	Registrar General/ Appropriate Committee/Chief Justice/Full Court
	25.	All matters relating to the VWDC of the District Judiciary except financial matters [Matters to be routed through concerned Section → Asstt. Reg. (Admn.-II) → Dy. Reg. (Judl.) → Reg. (Judl.) → RG]	Registrar General/Chief Justice

Sl. No.		Responsibilities & duties	Reporting Authority
		26. Matters regarding the Chief Justices' Conference and Joint Conference of the Chief Ministers' and Chief Justices' and implementation of the Resolutions thereof. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-II) → Dy. Reg. (Admn.)/Dy. Reg. (Judl.) → Reg. (Admn.)/Reg. (Judl.)→ RG]</i>	Registrar General/ Chief Justice
		27. Establishment of Courts. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-I) → Dy. Reg. (Judl.) → Reg. (Judl.)→ RG]</i>	Chief Justice
		28. Matters concerning the appointment of the President of State Consumer Commission, Appointment of Director of Prosecution, Appointment of Enquiry Commission and other appointments wherein prior consultation or approval of the Hon'ble Chief Justice or High Court is required. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg (Judl.)→ Reg.(Judl.)→ RG]</i>	Registrar General
		29. All correspondence concerning the judiciary and to act as Spokesperson for coordination between High Court and the State/Central Government in administrative/judicial affairs. <i>[Matters to be routed through concerned Section→ Asstt. Reg.(Admn.-II)→Dy. Reg. (Admn.)/Dy. Reg. (Judl.)→Reg.(Admn.)/Reg. (Judl.)→RG]</i>	Registrar General / Chief Justice

Sl. No.		Responsibilities & duties	Reporting Authority
		30. Leave, Posting, Recruitment and Promotion of Gazetted Officers/Staff of Bench Section of the High Court Services. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.I) → Dy. Reg. (Admn.)/Dy. Reg. (Judl.) → Reg. (Admn.)/Reg. (Judl.) → RG]</i>	Chief Justice
		31. Video Conferencing matter <i>[Matters to be routed through concerned Section → Asst. Reg. (Admn-I) → Dy. Reg. (Vig.)-cum-C.P.C → Reg. (Judl.) → RG]</i>	Chief Justice
		32. Any other matter pertaining to the Judicial and Court Administration not covered by any of the above-mentioned subjects.	Registrar General /Judges/ Chief Justice
		33. Any other matter assigned by the Hon'ble Chief Justice, Hon'ble Judges and Registrar General.	Sole responsibility
4.	Registrar (Admn., P&M)	1. Head of Office of the Establishment of the High Court of Tripura.	Registrar General/Chief Justice
		2. All matters relating to the function of Head of Office of the High Court Establishment. <i>[Matters to be routed through concerned Section → Asst. Reg.(Admn. I) → Dy. Reg. (Admn.) → Reg. (Admn.) →RG]</i>	Registrar General
		3. Reporting Authority of ACRs of all Non-Gazetted, Class-III staff (except the staff of Bench Section and Computer Section). <i>[Matters to be routed through RG Secretariate→Secretary PS to RG → Reg. (Admn.)]</i>	Judge-in-Charge/ Chief Justice
		4. Financial matters relating to Computer Section. <i>[Matters to be routed through concerned Section → System Analyst → Dy. Reg. (Vig.)-cum-CPC →</i>	Chief Justice

Sl. No.	Responsibilities & duties		Reporting Authority
		<i>DDO→ Reg. (Admn.)→RG]</i>	
	5.	Matters relating to purchase of new vehicle including supervision of vehicles and all other office items. <i>[Matters to be routed through concerned Section → Asstt. Registrar(CO section)/Asstt. Reg. (Admn.II) → Dy. Reg. (Admn.) → Joint Reg.(DDO) →Reg. (Admn.)→ RG]</i>	Registrar General/ Chief Justice
	6.	Appointment, Promotion, Posting, Seniority and other matters pertaining to staff members of the High Court Registry and supervision of the Establishment Section. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.I)→Dy. Reg. (Admn.) → Reg. (Admn.)/Reg. (Vig. & Rules)→ RG]</i>	Registrar General/ Chief Justice
	7.	Pension, other retiral dues and Medical Reimbursement Claims of all Retired employees (Gazetted and Non-Gazetted) of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Accounts) →Dy. Reg. (Accounts.) → DDO → Reg. (Admn.)→ RG]</i>	Registrar General/ Chief Justice
	8.	Posting of the Staff of the High Court to the High Court Legal Service Committee/Tripura Judicial Academy on deputation. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.I) →Dy. Reg. (Admn.) → Reg. (Admn.)→ RG]</i>	Appropriate Committee/ Registrar General / Chief Justice
	9.	Leave, Posting, Promotion and Recruitment of all Gazetted Officers/Staff of the High Court Services. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.I) →Dy. Reg. (Admn.)/ Dy. Registrar (vig.-cum-CPC)/DDO → Reg. (Admn.)/ Reg. (Vigilance</i>	Registrar General/ Chief Justice

Sl. No.	Responsibilities & duties		Reporting Authority
		<i>&Rules)/ Registrar(Judl.)→ RG]</i>	
	10.	<p>Management and daily maintenance (including AMC) of all properties (including vehicles) of the High Court including official residences of the Hon'ble Judges and staff of the High Court Registry.</p> <p><i>[Matters to be routed through concerned Section → Asst. Reg. (CO Section → Dy. Reg. (Admn.) → Jt. Reg./DDO→Reg. (Admn.)→RG]</i></p>	Chief Justice
	11.	<p>Leave of the High Court Judges.</p> <p><i>(Matters to be routed through concerned Section → Asstt. Reg. (Admn.I) → Dy. Reg. (Admn.) → Reg. (Admn.)→RG]</i></p>	Registrar General/Chief Justice
	12.	<p>All matters relating to purchase of Office items of the Store Section.</p> <p><i>[Matters to be routed through concerned Section→ Dy. Reg. (Admn.) → Jt. Reg./DDO→Reg. (Admn.)→RG]</i></p>	Registrar General
	13.	<p>Pension and Medical benefits and claims of the Hon'ble Chief Justice and all Hon'ble Judges (Retired and incumbent) of the High Court.</p> <p><i>[Matters to be routed through concerned Section → Asstt. Reg. (Accounts) → Dy. Reg. (Accounts.) → DDO→ Reg. (Admn.)→RG]</i></p>	Registrar General
	14.	<p>Attendance of all officials of the Registry of the High Court.</p> <p><i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.I)→Dy. Reg.(Admn.)→ Reg. (Admn.)→RG]</i></p>	Judge-in-Charge/ Chief Justice
	15.	<p>Financial matters relating to Computer Section.</p> <p><i>[Matters to be routed through concerned Section → System Analyst → Dy. Reg. (Vig.)-cum-CPC → DDO→ Reg. (Admn.)→RG]</i></p>	Sole responsibility but in prior consultation with the Registrar General.

Sl. No.		Responsibilities & duties	Reporting Authority
		16. Planning, Management and Arrangements for all ceremonial and other functions, including swearing in, Independence Day/Republic Day celebrations, farewells, dinners, Full Court Meetings etc. <i>[Matters to be routed through concerned Section → Asstt. Reg. (CO Section) → Dy. Reg. (Admn.) → Jt. Reg./DDO → Reg. (Admn.)]</i>	Registrar General
		17. Purchase of furniture and other office items and writing off of unserviceable furniture and office items of the High Court/Subordinate Judiciary (in case of seeking permission) upto Rs. 3 Lakhs. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-II) → Dy. Registrar (Admn.) → Joint Registrar /DDO(for High Court) → Reg. (Admn.) → RG]</i>	Registrar General/ Chief Justice
		18. Purchase of furniture and other office items and writing off of unserviceable furniture and office items of the High Court/ Subordinate Judiciary (in case of seeking permission) above Rs. 3 Lakhs. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-II) → Dy. Registrar (Admn.) → Joint Registrar /D.D.O(for High Court) → Reg. (Admn.) → RG]</i>	Registrar General/ Chief Justice
		19. Implementation of Finance Commissions' recommendation and centrally sponsored schemes. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-II) → Dy. Reg. (Admn.) → Reg. (Admn.) → RG]</i>	Judge-in-Charge/ Chief Justice
		20. Financial matters relating to computerization in the High Court and Subordinate Courts including utilization of funds released under e-Courts Project. <i>[Matters to be routed through concerned Section → System Analyst → Dy. Reg. (Vig.)-cum-CPC → DDO →</i>	Registrar General

Sl. No.	Responsibilities & duties		Reporting Authority
		<i>Reg. (Admn.)→RG]</i>	
	21.	Welfare of the staff members of the High Court. <i>[Matters to be routed through concerned Section→ Asstt. Reg. (Admn.-II) →Dy. Reg. (Admn.) → Reg. (Admn.)→RG]</i>	Appropriate Committee/ Chief Justice
	22.	All matters relating to lawyers' chambers of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-II) →Dy. Reg. (Admn.) → DDO→Reg. (Admn.)→RG]</i>	Registrar General/Chief Justice
	23.	All matters relating to Chief Justice Bungalow. <i>[Matters to be routed through concerned Section → Asstt. Reg. (CO Section) →Dy. Reg. (Prot.) → Jt. Reg. →Reg. (Admn.)→RG]</i>	Sole responsibility
	24.	Verification of Cash and daily updating of Accounts. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Accts.) →Dy. Reg. (Accts.) → DDO → Reg. (Admn.)]</i>	Chief Justice
	25.	Beautification / Gardening and all other matters of the High Court and Judges Bungalows. <i>[Matters to be routed through concerned Section → Asstt. Reg. (CO Section) →Dy. Reg. (Prot.) →Jt. Reg. → Reg. (Admn.)→RG]</i>	Chief Justice
	26.	LTC/HTC of all Gazetted Officers of the Registry. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-I) →Dy. Reg. (Admn.) →DDO→ Reg. (Admn.)→ RG]</i>	Registrar General
	27.	LTC/HTC of all non-gazetted staff of the Registry. <i>[Matters to be routed through concerned Section → Asstt. Reg.</i>	Chief Justice

Sl. No.		Responsibilities & duties	Reporting Authority
		<i>(Admn.-I) →Dy. Reg. (Admn.) → DDO →Reg. (Admn.)→ RG]</i>	
	28.	Granting of ACP to the staff of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.I) →Dy. Reg. (Admn.) →DDO → Reg. (Admn.)→ RG]</i>	Registrar General/ Chief Justice
	29.	Infrastructure development and all maintenance works of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (CO Section) →Dy. Reg. (Admn.) →Jt.Reg./DDO→ Reg. (Admn.)→RG]</i>	Chief Justice / Appropriate Committee.
	30.	All matters relating to High Court Canteen. <i>[Matters to be routed through concerned Section → Asstt. Reg. (CO Section) →Dy. Reg. (Admn.) →DDO→ Reg. (Admn.)→RG]</i>	Appropriate Committee/ Registrar General/Chief Justice
	31.	All financial matters and budget of the High Court <i>[Matters to be routed through concerned Section → Asstt. Reg. (Accts.) →Dy. Reg. (Accts.) →DDO→ Reg. (Admn.)→RG]</i>	Registrar General
	32.	Distribution and time to time verification of store materials. <i>[Matters to be routed through concerned Section →Dy. Reg. (Admn.)/ Jt. Reg/DDO →Reg. (Admn.)→RG]</i>	Chief Justice
	33.	Annual Report of High Court of Tripura <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-I) →Dy. Reg. (Vig.)- cum- C.P.C. → Reg. (Admn.)→ RG]</i>	Chief Justice
	34.	Observance of High Court Day <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-I) →Dy. Reg. (Admn.) → Reg. (Admn.)→ RG]</i>	Chief Justice

Sl. No.		Responsibilities & duties	Reporting Authority
		35. All matters relating to publication of Court newsletter of the High Court of Tripura. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-I)→Dy.Reg. (Admn.)/Dy. Reg. (Judl.) → Reg. (Admn.)/Reg. (Judl.)]</i>	Registrar General/Chief Justice
		36. Matters regarding the Chief Justices' Conference and Joint Conference of the Chief Ministers' and Chief Justices' and implementation of the Resolutions thereof. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-II) →Dy. Reg. (Admn.)/Dy. Reg. (Judl.) → Reg. (Admn.)/Reg. (Judl.)→ RG]</i>	Sole Responsibility
		37. Inspection and Management of all the Sections of the Registry.	Chief Justice/ Hon'ble Judges/ Registrar General
		38. Any other matter entrusted by the Chief Justice /Hon'ble Judges/ Registrar General	Chief Justice
5.	Joint Registrar/ D.D.O.	1. Supervising and Monitoring of all matters pertaining to Protocol. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Prot.) →Dy. Reg. (Prot.)→Jt. Reg.]</i>	Registrar General
		2. Reporting Authority of ACRs of all Drivers & Class-IV staff. <i>[Matters to be routed through RG Secretariat → Secretary/PS to RG→ Jt. Reg.]</i>	Registrar General
		3. Pension, other retiral benefits and claims of all retired employees (Gazetted and Non-Gazetted) of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Accts.) →Dy. Reg. (Accts.) → DDO→Reg. (Admn.)→RG]</i>	Registrar General

Sl. No.		Responsibilities & duties	Reporting Authority
		4. <i>Distribution and time to time verification of store materials.</i> <i>[Matters to be routed through concerned section→ Asstt. Reg. (Admn.II) →Dy. Reg. (Admn.) →Jt. Reg. → Reg. (Admn.)→ RG]</i>	Chief Justice
		5. Beautification / Gardening and all other matters of the High Court and Judges Bungalows. <i>[Matters to be routed through concerned Section → Asstt. Reg. (CO Section) →Dy. Reg. (Prot.) →Jt. Reg./DDO → Reg. (Admn.)→RG]</i>	Sole Responsibility
		6. In-Charge of all High Court vehicles including repairing, maintenance etc., of the vehicle. <i>[Matters to be routed through Asstt. Reg. (CO Section) →Jt. Reg.]</i>	Chief Justice
		7. Matters relating to detailment of High Court Vehicles. <i>[Matters to be routed through Asstt. Reg. (CO Section) →Jt. Reg.→Reg.(Admn.)]</i>	Sole Responsibility
		8. Detailment, Attendance and Supervision of the work of the Drivers & Class-IV staff. <i>[Matters to be routed through Asstt. Reg. (CO Section) →Deputy Reg. (Admn.) →Jt. Reg.]</i>	Chief Justice
		9. All matters relating to the Planning, Management and Arrangement of Full Court meeting and other meetings of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (CO Section) → Dy. Reg. (Prot.) → Jt. Reg. → Reg. (Admn.)→ RG]</i>	Chief Justice
		10. Greetings Card, Invitation Cards, Identity Cards, Telephone Directory etc. <i>[Matters to be routed through concerned Section → Asstt. Reg.</i>	Registrar General / Chief Justice

Sl. No.	Responsibilities & duties		Reporting Authority
		<i>(Admn.-II)/Asstt. Reg. (CO Section) →Dy. Reg. (Prot.) →Jt. Reg.]</i>	
	11.	Overall supervision and management of all security matters of the High Court building. <i>[Matters to be routed through concerned Section → Asstt. Reg. (CO Section) →Dy. Reg. (Prot.) → Jt. Reg.]</i>	Registrar General
	12.	Matters relating to the swearing in ceremony, Independence Day / Republic Day celebrations, Farewells, Dinners etc. pertaining to the Hon'ble Chief Justice and Hon'ble Judges. <i>[Matters to be routed through concerned Section → Asstt. Reg. (CO Section) →Dy. Reg. (Admn.) → Jt. Reg. →Reg. (Admn.)→RG]</i>	Registrar General
	13.	Purchase of furniture and other office items and writing off of unserviceable furniture and other article of the High Court/ Subordinate Judiciary (in case of seeking permission) up to Rs. 3 Lakhs. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.-II) →Dy. Reg (Admn.)→Jt. Reg./DDO. → Reg. (Admn.)→RG]</i>	Chief Justice
	14.	Purchase of furniture and other office items and writing off of unserviceable furniture and other article of the High Court/ Subordinate Judiciary (in case of seeking permission) above Rs. 3 Lakhs. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.II) →Dy. Reg (Admn.)→Jt. Reg./DDO→ Reg. (Admn.)→ RG]</i>	Chief Justice
	15.	Matters relating to the purchase of new vehicle including supervision of vehicles and all other articles. <i>[Matters to be routed through concerned Section → Asstt. Registrar(CO section)/Asstt. Reg. (Admn.-II) →Dy. Reg (Admn.)→Jt. Reg./DDO →Reg. (Admn.)→ RG]</i>	Registrar General

Sl. No.		Responsibilities & duties	Reporting Authority
		16. All kinds of leave of Drivers & Group- D staff of the Registry. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg. (Admn.)→ Jt. Registrar → Reg. (Admn.)→ RG]</i>	Chief Justice
		17. i. LTC/HTC of all gazetted officers of the Registry of the High Court <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg. (Admn.)→ D.D.O. → Reg. (Admn.)→ RG]</i>	Registrar General
		ii. LTC/HTC of all non-gazetted officials of the Registry of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn-I)→ Dy. Reg. (Admn.)→ D.D.O. → Reg. (Admn.)→ RG]</i>	Chief Justice
		18. Granting of ACP to the staff of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Admn.I) →Dy. Reg. (Admn.) →DDO → Reg. (Admn.)→ RG]</i>	Registrar General
		19. Pension, medical reimbursement claims and other dues of the Chief Justice and Judges (Retired and incumbent). <i>[Matters to be routed through concerned Section→ Asstt. Reg.(Accts.) → Dy. Reg. (Accts.)→D.D.O.→Reg. (Admn.)→ RG]</i>	Registrar General
		20. Pension, medical reimbursement claims and other dues of all the serving and retired Judicial Officers/Gazetted Officers/Non-Gazetted staff of the Registry. <i>[Matters to be routed through concerned Section → Asstt. Reg.(Accts.) → Dy. Reg. (Accts.) → D.D.O. → Reg. (Admn.)→ RG]</i>	Registrar General/ Chief Justice
		21. Financial matters relating to Computer	Registrar

Sl. No.	Responsibilities & duties		Reporting Authority
		Section. <i>[Matters to be routed through concerned Section → System Analyst → Dy. Reg. (Vig.)-cum-CPC → Reg. (Admn.)→DDO→RG]</i>	General/ Chief Justice
	22.	Management and daily maintenance (including AMC) of all properties (including vehicles) of the High Court including official residences of the Hon'ble Judges and staff of the High Court Registry. <i>[Matters to be routed through concerned Section → Asst. Reg. (CO Section →Dy. Reg. (Admn.) →Joint Reg. → Reg. (Admn.)→RG]</i>	Registrar General/ Chief Justice
	23.	All matters relating to purchase of Office items of Store Section. <i>[Matters to be routed through concerned Section → Dy. Reg. (Admn.) →Joint Reg./ D.D.O. → Reg. (Admn.)→RG]</i>	Judge-in- Charge/ Chief Justice
	24.	Financial matters relating to computerization in the High Court and Subordinate Courts including utilization of funds released under e-Courts Project. <i>[Matters to be routed through concerned Section → System Analyst →Dy. Reg. (Vig.)-cum-CPC→DDO→ Reg. (Admn.)→RG]</i>	Appropriate Committee/ Chief Justice
	25.	All matters relating to lawyers' chambers of the High Court. <i>[Matters to be routed through concerned Section → Asst. Reg. (Admn.-II) →Dy. Reg. (Admn) → DDO→Reg. (Admn.)→RG]</i>	Registrar General/Chief Justice
	26.	All matters relating to Chief Justice Bungalow. <i>[Matters to be routed through concerned Section → Asst. Reg. (CO Section) →Dy. Reg. (Prot.) →Joint Reg.→ Reg. (Admn.)→RG]</i>	Registrar General/ Chief Justice
	27.	Infrastructure development and all maintenance works of the High Court.	Chief Justice / Appropriate

Sl. No.		Responsibilities & duties	Reporting Authority
		<p>[Matters to be routed through concerned Section → Asstt. Reg. (CO Section) → Dy. Reg. (Admn.) → Jt.Reg./DDO → Reg. (Admn.) → RG]</p>	Committee.
		<p>28. All matters relating to High Court Canteen. [Matters to be routed through concerned Section → Asstt. Reg. (CO Section) → Dy. Reg. (Admn.) → DDO → Reg. (Admn.) → RG]</p>	Appropriate Committee /Registrar General/ Chief Justice
		<p>29. All financial matters and budget of the High Court. [Matters to be routed through concerned Section → Asstt. Reg. (Accts.) → Dy. Reg. (Accts.) → DDO → Reg. (Admn.) → RG]</p>	Registrar General/Judges/ Chief Justice
		<p>30. Any other matter entrusted by the Hon'ble Chief Justice/ Hon'ble Judges/ Registrar General</p>	Registrar (Judicial)
6.	Deputy Registrar (Judicial)	1. Preparation of Roster	Registrar (Vigilance)/ Registrar (Judl.) & Sole Responsibility regarding the matters as mentioned in Order No. F.40(21)-HCT/BENCH/REGISTRY/2013/7046-82, dated 10.05.2013 and sole responsibility in absence of Registrar (Vig.) & Registrar (Judl.) as per Order No.48, dated 08.01.2014.

Sl. No.	Responsibilities & duties		Reporting Authority
	2.	Lawazima Court of the High Court.	In absence of Registrar (Vigilance & Rules)
	3.	Addl. Lawazima Court of the High Court. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Bench) → Dy. Reg. (Judl.)]</i>	Sole Responsibility
	4.	Custodian of documents including Wills, Deed etc. <i>[Matters to be routed through concerned Section → Asstt. Reg. (Bench) → Dy. Reg. (Judl.)]</i>	Chief Justice
	5.	Compilation and management of Judgments delivered by the High Court.	Chief Justice
	6.	Preparation and maintenance of statistical information of cases of the Courts of the District Judiciary.	Chief Justice/Full Court
	7.	Preparation of Calendar for the High Court and District Judiciary of Tripura.	Chief Justice
	8.	Court management and administration.	Chief Justice
	9.	Equitable distribution of case load.	Chief Justice
	10.	Information to the Supreme Court, other High Courts, Parliament, Assembly of the Central/State Government in relating to Judicial matters.	Registrar (Judicial)
	11.	Detailing of all Non-Gazetted Class-III Staff of Bench Section.	Registrar (Judicial)
	12.	Preparation of Paper Books.	Registrar (Judicial)
	13.	Matters relating to preparation of certified copies of Orders, documents and uncertified copies of Orders.	Registrar (Judicial)
	14.	Matters relating to preparation of Cause List and grouping of cases.	Registrar (Judicial)
	15.	File tracking and management of all judicial records from the Filing Section to the consignment of the record in the Record Room.	Registrar (Judicial)

Sl. No.	Responsibilities & duties		Reporting Authority
	16.	Preparation of decree in the Judicial/Bench Section of the High Court.	Registrar (Judicial)
	17.	Matters relating to issuance of license of Advocates Clerk in the High Court.	Chief Justice
	18.	Management of cases in the High Court and District Courts including all matters relating to Judicial Work in High Court and District Courts.	Chief Justice
	19.	Compliance with the Orders and Judgments of the Supreme Court of India and the High Court.	Chief Justice
	20.	Destruction/reconstruction of the judicial record in the High Court and conducting enquiry etc. concerning the loss/misplacement of such record.	Registrar (Judicial)
	21.	Jail appeals, complaints and other matters pertaining to jails and UTPs/convicts.	Chief Justice
	22.	All matters relating to Statements of the High Court and District Courts.	Chief Justice
	23.	All matters relating to publication of Court newsletter of the High Court of Tripura.	Chief Justice
	24.	Litigation by or against the High Court in the Supreme Court.	Chief Justice/Any Judge as may be nominated by the Chief Justice
	25.	Litigation by or against the High Court in the High Court.	Appropriate Committee/ Registrar General/Chief Justice/Full Court
	26.	All matters relating to the VWDC of the District Judiciary except financial matters	Registrar General/ Chief Justice
	27.	Establishment of Courts.	Chief Justice
	28.	Matters concerning the appointment of the President of State Consumer Commission, Appointment of Director of Prosecution, Appointment of	Sole Responsibility

Sl. No.		Responsibilities & duties	Reporting Authority
		Enquiry Commission and other appointments wherein prior consultation or approval of the Hon'ble Chief Justice or High Court is required.	
		29. Public Information Officer under Right To Information Act, 2005. <i>[Matters to be routed through concerned Section → Senior most Asstt. Reg./Asstt. PIO →Dy. Reg. (Judl.)]</i>	Chief Justice
		30. All correspondence concerning the Judiciary and to act as Spokesperson for the High Court and to coordinate between the High Court and the Central/State Government in administrative/Judicial affairs.	Chief Justice
		31. Any other matter pertaining to the Judicial and Court Administration not covered by any of the above-mentioned subjects.	Registrar General/Judges/Chief Justice
		32. Any other matter assigned by the Hon'ble Chief Justice, Hon'ble Judges and Registrar General.	Chief Justice/Full Court
7.	Dy. Registrar (Vigilance-cum-CPC)	1. Transfer and Posting of all Judicial Officers.	Portfolio Judge/Chief Justice/Full Court
		2. Vigilance and disciplinary matters (including complaints and enquiries) pertaining to all Judicial Officers of the State.	Chief Justice
		3. Vigilance and disciplinary matters (including complaints and enquiries) pertaining to all Gazetted and Non-Gazetted officials of the Registry of the High Court.	Portfolio Judge/Chief Justice
		4. ACRs of the Judicial Officers and communication of the remarks in the ACR.	Chief Justice/Full court
		5. Consideration of the representations submitted by the Judicial Officers for expunction of adverse remarks in the ACRs.	Chief Justice/Concerned Portfolio Judge

Sl. No.	Responsibilities & duties		Reporting Authority
	6.	Matters relating to inspection of the Courts and Tribunals under the supervisory jurisdiction of the High Court by the Hon'ble Portfolio Judges, District Judges and Presiding Officers of the concerned Subordinate Courts of their own Courts and all other matters connected thereto.	Chief Justice/Full Court
	7.	Confirmation of service pertaining to Judicial Officers of the State and consideration of continued utility of all Judicial Officers on attaining the age of 50/55/58.	Appropriate Committee/ Full Court
	8.	Granting of Selection/Super Time Scale Grade to the District & Sessions Judges and for granting of ACP to the Judicial Officers of the State.	Registrar (Vigilance)
	9.	Maintenance of all confidential records including the ACRs of the Judicial Officers of the State and the Officers and the staff of the High Court Registry.	Registrar (Vigilance)
	10.	Safe custody of the records pertaining to the competitive examinations conducted by the High Court in connection with recruitment of Judicial Officers and staff of the High Court.	Appropriate Committee/ Chief Justice
	11.	Framing of Rules and other matters relating to Rule Section of the High Court and Subordinate Courts.	Chief Justice/Full Court
	12.	All matters relating to designation of advocates as Senior Advocates by the High Court and verification of their Income Tax Returns.	Registrar General/Chief Justice/Full Court
	13.	Matters for recruitment including promotion of all Judicial Officers.	Appropriate Committee/Chief Justice
	14.	Matters relating to recruitment, posting, promotion and transfer of all the staff members of the District Judiciary.	Concerned Portfolio Judge/Chief Justice/Full Court

Sl. No.		Responsibilities & duties	Reporting Authority
		15. All matters relating to Judicial Officers of the District Judiciary including Leave, Leave Encashment and vesting of Judicial Powers.	Concerned Portfolio Judge/Chief Justice
		16. Holding of discrete or preliminary inquiries and evolving a confidential mechanism for such inquiries, supervision of inquiry branch and inquiry cell.	Appropriate Committee/ Portfolio Judge/Chief Justice
		17. Critical analysis of the complaints or discrete/preliminary inquiry report to assist the competent authority in deciding as to whether a regular inquiry into the allegation(s) is required.	Appropriate Committee/ Registrar General/ Portfolio Judge/Chief Justice
		18. Preparation of draft charge-sheet /memorandum of charge.	Registrar (Vig.)
		19. Scrutiny of the Annual Statement of Assets & Liabilities of the Judicial Officers.	Portfolio Judge/Chief Justice
		20. Establishment of field-based network to assess the overall and spoken reputation of the Judicial Officers.	Chief Justice
		21. Any other matters pertaining to discipline and vigilance not covered by any other specific heading.	Concerned Judge-in-Charge / Registrar (Admn.,P&M) (<i>Relating to Financial Matters</i>).
		22. Supervising and monitoring of all matters regarding computerization and ICT enablement of the High Court and District Judiciary of Tripura including implementation of e-Courts Project in the State Judiciary. <i>[Matters to be routed through concerned Section → System Analyst/ Sr. System Officer → Dy. Reg. (Vig.)-cum-CPC]</i>	Concerned Judge-in-Charge / Chief Justice

Sl. No.		Responsibilities & duties	Reporting Authority
		23. Financial matters relating to computerization and ICT enablement of the High Court and District Judiciary including utilization of fund released under e-Courts Project.	Concerned Judge-in-Charge / Chief Justice
		24. Matters relating to recruitment, posting, promotion and transfer of the Members of the eCourts Services, High Court of Tripura	Chief Justice
		25. Video Conferencing matter	Chief Justice
		26. Annual Report of High Court of Tripura	Chief Justice
		27. Deputation of Judicial Officers to other Departments	Chief Justice/Judges/ Registrar General
		28. Any other matters assigned by the Chief Justice, Hon'ble Judges and Registrar General.	Registrar General
8.	Dy. Registrar (Admn.)	1. All matters pertaining to Establishment Section except statement matters.	Registrar General / Chief Justice
		2. Infrastructure development and all maintenance work of the High Court.	Registrar General
		3. Matters relating to the swearing in ceremony, Independence Day / Republic Day celebrations, Farewells, Dinners etc. pertaining to the Hon'ble Chief Justice and Hon'ble Judges.	Appropriate Committee/ Chief Justice
		4. All matters relating to High Court Canteen.	Joint Registrar
		5. Detailment, Attendance and Supervision of work of drivers and Class-IV staff.	Registrar General/Chief Justice
		6. All matters relating to Purchase of Store Section.	Registrar General/ Chief Justice
		7. Welfare of the staff of the High Court.	Chief Justice

Sl. No.		Responsibilities & duties	Reporting Authority
		8. All correspondence concerning the Judiciary and to coordinate between High Court and the Central/State Government in administrative affairs.	Chief Justice
		9. Matters concerning the appointment of the President of State Consumer Commission, Appointment of Director of Prosecution, Appointment of Enquiry Commission and other appointments wherein prior consultation or approval of the Hon'ble Chief Justice or High Court is required.	Chief Justice
		10. Matters regarding participation in the Chief Justices' Conference and Joint Conference of the Chief Ministers and Chief Justices' and implementation of the resolutions thereof.	Chief Justice
		11. Leave of the High Court Judges.	Chief Justice/ Full Court
		12. Establishment of Courts.	Appropriate Committee/Chief Justice
		13. Implementation of the Finance Commission recommendation and centrally sponsored schemes.	Chief Justice
		14. Leave including LTC/HTC of all Gazetted Officers of the Registry.	Registrar General
		15. Leave including LTC/HTC of all Non Gazetted staff of the Registry.	Chief Justice
		16. Granting of ACP to the staff of the High Court.	Registrar General
		17. Distribution and time to time verification of store materials.	Registrar General
		18. Detailing and attendance of all officials of the Registry of the High Court except Bench Section.	Chief Justice
		19. Observance of High Court Day	Chief Justice
		20. All matters relating to publication of Court newsletter of the High Court of Tripura.	Registrar General/Chief Justice
		21. Matters regarding the Chief Justices'	Registrar

Sl. No.		Responsibilities & duties		Reporting Authority
			Conference and Joint Conference of the Chief Ministers and Chief Justices and implementation of the Resolutions thereof.	General/Chief Justice
		22.	Any other matters pertaining to administration wing of the Registry of the High Court not covered by any of the above-mentioned subjects.	Registrar General
		23.	Any other matters entrusted by the Registrar General.	Appropriate Committee/ Registrar General/ Chief Justice
9.	Dy. Registrar (Accounts)	1.	All Financial Matters and budget of the High Court.	Registrar (Admn., P&M)
		2.	Verification of Cash and daily updation of accounts.	Registrar General.
		3.	Pension, other retiral benefits and claims of all retired employees (Gazetted and non-Gazetted) of the High Court.	Registrar General
		4.	Pension, medical benefits and claims of the Hon'ble Chief Justice and all Hon'ble Judges (retired and incumbent) of the High Court.	Registrar General
		5.	Any other matters entrusted by the Registrar General.	Chief Justice
10.	Dy. Registrar (Protocol)	1.	All matters pertaining to Protocol.	Registrar General/ Chief Justice
		2.	All matters relating to Chief Justice's Bungalow.	Registrar General/ Chief Justice
		3.	Beautification/ Gardening and all other matters relating to Judges' Bungalows and High Court buildings.	Registrar General/ Chief Justice
		4.	Overall supervision and maintenance of security matters etc. of the High Court buildings.	Sole responsibility
		5.	Overall supervision of the High Court staff quarters and maintenance thereof. <i>[Matters to be routed through</i>	Chief Justice

Sl. No.	Responsibilities & duties		Reporting Authority
		<i>concerned Section → Asstt. Reg. (Admn.- II) → Dy. Reg. (Prot.)]</i>	
	6.	Preparation of greetings card, invitation card, identity cards, telephone directory etc.	Registrar General/Chief Justice
	7.	Any other matters pertaining to Protocol of the registry of the High Court not covered by any of the above-mentioned subjects.	Registrars/ Registrar General/Chief Justice
	8.	Any other matter entrusted by the Registrars/ Registrar General /Chief Justice.	

GENERAL INSTRUCTIONS

1. In absence of the Registrar General, his charge will remain with the Registrar (Vig. & Rules) or Registrar (Judicial) who is seniormost and in absence of both Registrar (Vig. & Rules) and Registrar (Judicial), the charge of Registrar General may remain with such Officer of the Registry as the Registrar General nominate for this purpose.
2. The ACRs of Secretary, Private Secretary & Personal Assistant attached with the Hon'ble Chief Justice and Hon'ble Judges will be written by their Lordships.
3. The Registrar (Admn., P&M) with the assistance of the Deputy Registrar (Admn.) and Assistant Registrar (Court Officer Section) will prepare guidelines regarding detailment of Class-IV staff in Court Rooms, Chamber of Hon'ble Judges, Chamber of Officers, different Sections and in Judges' Bungalows/residences for kind approval of Hon'ble the Chief Justice.

CHAPTER VII

AFFIDAVITS AND OATH COMMISSIONER

1. APPOINTMENT OF OATH COMMISSIONER:

The Chief Justice may from time to time appoint such persons from the Registry as he may consider fit to be oath commissioners specifying the period/periods for which they have been so appointed.

2. REGISTER:

The oath commissioners shall maintain registers/registers which shall contain the following particulars with respect to each affidavit sworn before them, namely

- (i) Serial number;
- (ii) Date and time of making affidavit;
- (iii) Particulars of the case to which the affidavit relates;
- (iv) Full particulars of the person making the affidavit such as full name, age, father's name, religion, rank in life, occupation and his true place of residence to ensure his full identification.
- (v) Particulars of the person identifying him;
- (vi) Name of the oath commissioner before whom the affidavit is sworn; and signature of oath commissioner and his remarks, if any.
- (vii) The Chief Justice may from time to time fix the number of registers to be maintained and add to or alter the particulars required to be entered therein.
- (viii) The Registers shall be opened to inspection by the Registrars.

3. DUTY OF OATH COMMISSIONER: -

An oath commissioner shall not allow an affidavit to be sworn before him unless it complies with the provisions of this chapter.

4. REMOVAL OF OATH COMMISSIONER: -

The Chief Justice may in his discretion remove an oath commissioner from his office.

5. TITLE OF AFFIDAVITS: -

- (i) Every affidavit shall be entitled in the matter or proceedings in which it is affirmed, but in every case in which there are more parties on either side than one, it shall be sufficient to state the full name of the first party on the side in question, and to add that there are other parties on that side, as the case may be.
- (ii) Every affidavit to be used in a Court of Justice shall be titled "In the Court of.....at....." naming such Court.
- (iii) If there be a cause in Court, the affidavit in support of or in opposition to an application respecting it shall also be attached to in the cause.
- (iv) If there be no cause in Court, the affidavit shall be entitled "In the manner of the petition of....."

6. AFFIDAVITS TO BE FILED AND IN THE COURT:

Every affidavit presented or filed shall be in the language of the Court and every exhibit annexed thereto shall be marked with the particulars of the proceeding in which it is sworn and no affidavit shall contain any statement which is in nature of any expression of opinion or argument.

7. PERSONS WHO MAY MAKE AFFIDAVITS: -

Except as otherwise provided, under these rules or any other law for the time being in force or under any order of the High Court, an affidavit may be sworn by any person having knowledge, derived personally or through information, of the facts deposed therein. Two or more persons may join in an affidavit, but each should depose distinctly and separately to such facts as are within their respective knowledge.

8. FULL PARTICULARS OF PERSONS OR PLACES:

If any person or place is referred to in the contents of the affidavit, it shall also be fully described in such manner so as to enable his or its identity. The affidavit shall describe the persons swearing the affidavit with such particulars as his full name, name of his father, his nationality, his religious persuasion, his position in life, his profession, occupation or trade or callings and his true place of residence. Any person or place referred to in an affidavit shall be fully described in such a manner as to enable his or its identity to be clearly fixed.

9. AFFIDAVIT TO BE IN FIRST PERSON:

Every affidavit shall be drawn up in first person.

10. FORM OF AFFIDAVIT:-

- (i) Every affidavit containing any statement of fact shall be divided into paragraph and every paragraph shall be numbered consecutively and as nearly as may be, shall be confined to a distinct portion of the subject.
- (ii) When the deponent speaks of any facts within his knowledge, he must do so directly and positively, using the word "I affirm" or "I make oath and say" or words to that effect. When a particular fact is not within the deponent's own knowledge, but is stating from the information obtained from others the deponent shall use the expression "I am informed", and if such be the case, should add "and verily believe it to be true" and he must also state the source from which he received such information.
- (iii) When the statement rests on facts disclosed in documents or copies of documents procured from any Court of Justice or other source, the deponent shall state what is the source from which they were procured, and his information or belief as to the truth of the facts disclosed in such documents. Copies of documents (other than those on the record of the case) to which it is intended that reference be made at the time of hearing shall be to the affidavit and shall be marked as an annexure to it and shall bear the certificate of the Commissioner before whom the affidavit is made.
- (iv) Each affidavit shall have to mention on it the number and the year of the register in which it is entered and the serial number and the date of entry.
- (v) Every affidavit presented in the Court shall be signed on every page by the deponent and shall be dated.

(vi) Every exhibits annexed to an affidavit shall be marked, initialed and dated by the authority before whom it is sworn.

11. INTERPRETATION OF AFFIDAVIT:

The person before whom an affidavit is sworn shall ask the deponent if he has read the affidavit and understood the contents thereof. If the deponent states that he has not read it or appears not to understand the contents or does not know the language thereof, he shall read and explain it or cause another person to read and explain it to such person in his presence: Until he is satisfied that the deponent fully understands its contents he shall not allow the affidavit to be sworn. When any affidavit is so read and explained as herein provided, the Commissioner shall certify in writing at the foot of the affidavit that it has been so read or explained, and that the deponent seems perfectly to have understood the same at the time of making the affidavit.

12. IMPOUNDING OF AFFIDAVIT:

When it appears to an oath commissioner that the deponent cannot be made to or will not understand the contents of the affidavit he shall impound it and forward it to the concerned registrar for such action as he may consider necessary. When an affidavit is impounded under this rule, the person impounding the same shall certify therein the date on which and the circumstances in which it was impounded.

13. BEFORE WHOM AFFIDAVITS TO BE SWORN: -

Affidavit shall be sworn either before the officers referred to in rule 16 below or before persons mentioned in section 139 of CPC 1908.

14. OFFICERS APPOINTED TO ADMINISTER OATH:

Affidavits intended for use in High Court may also be made before and attested by any of the following persons, hereinafter called "Attesting Officers", who are hereby to administer oath or solemn affirmation:-

- (i) Any Judicial Officer or other presiding Officer of civil and criminal Courts;
- (ii) Notary appointed under Notaries Act, 1952.

15. OATH OR AFFIRMATION BY DEPONENT: -

The person administering an oath or affirmation to the person making an affidavit, shall follow the provisions of the Indian Oaths Act, 1873. The following forms are prescribed, namely

OATH

"I swear that this declaration is true; that it conceals nothing: and that no part of it is false. So help me God".

AFFIRMATION

"I solemnly affirm that my declaration is true; that it conceals nothing: and that no part of it is false"

16. IDENTIFICATION OF DEPONENT:

- (i) Every person swearing an affidavit shall, if not personally known to the person before whom the affidavit is sworn, be identified before that person by someone known to him, and in such case the person before whom the affidavit is made shall state at the foot of the affidavit, the name, address and description of the person by whom the deponent was identified.
- (ii) Such identification may be made by a person personally acquainted with the deponent or who is reasonably satisfied about the identity of the deponent.

Provided that in the latter case the person so identifying shall at the foot of the affidavit a declaration in the following after there has been affixed to such declaration in his presence the signature or thumb impression of the person so identified, namely:

FORM OF DECLARATION

1. (name, description and address) declare that I am satisfied on the grounds stated below that the person making this affidavit and alleging himself to be.....is that person.

17. AFFIDAVIT BY TWO OR MORE DEPONENTS:

In every affidavit made by two or more deponents, the full names of the several persons making the affidavit shall be inserted in the opening declaration, except that if the affidavit of all the deponents is sworn/affirmed at one time before the same officer, it shall be sufficient to state that it was sworn/affirmed by both or all of the "above named" deponents.

18. AFFIDAVIT BY THE STRANGER TO THE LITIGATION:

Every person, other than a party to the lis in which the application is made making any affidavit, shall be described in such a manner as will serve to identify him clearly, that is to say, by the statement of his full name, the name of his father, his profession or trade, and the place of his residence.

19. AFFIDAVIT BY BLIND PERSONS: -

Where an affidavit is sworn by any person who appears to the Officer administering the oath or affirmation to be blind, the Officer shall certify at the foot of the affidavit that the affidavit was read or read and interpreted (where necessary) in his presence to the deponent, that the deponent seemed perfectly to understand it, and that the deponent subscribed his signature or mark in the presence of the Officer. No such affidavit shall be used in evidence in the absence of this certificate, unless the Court is otherwise satisfied that the affidavit was read over to and appeared to be perfectly understood by the deponent.

20. NEXT FRIEND OF MINOR AND A PERSON OF UNSOUND MIND TO MAKE AFFIDAVITS. ORDER OF APPOINTMENT UNNECESSARY:

When a suit is brought on behalf of a minor and a person of unsound mind, the next friend shall make an affidavit, to be presented with the plaint in the suit, that

he has no interest directly or indirectly adverse to that of the minor and a person of unsound mind, and that he is otherwise a fit and proper person to act as such next friend shall be mentioned in the affidavit in itself. The date of birth of the minor, if known, or otherwise his age shall be stated in the affidavit. No order appointing the next friend by whom the affidavit is sworn on behalf of the minor and a person of unsound mind is necessary.

21. AFFIDAVITS IN CASE OF DEAF AND DUMB PERSON: -

If the deponent is a deaf and dumb person then the affidavit is required to be interpreted to him who is able to read, write and understand any particular language, it shall be filed for translation into the language known to such person. The said person shall be asked to read the translation and then sign the translation and the affidavit in token of his having understood and approved its contents. The translation shall remain in the office of the oath commissioner and shall be produced in the Court if required.

22. AFFIDAVIT BY A PERSON WHO IS ILLITERATE:

Wherever an affidavit is affirmed by an illiterate person or a person not conversant with the English language, the authority concerned shall before attesting the same shall translate and interpret the contents of affidavit to the person affirming the same and certify the said fact separately under his signature.

23. AFFIDAVIT BY PARDAHNASHIN WOMEN:

Where a deponent is a Pardahnashin woman, unless she is known to the person attesting affidavit, she shall be identified by a person to whom she is known and that person shall also prove the identification of himself by a separate affidavit.

24. PROCEDURE WHEN AFFIDAVIT IS TO BE SWORN OUTSIDE INDIA:

When an affidavit is to be sworn at any place outside India where an Officer in the service of India cannot be found, such affidavit may be sworn before an officer appointed specially for the purpose,

25. PLACE OF ADMINISTERING OATH TO BE STATED WHEN OATH ADMINISTERED OUTSIDE COURT PREMISES: -

The Officer authorized to administer an oath or affirmation shall state at the foot of the affidavit the place where he has administered the oath or affirmation in the event of the same being administered elsewhere than in the Court premises.

26. CERTIFICATE OF AFFIRMATION:

(i) If the officer of the Court has been appointed as Commissioner to administer oaths or affirmations and also interpret affidavits filed under this Chapter the following form of affirmation should be used

"Solemnly affirmed before me this day, I certify that I read over and explained the contents to the deponent and that the deponent seems to have perfectly understood them."

(ii) The Commissioner shall also mention the date and hour of the swearing of the affidavit and shall mark, initial and date any documents annexed therein.

27. AFFIDAVIT NOT BE FILED UNLESS PROPERLY ENDORSED: -

No affidavit shall be accepted in its form by the filing section of the Court if it is not properly endorsed, giving the name of the deponents, the date on which it is sworn, and stating by whom or on whose behalf it is filed.

28. ALTERATIONS IN AFFIDAVIT: -

(i) No affidavit having any interlineations, alterations or erasures, shall without the leave of the Court be read or made use of in any manner pending in the Court unless the interlineations, alterations or erasures is authenticated by the initials of the officer before whom the affidavit is sworn.

(ii) All interlineations, alterations or erasures in an affidavit shall be initialed by the person swearing it and the person before whom it is sworn. The Court or the Registrar may refuse to accept an affidavit containing numerous corrections. Interlineations, alterations, or erasures shall be made in such manner as not to obliterate or render it impossible

or difficult to read the original matter. In case such matter has been obliterated so as to make it impossible or difficult to read it, it shall be re-written on the margin and initialed by the person before whom the affidavit is sworn.

- (iii) No interlineations, alteration or erasure, shall be made in an affidavit after it has been sworn.

29. USE OF DEFECTIVE AFFIDAVITS: -

The Court may accept any affidavit sworn for the purpose of being used in the Court notwithstanding any defect by mis-description of the party or otherwise in the title or any other irregularity in the form thereof, and may direct a memorandum to be made on the document that it has been so accepted.

30. INTERPRETATION: -

In this chapter Affidavit shall include the petitions, written statement or any document required to be sworn; and the words "Swear" and "Sworn" shall include "Affirm" and "Affirmed".

CHAPTER VIII
PRACTICE AND PROCEDURE

A. APPLICATIONS UNDER ARTICLES 226, 227 AND 228 OF THE CONSTITUTION OF INDIA AND RULES FOR ISSUE OF WRITS AND ORDERS UNDER THE SAID ARTICLES.

1) Who Can File Writ: -

An application for writ or order or direction under Article 226/227 of the Constitution of India shall be moved in a format prescribed in three sets duly supported by an affidavit by the petitioners or by one of the petitioners or by some other persons, proved to the satisfaction of the Court to be acquainted with the facts of the case, as specified in sub rule (1) of Rule 15 of Order VI of the Code. It shall also state whether an application on the same cause of action had been previously filed before this Court, and if so, the result thereof.

2) If the petitioner or any of the petitioners makes an application to the Supreme Court in respect of the same matter on any question arising therein, during the pendency of the petition in the High Court, he shall forthwith bring this fact to the notice of the High Court by filing an affidavit in the case and shall furnish a copy of the same to other side. The Court may adjourn the hearing of the petition made to it pending the decision of the Supreme Court in the matter.

3) Applications For Issue Of Writ of Mandamus, Prohibition, Quo Warranto & Writ Of Certiorari: -

a. Every writ petition under Article 226/227 of the Constitution of India shall on the first page contain the index and immediately thereafter the petitioner shall provide a synopsis indicating dates and events in chronological order, the relevant provisions of law and the authorities/judgments relied upon.

b. The grounds on which the reliefs are sought shall be clearly stated in the petition which shall be arranged in suitable paragraphs consecutively numbered. The averments made in the petition shall generally be supported by proof enclosed as annexures to the writ petition.

c. The reliefs sought should be set out at the end of the petition.

- d.** The full names, official designation, if any, and the full addresses of all the parties to the petition for service of any process shall be stated in the petition.
- e.** The petition shall be signed either by the Petitioner or the Petitioners, as the case may be, or by his or their advocate. In case the petitioner or petitioners, as the case may be, sign it, it shall also be countersigned by his or their advocate. Where a person signs the petition in a capacity other than his individual capacity, such as public officer, guardian of a minor, partner of a firm, power of attorney holder, Director, Secretary or Principal Officer of a Company or Corporation etc., he shall indicate the capacity in which he signs unless it has been signed on behalf of the petitioner by his advocate.
- f.** Every petition under this rule shall be supported by an affidavit by the petitioner or one of the petitioners or by a person acquainted with the facts of the case. The deponent shall state what paragraphs or portions of his petition he swears or solemnly affirms to form his own knowledge and what paragraphs or portions he swears or solemnly affirms to on his own belief, stating the grounds of such belief.
- g.** Where any interim relief/order such as stay, injunction etc., is sought such prayer shall be made by a separate application.
- h.** Where any party against whom an interim order of any kind has been made shall file an application to the High Court for vacating of the same and the application shall be listed immediately before the appropriate bench for orders.
- i.** Certified copy of the order complained of and once such copy of the judgment, if any, on which the petition is based.
- j.** Where the order complained of is an appellatant order, in addition to the copies mentioned in Rule h. above one certified copy of the original order and one such copy of the judgment, if any, on which the petition is based.

Provided that where the proceeding out of which the revision arises, has gone through more than two sub-ordinate Courts, provision of Rule j. shall apply to the order and judgment of each such Court.

- k. The amount of Court Fees payable for institution of a Writ Petition in the High Court shall be Rs. 50/- (Rupees Fifty) wherever *ad-valorem* Court Fee is not applicable. The fee structure for institution of IA cases shall, however, remain unchanged.

4) Examination of Writ Applications:

- i. The office shall examine the petition as expeditiously as possible and in any case complete the examination within six days from the date of filing.
- ii. Notwithstanding anything contained in any other rules, when the office finds that any petition filed under this chapter is incomplete, or that there are other objections, the office shall, as soon as the examination is completed, affix on a Special Notice Board a notice specifying that the duplicate of the office objections is ready and requiring the same to be removed within three weeks from the date of the notice.
- iii. An entry of the date of affixing on the Special Notice Board as above shall be made on the presentation form of the petition. The advocate for the petitioner or the petitioners, as the case may be, shall remove all office objections, within three weeks from the date on which the office objections are notified as above, failing which the matter shall, without delay, be placed before the Court for orders.
- iv. Any petition not found to be in prescribed format, including omission to state grounds and relief distinctly as provided in the format, shall be summarily dismissed.

5) Writs Sought Against Authorities Under Article 12 of The Constitution:

- i. If any writ or order or direction is sought against Union of India, a state government, a public officer or authority as covered under Article 12 of the Constitution, notice of the application with all annexures shall be served before filling in two sets, on the Assistants Solicitor General/Advocate General/Standing Counsel as the case may be.
- ii. The Court shall not consider a prayer for any interim relief or stay if the mandatory requirement of sub rule I above is not complied with, provided however, that in the emergent cases where the Court is satisfied that the purpose of filling the petition may be frustrated or that the matter does not warrant any delay or that there are sufficient grounds for the reasons to be recorded, to grant interim relief, the Court on such terms as it deems fit,

may dispense with the requirement of such advance notice under this rule on a counsel who is not available/traceable.

- iii. Even if a notice of a writ application is accepted in the Court or prior to filing, a formal and regular notice shall be issued to the opposite parties through the Registry of the Court.

6) Accompaniments To Writ Applications:

- i. The applicant shall annex to his application, the certified copy of the Judgment and/or order of the lower Court or Tribunal impugned in his petition or the authenticated copy of such judgment and/or order sent to him by the Tribunal and shall also file certified copies of other Judgments and/or orders, affidavits or documents upon which he relies or their simple typed copies. Such simple typed copies shall be authenticated by the petitioner's advocate as true copies and where the petitioner is not represented by an advocate, he shall file an affidavit showing that such simple copies, annexed by him, are true copies. He shall file alongwith the application, a duplicate copy of the application with the said annexures for the use of the Court. Both the original and the duplicate copy with the prescribed annexures shall be on bond paper or durable paper duly paged and indexed.
- ii. If any of the copies referred to in sub-rule (i) are not in English, the advocate who represents the petitioner shall furnish its official translation or translation certified by him to be true, in case the Court directs him to furnish such translation. Where the petitioner appears in person he shall, in such a case, either furnish an official translation or translation supported by his affidavit affirming it to be true.
- iii. In a petition against the order of an Election Tribunal, the petitioner shall, in addition to the annexures and accompaniments specified above, supply a typed copy of the memorandum of the Election Petition.
- iv. Alongwith application shall be annexed concise statement of the facts of the case in proper sequence. A list of dates of the relevant events leading up and concerning the litigation in chronological order shall be given in the said statement.

7) Summary Dismissal or Rule Nisi: -

The Court may either summarily dismiss the petition or order a rule nisi to be issued against the respondent against whom it is sought, as it thinks fit. Any rule so granted shall not be made returnable within less than 15 days after the service thereof on the respondent, unless otherwise directed by the Court.

8) Response to Show Cause:

An answer to rule nisi or the notice to show cause shall be made supported by an affidavit, and by serving a copy thereof along with a copy of annexures, if any, upon the petitioners or his advocate, as the case may be, not later than the date so fixed for showing cause.

9) Process Fee:

The Petitioner shall deposit necessary Process Fee at the time of filing of the case as per RPAD alongwith as many copies of the petition together with Annexures and Affidavit as there are opposite parties.

10) Notice to Opposite Party:

Notice shall be served on all opposite parties and on such other persons as the Court may direct:

Provided that any person who desires, and appears to the Court to be a proper person, to be heard in opposition to the petition, may be heard, notwithstanding that he has not been served with the notice and shall be liable to cost in the discretion of the Court.

Provided further that if at the hearing of the petition the Court is of the opinion that any person who ought to have been served with the notice of the petition has not been served, the Court may order that the notice may also be served on such person and adjourn the hearing upon such terms, if any, as the Court may direct.

11) Amendment to The Application:

If the Court at any time finds that the facts furnished are insufficient or further and better particulars of any matter should be furnished, the Court may of its own motion or an application of any party, order any party to furnish such facts or particulars supported by an affidavit. If the petitioners or any other party fails to

furnish the facts or particulars as ordered, the Court may either dismiss the petition or make such order in relation to the case as it thinks fit. No further return, affidavit or document or fact shall be admitted or filed by any party except with the leave of the Court.

12) Evidence in Support of Application: -

All questions of fact arising for the determination under this chapter shall be decided ordinarily upon affidavits and annexures but the Court may direct such other evidence be taken as it deems fit. Where the Court orders that certain matter in controversy between the parties shall be decided on oral evidence, it may either itself record the evidence or may direct any Court or tribunal or a Commissioner appointed for the purpose to record it in accordance with the procedure prescribed in the Code of Civil Procedure, 1908 for the trial of the suit.

13) Call For Records:

No record of the case or proceeding in possession of any Court or public servant, relevant to the disposal of an application, shall be sent for, unless ordered by the Court either of its motion or upon an application made by any of the parties to the petition. Every application as aforesaid made, unless the Court otherwise directs be supported by an affidavit showing how such record is material, and that the applicant cannot, without reasonable delay or expense, obtain a duly authenticated copy of such records or of such portion thereof as the applicant requires or that the production of the original is necessary.

14) Paper Book:-

i. In all cases where the pleading are complete and the case is to be listed for final disposal, the Court may require the petitioner or the respondent, as the case may be, to submit a complete paper book or paper books of their respective pleadings.

Provided that if the additional pleadings are filed during the course of hearing, the party shall be required to submit an index giving serial page numbers in continuation of the pages mentioned in the original table of contents of the paper book, as the case may be.

ii. The pleading/ paper books related to writ petition listed for final disposal shall be arranged in two separate files namely File A and File B.

- iii. File A shall consist of:
 - a. Writ petition with annexures and if writ petition is amended in between, the amended petition should be placed on the top and the annexures with the amended petition, if any, shall be placed just below the original annexures in continuation.
 - b. The re-joinder together with annexures in continuation to the annexures of the writ petition shall be placed just below the writ petition or the amended writ petition as the case may be.
 - c. The return together with annexures and the amended/additional return, if any, together with annexures shall be arranged in like manner.
- iv. File B shall consist of:
 - a. The applications for grant of relief and the application for vacating stay, if any, and other interlocutory application.
 - b. All other papers.

15) Imposition of Cost:-

The Court may in such proceedings impose cost on such term as it thinks fit. Any party to the proceeding desiring to obtain execution of the order relating the cost awarded in such proceeding shall apply to the Court by a stamped petition. The Court thereon shall direct the party against whom the cost are awarded to deposit the amount in the Court within such time as it deems fit and upon his failure to deposit the amount within the prescribed period the Court shall order issue of a certificate for the recovery of cost and may also include the cost of proceedings before it.

16) Certificate For Recovery of Cost And Execution Thereof:-

The certificate shall be issued under the signature of the Deputy Registrar and under the seal of the Court and shall be executable as decree of a civil Court. The certificate shall be executable by the District Judge in whose jurisdiction the party from whom the cost are to be recovered actually resides or carries on business or works for gain or has some property. All other writs, order, direction may be executable in a manner as may be directed by the Court.

17) Writ Petition In Representative Capacity: -

When the petitioner in a petition under this chapter desires to file the petition in a representative capacity on any of the grounds mentioned in Order 1, Rule 8 of the Code of Civil Procedure, he shall alongwith the petition file a separate stamped application or application with e-payment receipt for this purpose seeking permission of the Court in this behalf. If the Court, grants such application, the procedure prescribed in Order I Rule 8 of the Code of Civil Procedure shall apply mutatis mutandis to the petition as if such petition was as suit.

B. WRIT IN THE NATURE OF HABEAS CORPUS UNDER ARTICLE 226 OF THE CONSTITUTION

1) Filing of Petition:

Any person desirous to apply to the High Court under article 226 of Constitution of India for issuance of any writ, order, command or direction in nature of Habeas Corpus shall file his application, as far as possible in the format described for filing writ petition.

2) Contents of Application and Affidavit: -

- a) The application shall be accompanied by an affidavit of the person restrained verifying the facts stated therein by reference to the numbers of the paragraphs of the application containing the facts or any other acquainted with the facts and has approached the Court for taking cognizance of the matter:

Provided that where the affidavit is made by a person other than the person restrained, such affidavit shall also state the reason why the person restrained is unable to swear the affidavit himself.

Provided further that a person detained in a jail may submit his petition through the Superintendent of Jail.

- b) The application shall mention the nature and the circumstances of therestrain and stating if any previous application had been filed or not on behalf of the person restrained and in case such previous application had been filed, the result thereof.

- c) The affidavit filed under this rule shall be restricted to facts which are within the deponent's own knowledge:

Provided that subject to such orders that may be passed by the Bench concerned in this behalf, this rule shall not apply to an application made by post or telegram.

- d) The rule relating to filing of application with affidavit in writ petition shall apply mutatis-mutandis to an application for a writ in nature of Habeas Corpus

3) Application in any format of letter:-

The application in any format of letter shall be put up as soon as possible before the Bench concerned for orders.

4) Application by A Court-Martial Or Any Commissioner: -

Where the application is on behalf of a Court-martial or any Commissioner it may be in the form of a letter addressed to the Registrar General setting out the circumstances in which the order is sought and need not be accompanied by an affidavit. The Registrar General shall lay the letter as soon as possible before a Division Bench for orders.

5) Application: -

- i. Application in nature of Habeas Corpus filed under Article 226 of the Constitution of India shall be registered as "Writ Petitions (Habeas Corpus)" and shall be laid before the Division Bench forthwith.
- ii. The application shall set out consciously in numbered paragraphs the facts upon which the applicant relies and the grounds upon which the Court is asked to issue a direction, order or writ, and shall conclude with a prayer stating clearly, so far as the circumstances permit, the exact nature of the relief sought.

6) Issuance of Rule Nisi:-

If the Bench is of the opinion that a prima facie case for granting the application, is made out a rule nisi shall be issued calling upon the person or persons against whom the order is sought, to appear on a day to be mentioned therein not later than two weeks to show cause while such order should not be made out and the same

time, if so ordered, to produce in Court the body of the person alleged to be illegally detained then and there to be dealt with in accordance with law.

7) Answer To Rule Nisi:

If a return is filed in answer to rule nisi it shall be filed in four copies accompanied by an affidavit and such other documents as may be produced.

8) Evidence:

The Court may order any fact to be proved by affidavit or by oral evidence if it considers necessary. The Court may in such case direct a Court of Session or a Magistrate to take evidence as provided in section 391 of the Code of Criminal Procedure, 1973.

9) Hearing of Application:

On the date of hearing if no cause is shown or if cause is shown and disallowed, the Court shall pass an order that the person or persons illegally detained, be set at liberty. If the cause is allowed, the rule shall be discharged, and the person or persons detained, if present in the Court, shall be delivered to the person entitled to their custody.

10) Warrants: -

In case in which the Court orders any person in custody to be brought before it, or before a Court-martial, or before any Commissioner, or to be removed from one custody to another, a warrant shall be prepared and signed by the Registrar General and sealed with the seal of the Court.

11) Service of warrant:-

Such warrant shall, where the person is under detention in a jail, be forwarded by the Registrar General to the Officer-in-charge of the jail in which the prisoner is confined; in every other case the warrant shall be served upon the person to whom it is directed personally or otherwise as the Court may direct.

12) Costs:

In disposing of an application under this Chapter the Court may make such order as to costs as it may consider just.

13) Paper Book:

In all cases mentioned in this rule, where the matter is to be placed for final disposal the Court may order four copies of paper books to be prepared. The costs of the paper books shall be borne by the person who is responsible for illegal detention and in other cases the preparation of paper books shall be free of costs.

Out of these, two will be for the use of the bench and one each for the Advocate General and applicant. The paper books shall consist of application for the writ, the affidavit and such other documents as may be filed by the parties to the case or as the High Court may order to be included.

14) Compliance of order passed in Writ Petitions:

The order passed in Writ, either interlocutory or final order, unless the same is modified, shall be complied with/implemented in two months from the date of receipt of communication of the order wherever there is no specific time mentioned for compliance.

C. RULE NISI

- 1) The Court may either summarily dismiss the application mentioned in aforesaid rule nisi to the issue against the opposite party as it thinks fit. Any rule so issued shall be made returnable on such date as the Court may direct but it shall ordinarily not be made returnable within less than fifteen days after service thereof on the opposite party.
- 2) If the Court grants a rule, it may make such interim or interlocutory order in the case, either unconditionally or upon such terms and conditions as the Court thinks just, as the nature and circumstances of the case may require.
- 3) A copy of the petition with annexures shall be served on each respondent with the notice of the Rule Nisi unless such respondent has been served with such copy with the notice of an order as to interim relief issued by the Court.
- 4) When notice of the order as to interim relief is issued before the issue of the notice of the Rule Nisi a copy of the petition with the prescribed annexures shall be served with such notice.
- 5) When an order as to interim relief is issued on a separate application in that behalf, a copy of such application shall be served with the notice of the order of interim relief on the respondent which shall be in addition to the copy of the main petition unless such copy has already been served on the respondent.

6) Proceedings in case of grant or refusal of interlocutory relief:-

- (i) In cases where no interim or interlocutory relief has been granted by the Court, the process fee shall be paid and as many typed copies of the petition with the annexures as there are respondents shall be supplied by the petitioner or his Advocate within fifteen days from the date of the order of issue of the Rule Nisi in the petition.

Provided that (i) in cases where the Court has *ex parte* granted any interim or interlocutory relief, whether on the main petition or on any application for such relief, process fees for issue of the writ and notice or order of interim relief shall be paid and requisite number of copies of the petition or Application, if any, as prescribed in rule above shall be supplied immediately.

- (ii) In cases falling under proviso to sub-rule (i) the order of interim relief unless otherwise ordered by the Court shall be communicated by writ unless the process fees are paid and copies are supplied and the addresses for service of the notices are given.
- (iii) Where the members of any Tribunal against whose decision or order the application is made are made party respondents to the application as such, only one typed copy of the application with the prescribed annexures may be supplied for service on the said members of the Tribunal collectively and service of a copy on the Registrar of the Tribunal if he is appointed, or any one of them shall be deemed to be service on all.
- (iv) When the process fees are not paid and/or requisite number of copies of the application is not supplied within the time prescribed above, the application shall be placed, without delay, before the Court for orders.

7) Service of Rule Nisi:

- (i) The service of the Rule Nisi or the Notice of the application for return shall along with the orders as to interim relief be effected on the respondent in the manner prescribed in Order V of the Civil Procedure Code for the service of summons upon a defendant in a suit.
- (ii) When a Public Officer, whose office is situated in the local limits of the City of Agartala is to be served in his official capacity with the rule nisi notice with process issued in a proceeding under this Chapter, service

may be effected by delivering or tendering a copy thereof to such officer or any subordinate of such officer not lower in rank than a Superintendent or a Head Clerk in his office, and obtaining the signature of such officer or his subordinate on the original in token of receipt of the same.

8) Answer to Rule Nisi:-

An answer to the rule nisi showing cause against such petition shall be made by filing an affidavit in the office of the Registrar and by serving a copy thereof upon the petitioner or his advocate, as the case may be, at least two days before the returnable date of the rule.

9) Service of Rule Nisi on Other Parties:

The Court may in its discretion at any time before a final order is made on the petition, order the rule nisi to be served on any party likely to be affected by any order which the Court may make in the matter. The provisions contained in the preceding rules relating to service of the rule and filing of an affidavit in reply shall apply to such a case.

10) No Further Affidavits Allowed:

No further affidavit or affidavits shall be filed by any party except with the leave of the Court.

11) Adjournment of Examination of Witnesses:

If cause be shown or answer made upon affidavit putting in issue any material question of facts, the Court may allow oral testimony of witnesses to be taken and for that purpose may adjourn the hearing of the rule to some other date. In such case either of the parties may obtain summons to witnesses and the procedure in all other respects shall be similar to that followed in a suit.

12) Procedure in Case of Difference of Opinion Between Judges: -

In case of difference of opinion between the Judges composing the Division Bench, the point of difference shall be decided in accordance with the procedure referred to in Section 98 of the Civil Procedure Code.

13) Costs:

The costs of all petitions, applications, motions and orders made under this chapter shall be in the discretion of the Court.

14) Rules In Other Chapters To Apply: -

Subject to the rules in this Chapter, the rules in the other Chapters shall apply mutatis mutandis to petitions and applications under this Chapter; provided that all cases involving delay or extension of time beyond the time prescribed in the rules or by the Court shall be placed before the Court for orders.

15) Filing of Cases with appropriate category code:-

Whenever a case is filed before the High Court, the filing advocate shall, on the first page of the memo/pleadings, write in bold letters the appropriate category code and category of the case as enlisted in the Appendix-.....

D. GENERAL RULES FOR APPEALS, REVIEWS AND REVISIONS

1. Presentation of Proceedings:

All matters which are to be instituted in the High Court shall be presented in the office of the Registrar General to such person as the Registrar General may by special or general order authorize ordinarily between 10:30 A.M. to 4:00 P.M. Matters presented on the last day of limitation, matters requiring urgent orders of matters presented by parties in person, may be accepted after 4:00 P.M. upon an order in that behalf made by the Assistant Registrar. Matters requiring urgent circulation for the next day should ordinarily be filed in the office before 2:00 P.M.

2. Contents:

Every memorandum of appeal and every application for review or revision shall immediately below the title have endorsed on it "First Appeal", "Second Appeal", "Miscellaneous Appeal", "Review" or "Revision" as the case may be, stating the provision of law under which made, and shall state:

- i. The name and description of each of the Sub-ordinate Courts from whose proceedings the appeal arises;
- ii. Name and address of each appellant/applicant
- iii. Name and address of each respondent/non-applicant

Explanation:- Address in ii and iii includes name of the police station and post office.

- iv. The description of the parties to the appeals or application as to whether such parties were plaintiffs, defendants, applicants or non-applicants in the Court of first instance.
- v. The value of the appeal including valuation in Courts below and in the case of an application for revision, the value in suit:

Provided that if there is a variation in valuation the appellant shall explain it in a short note appended with the memorandum of appeal.
- vi. The amount of Court fees to the memorandum of appeal/application.
- vii. The description of the Court by which the decree or order under challenge was made.
- viii. The date of the judgment/decree/order and the number of case in which such decree or order was made.
- ix. The brief statements of facts.
- x. The ground or grounds, numbered seriatim, of objection to the decree, order or judgment, except in the second appeal substantial questions of law shall be stated.
- xi. The relief prayed for.
- xii. Every memorandum of appeal shall be accompanied by the enclosures required by order XLI, XLII, XLIII of Code of Civil Procedure or relevant provisions of Code of Criminal Procedure or the provisions in this behalf of other law applicable to the appeal, as the case may be, and by two additional plane paper copies of memorandum of appeal typed on thick paper. Where the appeal is one which can be admitted only by a particular bench (Division or Full Bench) the appellant shall also file with the memorandum one additional typed copy of each of the judgment and decrees of sub ordinate Courts and one such additional copy of document or translation, if any, required by provisions of Code of Civil Procedure.
- xiii. Every appeal and revision shall also be accompanied by list of dates in chronological order and relevant materials facts or events pertaining to each of the dates in form of synopsis.
- xiv. The cross objection filed under the provision of Order XII Rule 22 of Code of Civil Procedure shall be in the form of Memorandum entitled in the main

appeal and shall contain the name and addresses of cross objector and the party against whom the memorandum is directed and their respective ranks or numbers in the main appeal.

3. Case of Same Cause Is Already Pending Before The Court:-

If the presentation relates to a cause, appeal or other proceeding already before the Court the class and number of such cause, appeal or proceeding shall be set out immediately below the title: otherwise the class or proceeding to which the presentation belongs shall be indicated.

4. Unascertained Court Fees:

Every memorandum of appeal, application for which the Court fee cannot be ascertained until the receipt of the record shall, as soon as possible after the receipt of the report, be examined by the stamp reporter and who shall then endorse on as to the sufficiency of stamp and shall send to the Registrar Judicial for order.

5. Appeals presented to the High Court shall be classified as follows:-

- a) Regular First Appeal, i.e. First appeal against decrees in original suits,
- b) Execution First Appeal i.e. First Appeal against original orders determining questions under Section 47 of Code of Civil Procedure deemed to be decrees;
- c) Miscellaneous First Appeal i.e. First Appeal against any other judgment or order including any order as to costs only, made by subordinate Civil Court in the exercise of its original Civil jurisdiction;
- d) Regular Second Appeals i.e. Second appeal arising out of original suits;
- e) Execution of Second Appeal i.e. Appeal against appellate order determining the question under Section 47 of Code of Civil Procedure deemed to be decrees;
- f) Miscellaneous Second Appeal i.e. Second appeal against any judgment, order or decree including any order as to costs, only, other than those falling under sub-rule d) & e);
- g) Sales Tax Appeals i.e. appeals under Sales Tax Act for time being in force;

- h) Tax Appeals i.e. appeals under Income Tax Act or any other Act providing levy of Tax for the time being in force and it shall be registered in the name as T.A.(name of the statute and year of the Act);
 - i) Criminal Appeals i.e. appeals from order or sentence passed by subordinate criminal Court in exercise of its original criminal jurisdiction.
6. In all main cases, wherever any interim relief has been prayed by the petitioner before the Court, an Interlocutory Application (IA) is to be filed separately which shall be placed with the main record upon registration of the same.

E. CIVIL APPEALS

1. Certified Copies of Judgments Or Orders And Decrees of Lower Courts To Accompany Appeals: -

Every memorandum of appeal shall be accompanied by certified copies of:-

- (a) The decree or order and
- (b) Judgment under appeal and in the case of an appeal from an appellate decree also by certified copies of (i) the decree or order, (ii) Judgment of the trial Court;
- (c) Of the grounds of the appeal, and cross-objections, if any, in the lower appellate Court and
- (d) Pleading of the parties and the documents on which the reliance is placed shall also be supplied, along with such appeals, no documents shall be referred which is not produced along with the appeal.

2. Accompaniments To Appeals In Execution Proceedings:-

Appeals in execution proceedings shall, in addition to the accompaniments prescribed, be accompanied by certified copies of application for execution and the decree or orders under execution unless the filing of such copies is dispensed with by the Court.

3. Accompaniments To Appeals From Orders:

Appeals from orders under Section 104 and Order XLIII. rule 1 of Code of Civil Procedure shall, in addition to the accompaniments stated above, be accompanied by certified or ordinary copies of all other relevant documents on which the appellants wish to rely, unless such copies or any of them are dispensed with by the Court.

4. Filing of Memorandum of Appeal:

- a) If the memorandum of appeal is within time, sufficiently and properly stamped and complies with the provision of these rules and the law relating to maintainability and filing of such an appeal;
 - i. In the case of first appeal from a judgment and decree, the Registrar Judicial shall admit the appeal and direct issuance of notice to the respondent.
 - ii. All the other appeal shall be posted before the appropriate bench for consideration of admission and passing of appropriate order.

5. Requisition of Records:-

Every memorandum of appeal or application arising out of an original or an appellate decree, the Registrar Judicial shall requisite the records of the Court below as per Courts order.

6. Non-Prosecution:

If the appellant/applicant fails to take the requisite steps in the appeal/application or any other proceedings and it appears that he is not prosecuting the appeal/application with due diligence, the Registrar Judicial shall call upon him to make good/explain his defaults and no explanation is offered/default is not made good, or the explanation offered appears to be insufficient, the matter shall be placed before the Court dismissal in default of compliance or such appropriate direction costs as it may deem fit.

F. CIVIL REVISION APPLICATIONS

1. Accompaniments to Civil Revision Applications:-

- (1) Every application in exercise of the revisional jurisdiction of the High Court shall be accompanied by a certified copy of the judgment and decree or order complained of, and if the order sought to be revised is an appellate decree or order or an order in a revision Application, by certified copies of the decree or order and judgment of the trial Court and grounds of appeal or revision application and cross objections, if any, in the lower appellate or revisional Court. Pleadings of the parties and the documents on which, reliance is placed shall also be supplied along with such applications. No documents shall be referred which are not produced along with the application.

(2) Every application in exercise of the revisional jurisdiction of High Court directed against orders passed in summary suits on summons for judgment shall, in addition to accompaniments to be filed under Rule 1. (1) above, be accompanied by copies of the plaint, affidavit in reply and affidavit-in-rejoinder if any, such copies shall be certified to be true copies by the advocate for the petitioners and by the party in person, if the petitioner is not represented by an Advocate.

2. Statements of Facts In Revision Applications To Be Supported By Affidavits:-

Every fact stated in an application for the exercise of the revisional jurisdiction not set out in the order or judgment sought to be revised shall be supported by an affidavit.

3. Period of Limitation For Revision Applications:

- (i) Applications for the exercise of the revisional jurisdiction of the High Court for which no period of limitation is prescribed by any law, shall be presented within 90 days from the date of the decree or order sought to be revised.
- (ii) The provisions of Sections 4, 5 and 12 of the Limitation Act, 1963, shall apply to the Revision applications mentioned in sub-rule (i) above.

4. Accompaniments To Revision Applications Against Interlocutory Orders:

Revision applications against interlocutory orders shall, in addition to the accompaniments prescribed in rule 1.(1) above, be accompanied by copies of all other relevant documents on which the applicant wishes to rely, unless such copies or any of them are dispensed with by the Court.

G. CIVIL APPLICATION FOR REVIEW

1. Accompaniments To Review Applications:

- (i) Every application for review shall be accompanied by a typed copy of the judgment and decree or order sought to be revised, and in a case where a review application is required to be heard by a Division Bench by two sets of two such copies which shall be certified to be true copies by the Advocate for the applicant and by the party in person if the applicant is not-represented by an advocate.

(ii) When an application for review proceeds on the ground of discovery of fresh matter or evidence, the documents, if any, relied upon, shall be annexed to the application, with a list in Form No. 5, in Appendix H, Schedule I of the Code of Civil Procedure, together with an affidavit setting forth the circumstances under which such discovery has been made.

2. Discovery of New Important Matter In Review Application:

Every application for review made upon the ground of the discovery of new and important matter or evidence within the meaning of Order XLVII Rule 1 of CPC shall be accompanied by an affidavit of the applicant together with the documents, if any, relied upon, and stating in clear terms, what such new and important matter or evidence is, the effect or purport thereof and that the same, after the exercise of new diligence was not within the knowledge of the applicant or could not be produced at the time when the decree/order was passed.

3. Listing of The Review Petition:

The Registry shall list the review petition within 10 days of the filing before the appropriate Bench for consideration and if the Bench reaches to the conclusion after the consideration of the material placed that there is not sufficient ground for a review then the same shall be rejected:

Provided that if the Bench is of the opinion that there is sufficient ground for review, the matter shall be listed for hearing.

4. Affidavit:

All Civil Applications shall be supported by affidavits.

Provided that the Registrar may by general or special order dispense with affidavits in particular cases, or particular classes of cases, except in Special Civil Applications under Articles 226, 227 and 228 of the Constitution.

5. Memorandum of Objection:-

Provisions of Rules herein above for filing appeal and application shall apply as far as may be, to the memorandum of objection under order XLI Rule 22 and 26 of CPC.

6. Parties in Appeals and Applications:

i. All parties to the proceedings from which the appeal or application arises shall ordinarily be made parties to the Appeal or Application. If any such party is not made a party to the appeal or application, an explanation in this

regard shall be made in a foot note below the memorandum of appeal or application.

- ii. If any person who is not a party on the record of the proceedings in the Lower Court, is made a party to an appeal or application against any decree or order in such proceedings, the appeal or application shall be accompanied by a regular stamped application 1[or application with e-payment receipt supported by affidavit for making such person a party to the appeal or application.
- iii. The provision of Sub-rule (ii) above, shall apply where the legal representatives of any party who has died pending the presentation of the appeal or application were not brought on the record of the proceedings in the Lower Court but are made parties to the appeal or application.

7. Registrar's Power To Dispense With Supply of Certified Copies of Judgments, Orders or Decrees: -

The Registrar may dispense with the filing of certified copies of judgments, orders or decrees which are required to be filed under these rules when such copies or the original thereof are already on the record of the High Court.

8. English Translation To Be Supplied When Prescribed Accompaniments Are Not In English:-

When any of the accompaniments to an appeal or application are not in the English language, typed copies of translations of such accompaniments except decrees certified to be true translations by the Advocate or by an authorized translator shall be annexed there with.

9. Neat Copies To Be Supplied When Original Accompaniments Are Hand Written or Illegible: -

If any of the original documents or certified copies presented with an appeal or application is hand written or not legibly typed, clear and neatly typed copies thereof shall be supplied with the memorandum of the appeal or application.

10. Documents or Copies Produced or Supplied By Advocates or Parties To Be Neatly Typed And Clearly Legible:-

- i. All memoranda of appeals and applications, affidavits, copies and notes supplied by the Advocates or parties, whether for the use of the Court or for service on opposite parties, shall be neatly typed on durable foolscap

paper leaving a margin of 2 inches, whenever copies are supplied, such copies shall correspond page to page with the original.

- ii. In every Court matter, i.e. appeals/Civil revision applications/ review applications/Civil applications (other than revision applications), the appellant/petitioner/or applicant as the case may be shall file a sheet of a copy of title of respective appeal memo/petition/or application etc. in duplicate.

11. Office May Refuse Illegible or Badly Typed Copies And Judgments:-

The office may refuse to accept any such papers which are not typed and prescribed or which do not conform to the requirements of Rules 9, 10 & 11 above and such office objection shall be removed or complied within time prescribed in the rule.

12. Statement of Registered Addresses of Opposite Parties: -

Every memorandum of appeal or cross-objections or application arising from a suit or proceeding to which the Code of Civil Procedure applies, shall set out in the title the last Registered Addresses of the Opposite parties i.e. the addresses for service given by opposite parties in the Court below under the provisions of Rules 19 to 24 of Order VII or Rules 11 and 12 of Order VIII Civil Procedure Code.

13. Appellant or Applicant To State His Registered Address: -

The appellant, the applicant or the respondent filing cross-objections shall state in the memorandum of appeal or application or cross objection his address at which service of notices, at summons copies or other process may be made on him. Such address shall be deemed to be his registered address under the provisions of Rules 19 to 24 or Order VII and Rules 11 and 12 of Order VIII of Code of Civil Procedure.

14. Certificate From Executive Magistrate To Accompany When Exemption From The Court Fee Claimed:-

When any memorandum of appeal or cross-objections or application, or Vakalatnama or certified copy is presented by or on behalf of a person who claims exemption from payment of Court fees or process fees on the ground that he belongs to a Scheduled Tribe exempted from payment thereof under any Government Notification, he shall produce at the time presenting it a certificate

from the Executive Magistrate or other competent authority certifying that he belongs to such Scheduled Tribe:

Provided that when such a certificate has been produced in the Court below he may produce a certified copy thereof.

15. Separate Civil Application For Excuse of Delay In Presentation, To Accompany Memorandum of Appeal or Cross-Objections: -

When a memorandum of an appeal or cross-objection or revisional application is presented beyond the time prescribed for the presentation thereof by any law or rule for the time being in force, a regular stamped application or application with e-payment receipt for excuse or delay setting out the grounds on which the delay is sought to be excused shall be made. Such an application shall be supported by an affidavit.

16. Statement As To Previous Appeal or Application In The High Court: -

A party or Advocate presenting a memorandum of cross objection or application shall state therein whether any other appeal or memorandum of cross-objections or application has been filed by him in respect of the same matter and if filed, how that appeal or memorandum of cross objections or application has been disposed of and how the appeal or cross-objections presented is competent.

17. Application or Amendment To Be Accompanied By Particulars: -

Every application or note for amendment of the memorandum of appeal, cross-objections or application shall be accompanied by a typed draft stating precisely the amendment sought to be made.

H. PROCEDURE IN CRIMINAL APPEAL REVISION

General

1. Contents of Appeal, Application or Revision:

Every memorandum of appeal and every application or revision shall immediately below the title have endorsed on it "Criminal Appeal", "M. Cr. C.", "Criminal Revision", or "Criminal Miscellaneous Petition", as the case may be, stating the provisions of law under which made, and shall state---

- (i) the name and address of each appellant / applicant:
- (ii) the name and address of each respondent/non-applicant;

- (iii) every memo of appeal under Section 374 of the Code of Criminal Procedure and every petition praying for the exercise of the High Court's power under Section 397/401 of the Code of Criminal Procedure shall state the details of the sentence and/or fine imposed and the enactment under which any conviction is held in the proceedings in connection with which the appeal/revision is made;
 - (iv) the case number, date of judgment/order appealed/applied against, and all other particulars of the case including the name of the Presiding Officer of the Court below;
 - (v) facts of the case in brief,
 - (vi) ground(s) numbered serially;
 - (vii) the relief prayed for.
2. Every such appeal, application or revision shall be accompanied by the certified copy of the impugned judgment/order:
Provided that the provisions of this Rule, shall not apply to a memo of appeal/revision or an application made by an accused in duress.
 3. Every application for Revision under Section 397/401 of the Code of Criminal Procedure shall state the details of application, if any, filed before the Court of Sessions or the High Court by any party to the original case.
 4. In all Criminal Appeals and Criminal Revisions arising out of conviction and sentence imposed by a Judicial Magistrate or a Sessions Court, the Registrar (Judicial) shall send for the record of the Court(s) below. In other cases the record of the Court below shall not be requisitioned unless otherwise directed by the Court.
 5. In an appeal or revision against conviction no application or motion for suspension of sentence shall be heard unless the accused has surrendered except in case where the accused has been released on bail by the Court below.
 6. No application for suspension of sentence or any application for interim relief shall be made without service of notice to the Public Prosecutor/ Advocate General.

I. REFERENCE IN CAPITAL CASES

1. When a proceeding is submitted to the High Court under Section 366 of the Code of Criminal Procedure, the Registrar (Judicial) shall cause the record to be examined and have it entered in the prescribed register.
2. If the record is in order, the Registrar (Judicial) shall fix a date of hearing of the reference which shall not be before the expiry of the period of limitation for filing appeal and shall at once cause a paper-book to be prepared.
3. The paper-book shall contain the following papers:
 - (i) Police Challan;
 - (ii) First Information Report, if any
 - (iii) Magistrate's charge with list of witnesses, if any;
 - (iv) Statement under Section 164 of the Code of Criminal Procedure, if any;
 - (v) Examination under Section 281 and 313 of the Code of Criminal Procedure, if any;
 - (vi) Ground for commitment, if any;
 - (vii) Record of evidence in the Court of Sessions with any further examination under Section 281 of the Code of Criminal Procedure and altered charge, if any;
 - (viii) Judgment of Sessions Court;
 - (ix) Material documentary evidence, if any;
 - (x) Petition of appeal, if any,
 - (xi) Order-sheet and the list of exhibits.
4. Six copies of paper-book shall be prepared and immediately on receipt of the paper-book the Registrar (Judicial) shall cause one copy each to be sent to the Public Prosecutor/Advocate General and the defence counsel, the remaining four copies shall be retained for the use of the Court.
5. Any order passed by the Court under Sections 368, 415 or 416 of the Code of Criminal Procedure shall be forwarded forthwith to the Subordinate Court and the Superintendent of Jail.

J. JAIL APPEAL

On receipt of a Jail Appeal the Registry shall examine it and if found in order place it before the appropriate Bench. If defective, the Registry shall coordinate

with the Chief Judicial Magistrate and/or the Jail authorities to enable the appellant to take appropriate steps.

K. APPEAL AGAINST ACQUITTAL

1. The Prosecution may present appeal against any original or appellate order of acquittal upon the Court granting leave, if required.
2. In case of an order of acquittal passed in any case instituted on complaint, the complainant may present an appeal to the Court if the Court grants special leave to appeal on an application made in the manner hereinafter provided.
3. All acquittal Appeals when the sentence prescribed is of more than ten years shall be listed before the Division Bench for admission along with record.
4. In the case of an appeal under Section 378, sub-section (1) or subsection (2) of the Code of Criminal Procedure, the Registrar (Judicial) shall ascertain whether the accused desires assistance, and if so, he shall assist him in the appointment of an Advocate on his behalf.
5. On receipt of the records from the Lower Court, the Registrar (Judicial) shall cause six copies of paper-books at the cost of the Court to be prepared in Division Bench cases only. Such paper-books shall be prepared in accordance with the procedure prescribed.
6. Notwithstanding anything contained in these Rules, in all cases in the High Court, paper-book shall be typed, or cyclostyled, or printed except where otherwise ordered by the Court/Registrar (Judicial).

L. OTHER APPEALS PROVIDED IN THE CODE OF CRIMINAL PROCEDURE

1. The provisions contained in this Chapter shall apply as far as possible in cases of appeal under Sections 86, 341, 351, 449 and 454 of the Code of Criminal Procedure.

M. CRIMINAL REVISION

1. Cases in revision may be taken up in one or more of the following ways:
 - (1) upon a petition presented in the Court in normal course;
 - (2) upon a petition received from jail;
 - (3) upon an order by a Judge on perusal of a Sessions statement;
 - (4) upon an order by a Judge on examination of periodical return; or

(5) during the course of Inspection of a Subordinate Court.

2. Revisions arising out of conviction and sentence of imprisonment shall be posted for admission only after the applicant has surrendered.
3. When a Revision has been admitted the Registrar (Judicial) shall fix a date of hearing and cause notice to be issued in the prescribed form.
4. In the case of Revision, when notice has been issued to the accused proposing a death sentence, the Registrar (Judicial) shall take steps to ascertain whether the accused has funds to employ his own counsel and if necessary shall, at the earliest, obtain orders of the Chief Justice for appointment of counsel for the accused.

N. CRIMINAL REFERENCE

1. As soon as a Reference under Section 395 of the Code of Criminal Procedure is received the Registrar (Judicial) shall register and place it before the Court for admission. The Court shall thereafter dispose of the Reference in such manner as it deems appropriate.
2. If the Court is of opinion that the point referred to in the case is of substantial importance, it may refer the case for hearing by a Larger Bench.

O. BAIL MATTERS

1. Every bail application under Sections 438 and 439 of the Code of Criminal Procedure shall, as far as possible, be moved in the format prescribed.
2. No application for grant of anticipatory bail or regular bail under any provision of law shall lie unless a notice has been served upon the Public Prosecutor/Advocate General.
3. In all Criminal Appeals and Criminal Revisions arising out of conviction and sentence imposed by a Judicial Magistrate or a Court of Sessions, the Registrar (Judicial) shall send for the records of the Sub-ordinate Court. In other cases the records of the Sub-ordinate Court shall not be sent for or requisitioned unless the Court directs.
4. **Contents of Anticipatory Bail Application:**
 - (1) All applications for grant of anticipatory bail shall be supported with an affidavit of the applicant clearly stating the name of the advocate he has engaged and whether any such bail application has been previously filed or not. In exceptional cases a relative of the applicant or the person engaging the

lawyer in the High Court may submit an affidavit in support of the application.

- (2) In a case where the number of accused are more than one, the affidavit shall state as to whether or not bail application of a co accused is pending or has been disposed of in the High Court.
- (3) All applications under Section 439 of the Code of Criminal Procedure shall be supported with an affidavit of the relative of the applicant or a person acquainted with the facts. If the number of the accused are more than one, the affidavit shall state as to whether or not bail application of co-accused is pending or has been disposed of in the High Court.

**Format of Anticipatory Bail Application u/s 438 Cr.P.C.
IN THE HIGH COURT OF TRIPURA
A.B. NO. _____/YEAR
APPLICATION UNDER SECTION 438 OF THE
CODE OF CRIMINAL PROCEDURE**

APPLICANT A
VERSUS
NON-APPLICANT: B

CASE NO./B.A. NO.
CRIME NO.
POLICE STATION
OFFENCE U/S.

The applicant named above respectfully begs to submit as under :-

1. That the applicant had preferred an application under Section 438 Cr.P.C. for anticipatory bail before the learned lower Court, which has been rejected by the lower Court vide order datedin bail application No.. A copy of the same is being annexed herewith as

ANNEXURE-

2. That this is the First/Second/Subsequent (No.) bail application before this Hon'ble Court. No other application of the nature is pending before this Hon'ble Court or before the Court below.

3. That the applicant is apprehending his arrest in connection with Crime No.....registered at Police Stationfor an alleged offence punishable under Section.....of I.P.C./any other Act.

4. The applicant has following pending/decided criminal case(s) against him.....
(if none-say nil)

5. That as per the prosecution story.....

6. GROUNDS

7. That the applicant is ready to abide by all the directions and conditions which maybe imposed by this Hon'ble Court while granting bail

8. That the applicant is permanent resident of.....

PRAYER

It is therefore, prayed that this Hon'ble Court may kindly be pleased to order release of the applicant on bail in the event of arrest for the above mentioned offence.

COUNSEL FOR THE APPLICANT

PLACE:
DATED:

IN THE HIGH COURT OF TRIPURA

A.B. NO. _____ /YEAR

APPLICANT: A

VERSUS

NON-APPLICANT: B

AFFIDAVIT

I.....S/o.....aged.....years
R/o.....District.....do hereby state on oath as
under:-

1. That, this is the First/Second/Subsequent (No.) bail application of the applicant before this Hon'ble Court. No other application of the nature is pending either before this Hon'ble Court or Court below.
2. That, I am the applicant in the instant petition and as such I am fully conversant with the facts of the case.
3. That, I have engaged Mr.....Advocate as my counsel to move and argue the bail application before this Hon'ble Court on my behalf.
4. That the statement of facts in bail application are true to my personal knowledge.

DEPONENT

VERIFICATION

I the deponent, do hereby verify that the contents of the affidavit from paras 1 to 4 are true to my personal knowledge.

Verified and signed on this.....day of
.....at.....

DEPONENT

Identified by me:

Format of Application for regular bail u/s 439 Cr.P.C.

IN THE HIGH COURT OF TRIPURA
B.A. NO. _____/YEAR
APPLICATION UNDER SECTION 439 OF THE
CODE OF CRIMINAL PROCEDURE

APPLICANT: A
VERSUS
NON-APPLICANT: B
CASE NO./B.A.NO.
CRIME NO.
POLICE STATION
OFFENCE U/S.

The applicant named above respectfully begs to submit as under:-

1. That this is the First/Second/Subsequent (No.) bail application before this Hon'ble Court. No other application of the nature is pending before this Hon'ble Court or before the Court below.

2. That the applicant had preferred an application under Section 439 Cr.P.C. for his release on bail before the learned Sessions Court, which has been rejected by the lower Court vide order dated.....in bail application No.....A copy of the same is being annexed herewith as

ANNEXURE-

3. That the applicant has been arrested by Police of Police Station.....onfor an alleged offence punishable under Section.....of I.P.C./any other Act.

4. That the deponent of the attached affidavit is a relative (relation to be disclosed) of the applicant and is fully conversant with the facts of the case and authorized by the applicant to move an application for his release on bail.

5. That as per the prosecution story.....

6. **GROUND**S

7. That the applicant is permanent resident of.....

8. That the applicant is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by this Hon'ble Court.

PRAYER

It is therefore, prayed that this Hon'ble Court may kindly be pleased to grant bail to the applicant.

COUNSEL FOR THE APPLICANT

PLACE:
DATED:

IN THE HIGH COURT OF TRIPURA
B.A.NO. _____/YEAR

APPLICANT: A
VERSUS
NON-APPLICANT: B

AFFIDAVIT

I.....S/o.....aged.....
.....years
R/o.....District.....do hereby state on oath as
under:-

1. That, I am applicant's Relative (relation to be disclosed) and conversant with the facts of the case. I am authorized by the applicant to move an application for his release on bail.
2. That, I am authorized by the applicant to swear this affidavit on his behalf in support of the bail application.
3. That, this is the First/Second/Subsequent (No.) bail application of the applicant before this Hon'ble Court. No other application of the nature is pending either before this Hon'ble Court or Court below.
4. That, I have engaged Mr.....Advocate as applicant's counsel to move and argue the bail application before this Hon'ble Court on his behalf.
5. That the contents of the bail application are true to my personal knowledge.

DEPONENT

VERIFICATION

I.....the deponent, do hereby verify that the contents of the affidavit from paras 1 to 5 are true to my personal knowledge.

Verified and signed on this.....day
of.....at.....

DEPONENT

Identified by me:

P. INTERLOCUTORY MATTERS

1. All applications made during the pendency of an appeal, reference, review or other matter presented to and pending in the High Court and connected with the same or with any decree order or sentence or other proceeding of sub-ordinate court which is subject matter of the same, and praying of any interim relief or order, shall be called interlocutory applications and be consecutively number separately in each appeal, reference, review or any matter as the case may be.
2. All applications presented along with any appeal or petitions for leave to file any such appeal or petition, to condone the delay in the presentation of any such appeal or petition or to condone any defect in the papers of any such appeal or petition or for impleading parties as the representatives of the parties as the representatives of the parties who died after the order of the sub-ordinate court appealed or petitioned against or for any other purpose with a view to comply with or to dispense with compliance with the provision of any law relating to the presentation of any such appeal or petition shall be called interlocutory application and be numbered as provided in Rule 1.
3. All applications made after the disposal of any such appeal petition or reference or other matter, connected with it or with any decree or order passed therein, other than those for review of any judgment of this Court or for leave to appeal to Supreme Court which shall be designated as petitions under these Rules shall be called as interlocutory applications and be numbered as provided in Rule 1.
4. Every interlocutory shall be supported by an affidavit.
5. Every interlocutory application shall be entitled in the main matter in which it is made and shall set out the names of the applicant and respondent and their respective ranks and numbers in the main matter, the provisions of law under which such applications is made and prayer or relief sought in clear and precise terms. The applications shall be signed by the applicant or his advocate who shall enter the date on which such signature is made or application is presented. All facts on which the applications relies for making the prayer or obtaining the relief sought in the application, shall set out in the affidavit or wherever permitted in the memorandum of facts under Rule 4.
6. In every matter where an application is filed for an interim stay on injunction against the Union of India or any State Government or any of its Authorities, a copy

of such application shall be served upon the Standing Council/Advocate for the concerned authorities as above before the matter is listed in the Court, except when the Court otherwise directs.

7. In appeals and petitions in which the notice to respondent has already been issued, an interlocutory application shall not be numbered or posted unless party to appeal or petition affected by the application who are represented by advocates have been served with notice of application by delivery to each of such advocates a copy of the application together with a copy of supporting affidavit or memorandum of fact and with written acknowledgment over the signature of each such advocate or his registered clerk is taken either by endorsement on the application or otherwise and is filed in the Court along with the application. If however, the applicant's advocate makes an endorsement on the application that such service on advocate was either refused to be accepted or could not be effected in spite of due diligence, the Registrar may direct that the application be numbered and posted. Wherever it is intended to move the application as an emergent application, the copy of the application served on every advocate under this rule shall contain an endorsement stating that the application is intended to be moved as an emergent application on the day specified in the endorsement.
8. An order passed by the court in an interlocutory application before service of notice on respondent to the application shall not be communicated to the subordinate court or the authority or the party effected by it unless the applicant has filed in the Court a memo in prescribed form for service of notice of the application on the parties to whom notice has to be given or is directed by the Court with the appropriate amount of process fee affixed thereto in Court fee labels together with as many plain paper copy of the application and the supporting affidavits or memorandum of facts as there are parties to be served, or unless applicant himself has served such notice and produces into court proof of such service.
9. Unless the Court orders otherwise notice of an interlocutory application need not to be given to a party who having been served with the notice in the main appeal or petition, has not entered appearance or to a party to whom notice in the main appeal or petition has been dispensed with under the provision of order XLI Rule 14 of the Code of Civil Procedure.
10. Where the notice of application has been given an applicant shall within three days from the days from the date of the order directing notice, filed in the Court a memo

in a prescribed form for service on the parties to whom the notice is directed with appropriate amount of process fee affixed thereto and as many copies as provided under this Rule.

Provided that where the party to be served notice is represented by an advocate in the main appeal or petition notice of an application may be served on such advocate in a manner provided herein above in Rule 7.

Q. PRACTICE AND PROCEDURE FOR PUBLIC INTEREST LITIGATION

In exercise of the powers conferred by Article 225 of the Constitution of India and the directions of the Supreme Court of India in the case of **State of Uttarakhand V/s. Balwant Singh Chaufla [2010(1) SCALE 492]** and all other enabling provisions, the following Rules are framed by the High Court which shall be applicable in addition to the existing Rules governing the writ petitions filed under Articles 226 and 227 of the Constitution of India.

1. Definitions: In these rules, unless the context otherwise requires:

- (a) **“High Court” means High Court of Tripura.**
- (b) **“Letter Petition” means an informal written communication, addressed to the High Court or Hon’ble the Chief Justice or any Hon’ble Judge of the High Court.**
- (c) **“Public Interest Litigation” means a writ petition under Article 226 of the Constitution of India filed as a Public Interest Litigation or a Letter Petition which may be entertained as a Public Interest Litigation under these Rules.**
- (d) **“State” means the State as defined under Article 12 of the Constitution of India.**

2. Initiation of Public Interest Litigation:-

A Public Interest Litigation Petition may be initiated in any of the following manners:-

- a) As a *suo motu* petition in pursuance of the orders of the Chief Justice;
- b) In pursuance of an order of the Chief Justice on a recommendation made by any of the Judges of the High Court;

- c) In pursuance of an order of the Chief Justice on receiving a letter or representation from any citizen or a law student or a lawyers' body;
- d) A petition may be directed to be treated as a public interest litigation petition by a judicial order passed by the High Court;
- e) On presentation of a petition in the Court in the prescribed proforma in accordance with these Rules by, (i) any citizen; or (ii) an NGO/Association or any other like body which is registered under any Act.

3. Maintainability of Letter Petitions:-

Letters Petitions to be entertained as Public Interest Litigations may include the following categories:

- i. Bonded Labour matters.
- ii. Neglected children, old aged parents.
- iii. Non-payment of minimum wages to workers and exploitation of casual workers and similar violations of Labour Laws, except in individual cases.
- iv. Petitions from jails complaining of harassment or for pre-mature release and seeking release after having completed 14 years in jail, death in jail, release on personal bond, speedy-trial as a fundamental right.
- v. Petitions against police for refusing to register a case, harassment by police and death in police custody.
- vi. Petitions against atrocities on women, in particular harassment of bride, bride-burning, rape, murder, kidnapping, etc.
- vii. Petitions complaining of harassment or torture of villagers by co-villagers or by police, from persons belonging to Scheduled Caste/Scheduled Tribes and Economically Backward Classes.
- viii. Petitions pertaining to environmental pollution, disturbance of ecological balance, drugs and food adulteration, maintenance of heritage and culture, antiques, forest and wild-life and other matters of public importance relating to grievance made on behalf of a class of persons, for direction to Civil Authorities to perform their duties; e.g. (a) Locality deprived of electricity or

water supply, (b) Sanitation, (c) Bad roads causing accidents/deaths, (d) Problems relating to health hazards etc.

- ix. In respect of riot-victims.
- x. In respect of natural disaster.
- xi. Any other matter as the Court may deem fit and proper in public interest.

4. Non-Maintainability of Letter Petitions:-

(a) Letter Petitions raising or alluding to matters of Public Interest shall be entertained as Letter Petitions and unless **directed otherwise**, Letter Petitions under the following categories shall not be entertained as Public Interest Litigation:

- i. Landlord-Tenant disputes;
- ii. Service matters and those pertaining to pension (not being family pension) and gratuity;
- iii. Personal disputes between individuals.
- iv. Disputes relating to contractual or statutory liabilities.
- v. Matrimonial disputes.

(b) The Public Interest Petitions received through post shall not be entertained except in the following cases:-

- i. Petitions sent by prisoners and detenues;
- ii. Petitions complaining violation of human rights;
- iii. Petitions seeking a writ in the nature of habeas corpus;
- iv. Petitions with a cause of such nature that it may require *suo motu* proceedings by this Court in 'Public interest';
- v. Petitions by physically disabled persons, minors and/or oppressed sections of Society.
- vi. The petitions falling in this category may be sent to the Member Secretary of the State Legal Services Authority concerned, who, on satisfaction regarding genuineness of the petitioner, may provide adequate legal aid including a counsel to the victim.

5. Procedure For Filing PIL

- (1) All Letter Petitions received in the Registry, shall first be processed in the concerned Section of the Registry. However, neither any anonymous Letter Petition nor any such Petition from which the identity of the Letter Petitioner cannot be established or ascertained, shall be entertained and the same shall be placed before the Hon'ble Chief Justice.
- (2) Hon'ble the Chief Justice may take such action, if necessary, on the Letter Petitions presented before him. Once a Letter Petition is approved to be entertained as a Public Interest Litigation Petition, the same shall be placed before the Bench as directed by the Chief Justice. The Registry shall prepare a gist of the Letter Petition in English and the points of public concern raised in the Letter Petition, the replies, if any, received from any departments, addresses of the Government Departments/officials, who may be considered as necessary or appropriate for the decision of the petition and send it for listing.
- (3) No Public Interest Litigation shall be entertained by the Registry unless the petitioner(s) has specifically disclosed his credentials and his direct or indirect personal motive or interest involved in the case, if any, by way of an affidavit as provided in **APPENDIX PROFORMA A**.
- (4) The Court before entertaining the PIL is to prima facie (i) verify the credentials of the petitioner/petitioners (ii) shall satisfy with regard to the correctness of the contents of the petition and (iii) shall satisfy that substantial public interest is involved in the PIL.
- (5) A Public Interest Litigation petition filed in the Court shall be genuine and bona fide. Any such petition filed for extraneous considerations or with oblique motive for personal or individual gain shall be rejected in *limine* by imposing exemplary costs or by adopting similar methods.
- (6) Every petition filed in Court in the form of Public Interest Litigation under Article 226 of the Constitution of India shall be in the form appended here to and shall be heard and disposed of by a Division Bench presided over by the Chief Justice or any other Bench assigned by the Chief Justice.

- (7) The petition shall contain the facts of the case in chronological order. If the petition is based on news report, it must be stated as to whether the petitioner has verified the truth of the facts by personally visiting the place or by talking to the people concerned or has verified from the reporter or editor of the news paper concerned.
- (8) Before filing a PIL, the petitioner must send a representation to the authorities concerned for taking remedial action, akin to what is postulated in Section 80 CPC. Details of such representation and reply, if any, from the authority concerned along with copies thereof must be filed with the petition. However, in urgent cases where making of representation and waiting for response would cause irreparable injury or damage, petition can be filed straightway by giving prior notice of filing to the authorities concerned and/or their counsel, if any.
- (9) A writ petition intended to be a Public Interest Litigation shall contain:
- a. An inscription immediately below the number of the writ petition in the title, namely “In The Matter of A Public Interest Litigation”.
 - b. A specific averment, in para 1 of the writ petition, to the effect that the writ petitioner has no personal interest in the litigation and that the petition is not guided by self-gain or for gain of any other person/institution/body and that there is no motive other than of public interest in filing the writ petition.
 - c. A specific averment, in para 2 of the writ petition, as to the source of knowledge of the facts alleged in the writ petition and the further inquiries/investigation made to determine the veracity of the same.
 - d. A specific averment, in para 3 of the writ petition, specifying the class of persons for whose benefit the petition has been filed and as to how such persons are incapable of accessing the Court themselves.
 - e. A specific averment, in para 4 of the writ petition, of the persons/bodies/institutions likely to be affected by the order(s), sought in the writ petition and which/ who shall be impleaded as respondents and a further averment that to the knowledge of the petitioner, no other

persons/bodies/institutions are likely to be affected by the orders sought in the writ petition.

- f. A specific averment, in para 5 of the writ petition, of the background of the petitioner with qualifications so far as it may be material to show the competence of the petitioner to espouse the cause. If the petitioner is an organization, the names and address of its office bearers and the nature of its activities shall also be stated. An averment shall also be made that the petitioner has the means to pay the costs, if any, imposed by the Court and on the undertaking to the Court in that respect.
- g. In para 6 of the writ petition, details of the representation(s) made to the authorities concerned for remedial actions and replies, if any, received thereto shall be set out precisely.
- h. If the petitioner has previously filed public interest litigation or preferred Letter Petitions, the details thereof would be set out in a tabular form giving the number of the writ petition, the status and outcome thereof.
- i. Pleadings in brief, divided into paragraphs setting forth the cause which has given rise to the filing of the writ petition shall be pleaded followed by the grounds in support of the prayer, followed by the prayer clause in the last paragraph giving the precise prayer which the petitioner wants to be granted by the Court.
- j. Provided that if the petitioner is unable to provide information for any of the matters above, there shall be a specific averment as to the reason why said information is not being provided.
- k. Averments made in the petition shall be supported by an affidavit, verifying by solemn affirmation, by the petitioner, disclosing the statements which are true to his knowledge or true to his knowledge derived from information disclosing the source of information and true to his knowledge derived from record.

6. Savings Clause

Inherent power of the Court not affected. Nothing in these Rules shall be deemed to limit or otherwise affect the inherent power of the Court to make such orders as may be necessary for the ends of justice or to prevent abuse of the process of the Court, including the power to impose exemplary costs and/or to debar a petitioner or an Advocate to file Public Interest Litigation if found to be indulging in frivolous or motivated litigation.

**PROFORMA-A
AFFIDAVIT**

I.....aged.....years, s/o.....r/o.....do hereby solemnly affirm and declare as under:

1. That I am the petitioner above named or The petitioner is a society/company having its registered office at_____ and I have vide resolution passed in the Meeting of the Board of Directors/General Body Executive Committee of the petitioner been authorized to institute and sign this petition.
2. Petitioner has/have filed the present petition as a Public Interest Litigation.
3. Petitioners has/have gone through the TRIPURA PUBLIC INTEREST LITIGATION RULES 2016 and do hereby affirm that the present Public Interest Litigation is in conformity thereof.
4. Petitioner has/have no personal interest in the litigation and neither myself nor anybody in whom I am/petitioner is interested would in any manner benefit from the relief sought in the present litigation save as a member of the General Public. This petition is not guided by self gain or gain of any person, institution, body and there is no motive other than of public interest in filing this petition.
5. Petitioner has/have done whatsoever inquiry/investigation which was in my power to do, to collect all data/material which was available and which was relevant for this Court to entertain the present petition.
6. I further confirm that Petitioner has/have not concealed in the present petition any data/material/information which may have enabled this Court to form an opinion whether to entertain this petition or not and/or whether to grant any relief or not.

IN VERIFICATION

DEPONENT

R. PAPER BOOK

1. Paper Book To Be Prepared In Every Case:-

In every case in which an appeal or an application for revision or review has been admitted, the Registrar shall, at once on receipt of the record from subordinate judiciary and of the prescribed cost if any due from the appellant or the petitioner, cause a paper book to be prepared in accordance with the rules of this chapter.

Provided that upon good cause being shown, the Registrar may in any case instead of causing the paper book to be prepared in the office, direct any party to put in such number of typed copies of the paper book as he may consider necessary.

Exception 1- In an appeal which is to be heard under Order XLI, Rule 11 of the Code of Civil Procedure no paper book shall be prepared unless and until an order for service of notice on the respondent has been made.

Exception 2- In a miscellaneous case not provided for in the rules of this Chapter, it shall not be necessary to prepare a paper book, but the Registrar may, if he thinks fit, direct that a paper book be prepared and may also direct what papers it shall contain.

- 2.** When paper-book is a case is ready, it shall be sent to the Dispatcher (Judicial). The intimation of the paper-book being so ready, shall be published in the weekly cause list and shall also be displayed online on the official website of the High Court and on the notice board outside the office of Registrar and the Paper-Book Section. Thereafter it shall be the duty of advocates concerned to collect the paper-book from the Dispatcher (Judicial).

3. Format of Paper Book

- (1) Paper books shall when printed be in accordance with the following directions:-
- a. The paper book shall be printed in the form known as demy quarto, i.e. 9 inches in length and 7 inches in width;
 - b. Size of the paper used shall be such that the sheet when folded and trimmed, will be 11 inches long and 8.5 inches wide;
 - c. The type used in the text shall be pica modern, solid, with italics where necessary but long primer shall be used in printing accounts, tabular matter and notes;

- d. The number of lines in each page of pica type shall be at least 54 and every tenth line on each page shall be numbered; the tenth line shall be numbered 10, the 20th line 20 and so on;
- e. In case the back of the sheet on which the index ends happens to be blank, part I of the paper book shall commence from that blank sheet.
- f. Card board covers shall not be used unless the paper book exceeds 200 pages; and
- g. In a paper-book which does not exceed 200 pages and is not bound in the card board, the index shall commence from the reverse side of the title page, when the printed matter ends on the inner side of the last sheet, no extra blank sheet for the cover shall be used.

Provided that ordinarily paper books shall be typed or cyclostyled as provided hereinafter.

4. “Editing” The Paper Book Includes-

- i. Collecting and arranging the papers required for inclusion in the paper book;
- ii. Examining and comparing proofs, or when several copies of a typed paper book are prepared examining and comparing such copies (other than the first copy) with the originals or authenticated copies of English papers or translations where the rules provide for translations;
- iii. The preparations of title pages and indices;
- iv. The general supervision is necessary to ensure the accuracy of the record and compliance with the provision of these rules with regard to preparation of paper book.

5. Contents of Paper Book:-

- (1) To every paper book shall be prefixed a table of contents with reference to pages. The documents submitted by both parties shall in the table of contents be shown in the order of the exhibit marks.
- (2) Every paper book shall have attached to it a fly leaf in the prescribed form.
- (3) Every paper book shall also consist of all such copies of documents as are indicated in succeeding rules. Ordinarily certified copies of judgments or orders filed by the appellant along with memorandum of appeal shall be used

for inclusion in the paper book. If any such copy is faint or not properly typed or not legibly written, it shall not be included and a fresh neatly typed copy shall be prepared for inclusion in the paper book.

Provided that no page other than table of contents and fly leaf in the paper-book shall be typewritten, unless unavoidable.

- (4) All documents not in English or Bengali shall be translated in English by the official translators of the Court before being included in the paper-books

Provided that a Judge, hearing the case, may direct that English translation of a document in Bengali be included in the paper-book.

6. Cost of Paper Book:-

- (1) At the end of each paper-book, details of the costs incurred in the preparation thereof, by the parties separately, shall be noted and such amount shall, subject to the following provisions, be included in the costs of the case unless the Court otherwise directs.
- (2) Any surplus remaining after deducting the cost actually incurred from the amount deposited by each party with the cashier of the Court shall be refunded upon a written request (unstamped) to the party in the proceedings by whom the deposit was made or to the counsel appointed to get in this behalf. When the deposit was made by a counsel, it shall be accompanied by a power of attorney or shall contain a declaration that the counsel has already filed a power of attorney in the case authorizing him to receive the sum.
- (3) The costs shall be calculated at the following rates:-

SI NO.	Particulars	Amount
1.	Translation from Bengali to English for every forty words of the English translation or part thereof.	Rs.5/-
2.	Translation from any other language into English for every thirty words of English translation or part thereof.	Rs.5/-
3.	Preparation of necessary number of copies for the use of the Court and two more copies for Counsel of either side, for every page or part thereof.	Rs.5/-
4.	Preparation of Additional Copies of the Paper Book, per page per copy	Rs.2/-

5.	For typing of document which are not in English or Bengali	i)Rs.5/- for every 150 words or part thereof ii. ii) Rs.2/- for page typed per copy of the additional copies of paper-book.
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Provided that four figures shall be treated as the equivalent of one word.

- (4) No order shall be passed exempting any party from the operation of the whole or any part of these rules, and no special order shall be made as to any matter with which these rules are concerned except upon application duly stamped with a Court-fee of Rs.10.00 setting forth sufficient grounds. An application for enlargement of time for the doing of any act required to be done under these rules shall ordinarily be made before the expiry of prescribed time:

Provided that if it is deemed necessary, an order may be passed directing that an affidavit be filed in support of the application for extension of time.

7. Inclusion of Documents In Paper Book:-

If any party desires to refer at hearing to any document not admitted in evidence in the lower Court or desires the admission of fresh documentary evidence in this Court, such documentary evidence shall be specified by such party and included in the list of documents filed by the party, and copies and if necessary, translations shall be prepared at the cost of the parties and kept with but shall not be included in the paper book of the case.

8. Exclusion of Papers From Paper-Book By Order of Chief Justice:-

The Chief Justice may by general order direct that any copy or paper required under these Rules to be included in a paper book be not so included therein. In such case the original paper on the record of the case shall be entered in the general index and clearly flagged.

PAPER BOOK IN CIVIL MATTERS

9. Appeals from Original Decrees:-

In appeals from original decrees, paper-book shall ordinarily consist of the following papers, viz.:-

- (1) the pleadings (plaint and written statements);
- (2) the oral statements;

- (3) the issues;
- (4) the evidence of witnesses, whether taken in Court or on commission or on affidavit under rule 4 of order XVIII of the Code of Civil Procedure, 1908;
- (5) maps and plans, if any;
- (6) the judgment and decree;
- (7) such interlocutory applications and the orders thereon and such documents admitted in evidence as may be specified by either party in response to the notice issued to him in this behalf;
- (8) documents not admitted in evidence for any reason, with permission of the Registrar; and
- (9) the memorandum of appeal

Provided that it shall ordinarily be unnecessary to include schedules, statements and similar papers unless they are material for an understanding of a case.

Provided further that the Registrar shall be empowered, either on application made or of his own motion, after hearing the parties, to exclude from the paper-book all documents or portions of documents that are not relevant to the subject matter of the appeal and generally to reduce the bulk of the record.

10. Paper Book In First Appeal

- (1) Paper Book In The First Appeal In Which The Prayer Is:-
 - i. to grant installments or to set aside or modify installments granted or to modify the time granted to satisfy a decree, or
 - ii. to alter interest allowed, or
 - iii. to extend time to satisfy a mortgage decree or to set aside a decree following refusal to grant time, or
 - iv. to extend time to pay the price in pre-emption cases or to challenge an order allowing time for payment, or
 - v. to alter the relief granted from sale to foreclosure or from foreclosure to sale in mortgage cases
- (2) Then paper-book shall ordinarily consist of the following papers only
 - i. the pleadings (petition and written reply);
 - ii. the oral statements;

- iii. the judgment and decree or order;
- iv. such portions of oral or documentary evidence as may be specified by either party in response to the notice issued to him in this behalf; and
- v. the memorandum of appeal

(3) Paper Book In Appeals Under Section 37 Or 50 Of The Arbitration And Conciliation Act, 1996:-

Paper Book in appeals under section 37 or 50 of the arbitration and conciliation act, 1996 to set aside or vary a decree based on an award under section 37 or 50 of the Arbitration And Conciliation Act, 1996, in addition to the papers mentioned in sub-rule 10(1) above, a copy of arbitration agreement and award shall also be included.

(4) In First Appeal Arising Out Of Proceedings After The Preliminary Decree:-

In a first appeal arising out of proceedings after the preliminary decree in suits for accounts or partition, the paper-book shall ordinarily consist of the following papers only:

- a) the judgment and preliminary decree including maps and plans, if any;
- b) the final decree;
- c) such portions of orders of the Court; and
- d) such portions of oral and documentary evidence as may be specified by either party in response to the notice issued to him in this behalf.

11. The paper-book shall be arranged in two parts. Part II containing the exhibits and documents and Part I all the other papers. Part I shall be arranged strictly in chronological order while Part II shall follow the order of the exhibit mark. Additional evidence admitted by a Sub-ordinate Court after remand of the case by this Court shall however, not be incorporated in the main paper book, but shall be arranged in chronological order in a separate paper-book.

12. Three copies shall ordinarily be prepared in appeals which are to be heard by a single Judge and four copies in appeals which are to be heard by a division bench. One copy in the former and two copies in the latter will be retained for the use of the Court and the other two copies given to the counsel on either side. If, however, an application is made in this behalf to the Registrar, before the commencement of the preparation of the paper-book, additional copies not exceeding three may be

prepared along with the Court copies and given to the parties on payment calculated under these rules. Extra copies applied for, after the commencement of the preparation of the paper book, may be refused; and if supplied, shall be charged for at 1½ time the rate prescribed under these rules. Extra copies applied for, after inclusion of the case in the weekly list, will be refused. Office will endeavour to complete extra copies so charged for under these rules before the hearing but no party shall have any right to an adjournment merely because such copies are not ready.

- 13.** As soon as an order has been passed admitting the case for final hearing and the records have been received from the Court, the Deputy Registrar shall cause notice to be given to the parties requiring them to prepare and deliver by certain specified dates, separate lists of the papers mentioned in rule 10 above which they desire to be included in the paper-book in the following format:

Description of the Papers with Date, Distinguishing Mark Number of the Page	Whether the Whole or a Portion is to be Included	Page of the Paper Book to be filed in the Office
---	--	--

Provided that if the appellant does not desire to include any such papers in the paper book, he shall file a blank list by the specified date referred to above.

- 14.** The date given to the appellant shall be at least three weeks earlier than that given to the respondents.

15. Paper Book In First Appeals From Orders:-

The rule for the preparation of paper books in appeals from original decrees shall apply mutatis mutandis, to the preparation of paper-books in first appeals from orders passed by subordinate Courts. In these appeals a paper-book shall ordinarily consist only of the papers mentioned in rule 10.

16. Second Appeal:-

Where the Court orders for preparation of paper book in a second appeal, it shall consist of the following papers viz.

- (1) the memorandum of appeal;

- (2) memorandum of objections if any to the decree appealed from;
- (3) the pleadings with maps and plans, if any;
- (4) all other documents as mentioned in the paper book of the First appeal;
- (5) any order under Rule 25 or 28 of Order XLI of the code, return to such order and in the case of such order under Rule 25, including any additional evidence led in the First Appellate Court;
- (6) the judgments and decrees with maps and plans, if any, of both the Subordinate Courts;
- (7) any judgment or order of remand passed in the case either by the First Appellate Court or by the High Court.
- (8) It shall also contain any portion of the record of any evidence oral or documentary that may be specified by either party, provided that the advocate or the party filing the list certifies in writing that such evidence or documents shall be referred to at the hearing of the appeal.

17. Writ Appeal:-

In a writ appeal, the paper-book shall ordinarily consist of

- (1) pleadings of both the parties with annexure,
- (2) a copy of the judgment appealed from, and
- (3) the memorandum of appeal

Provided that it shall be prepared in quadruplicate at the expense of the Appellant.

18. Paper Book In Application For Revision:-

In application for revision, the paper-book shall ordinarily consist of

- (a) the application;
- (b) the judgment or order of the Court of first instance and of the lower appellant Court, if any, to which the application relates; and
- (c) all papers or documents which are not in English or Hindi, to which reference will be made at the hearing. It shall be prepared in the same way as the paper-books in First appeals from order and the rules for preparation of the paper books in first appeals from orders shall apply mutatis mutandis to the preparation of the paper-books under this rule.

19. Paper Book in Application for Review of Judgment:-

In application for review of judgment the paper-book shall ordinarily consist of

- (1) the application
- (2) any affidavit filed with the application;
- (3) any affidavit filed in reply; and
- (4) the judgment and the decree or order to which the application relates.

20. When these rules direct or allow any act to be done by or any notice to be given to a party to the case, such act may be done by or such notice may be given to advocate appointed to act by that party.

21. The Registrar may enlarge the time prescribed by these rules for doing any act. The Registrar may also exempt any party from the operation of any of the above rules or may make such special order as he deems fit as to the preparation of paper-book in a particular case.

22. When a case is referred to a division bench or full bench, the Registrar shall direct for preparation of requisite number of extra paper-books. The costs of such extra paper-book shall not be recovered from the parties.

23. Notwithstanding anything contained in these rules, the Chief Justice may by a general or special order dispense with translation of documents in any case or classes of cases that may be pending in the High Court.

24. Paper-Book In Writ Petitions In The Nature of Habeas Corpus:-

(1) In writ petitions in the nature of habeas corpus, four copies of paper books shall be prepared free of costs. Out of these, two will be for the use of the bench and one each for the Advocate General and the applicant.

(2) The paper-book shall consist of pleadings with affidavits and such other documents as may be filed by the parties or as the Court may order to be included.

PREPARATION OF PAPER-BOOKS IN CRIMINAL CASES

25. Paper-Books in Criminal References (Capital Punishment):-

When the record of the proceedings submitted to the High Court under section 366 (1) of the Code of Criminal Procedure, 1973, has been examined and found to be in order, the Registrar shall at once cause a paper-book to be prepared.

The paper-book shall ordinarily consist of

- (1) Photocopies of a Sessions Court's record, all documents and statements, not in English or Hindi, having been translated into English; and
- (2) a typed copy of the memorandum of appeal, if any, translated into English, if not in English or Hindi:

Provided that a Judge hearing the case may direct that English translation of a document in Bengali be included in the paper-book.

Provided further that as soon as the paper-book is ready, one copy shall be sent to the Advocate-General, one copy to the prisoner's counsel and the remaining copies shall be retained for the use of the Court.

26. Paper-Books in Criminal Appeals and other Criminal Cases:-

(1) Paper-books shall be prepared in all criminal appeals and criminal cases admitted for hearing by a division bench and shall be prepared in four copies and distributed in the manner prescribed rule 31 above and shall ordinarily consist of

- i. the memorandum of appeal or reference;
- ii. statements of all the eye witnesses medical or other expert witnesses, the first information report, maps and plans, the injury and post-mortem reports, Chemical Examiner and Serologist's reports, or the report of any other expert; and
- iii. the judgment or order of the Court of Session in appeal or revision, if any:

Provided that any other document and /or statement may also be included in the Paper Book, if so ordered by the Court:

Provided further that the Chief Justice in his discretion may, in any such case or class of cases either dispense with the preparation of paper books or may order that skeleton paper books be prepared containing only such documents as he may order:

Provided further that in any case where there are more than one accused persons who are represented by separate advocate, on an application being made to the Registrar before commencement of preparation of the paper books, such number of additional paper books may be prepared as directed by the Court.

- (2) In criminal appeals admitted for hearing by a single Judge, a paper book will not ordinarily be required but all documents and statements, if not in English or Bengali, shall be translated into English and the translation placed immediately after the originals in the record of the case. The Judge may, however, direct at the preliminary hearing of the appeal, the preparation of photocopies of any portion or a complete paper-book.
- (3) The paper-book in revision cases shall ordinarily consist of
 - a. The report of the Sessions Judge under Section 399 of the Code of Criminal Procedure, 1973 or the petition praying for revision, translated into English, if not in English or Bengali.
 - b. Copies of the judgments of final orders passed in the case by all the Courts below, if any. Only one copy of the paper book shall be prepared and the original documents and certified copies in the record shall be utilized if they are fairly legible. On receipt of the trial Court's record, the first information report and the report and the statements and confession of the accused shall be translated, if not in English or Bengali, in English and the translations placed immediately after the originals in the record of the case. It shall not be necessary to translate the other documents not in English or Bengali; or to prepare a typed copy of any portion of the record unless specially ordered by the Judge at the preliminary hearing or subsequently.
- (4) Where the Court orders the preparation of a paper-book in a criminal case at the cost of party, the Deputy Registrar shall fix the time within which the party or his advocate shall deposit money or do any act for implementing the order of Court and the charges shall be calculated at the rates prescribed for civil cases.
- (5) Notwithstanding anything state above, no costs shall be required to be deposited by a prisoner or person who is under restraint in pursuance of the orders of any Court.

(6) In all Criminal appeals filed under Section 378 of the Code of Criminal Procedure, 1973, the paper books shall be prepared at the cost of the appellants and all rules for the preparation of the paper books shall apply *mutatis mutandis*.

(7) Notwithstanding anything contained in these rules, the Chief Justice may, by a general or special order, dispense with the translation of documents in any case or classes of cases that may be pending in the High Court.

SCHEDULE

An Index of the papers included in the paper book

First Appeal No.....of
 (Name).....(Plaintiff or Defendant)- Appellant
 (Name).....(Defendant or Plaintiff)- Respondent

Serial no.	Date of document	Description of document	Page
		Petition of Plaintiff 1.Written statement of defendants 2.Plaintiff’s replication to above 3. Defendants’ rejoinder to above 4.Issues 5.Plaintiff’s oral evidence (each witness by name). 6.Defendant’s oral evidence (each witness by name) 7.Notes of the arguments advanced by the parties 8.Judgment of the trial Court. 9.Petition of appeal to the High Court. 10. Order of the Judge admitting the appeal to a Bench 11. Documents referred to in the plaint or considered in the judgment or duly proved by either of the parties in the trial Court.	

Note-Intermediate orders of the Court should be inserted in chronological order as they occur.

CHAPTER IX
PROCESSES AND PROCESS FEES

1. PROCESS FEES FOR ORIGINAL JURISDICTION

- (1) The scales of fees chargeable for serving or executing any process issued by the Court in exercise of its Matrimonial, Testamentary and Intestate, or Original Civil Jurisdiction, ordinary or extra-ordinary, shall be double the scale of such fees chargeable in the Court of the District Judge under the rules in force for the service of execution of such processes.
- (2) The postal charges in all processes required to be transmitted by post together with registration fee, if the postal packet is required to be registered, should be paid by the Court by means of Service Postage Stamps without any additional charge being levied for the same from the parties at whose instance the process is issued.

2. PROCESS FEES FOR APPELLATE JURISDICTION

- (1) The fees chargeable for serving and executing processes issued by the Court in exercise of its civil appellate jurisdiction shall be as per following table:-

SI No.	Particulars	Process fee
1.	Notice of appeal or other notices to respondent where the number of respondents to be served is more than four in numbers	Rs.3/-
2.	When the respondents are more than four in numbers	i. process fee of Serial No.1 for first four respondent and Rs.8/- for every respondent in excess of four in number ii. the total amount shall not exceed Rs.15/-.
3.	Summons to witnesses where number of witnesses are not more than four	Rs.3/-
4.	When the witnesses are more than four in numbers	i. Process fee of Serial No.3 for first four witnesses and Rs.8/- for every witness in excess of four in number.
5.	Warrant of arrest in respect of each person to be arrested.	Rs.5/-
6.	Notice, proclamation or injunction or other order not otherwise provided for where the number of recipient is not more than four.	Rs.3/-

7.	When the recipient are more than four in numbers	i. Process fee of Serial No.6 for first four recipient and Rs.8/- for every recipient in excess of four in number ii. the total amount shall not exceed Rs.15/-
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3. PROCESS FEE FOR CIVIL REVISIONAL JURISDICTION:-

Sub-Rule (1) of Rule 2 above shall with necessary modifications and adaptations, also apply to fees chargeable for, serving and executing processes in exercise of the Court in civil revisional jurisdiction.

4. WHEN FEES NOT CHARGEABLE:-

Notwithstanding anything contained in Rules 1 and 2, no fee shall be charged for:-

- (a) Serving or executing any process issued by the Court of its own motion unless the Court orders that the process fee be paid by any party; or
- (b) Serving or executing any process issued in consequence of the adjournment of a case otherwise than at the instance of a party; or
- (c) Affixing a copy of a notice, summons, proclamation or order in a court-house or a public office; or
- (d) Serving or executing an order upon an officer in charge of a jail directing him to detain or release a person committed to his custody; or
- (e) Serving or executing any process or order in connection with a departmental inquiry.

5. PROCESS NOT TO BE ISSUED UNLESS FEE PAID:-

No process in respect of which a fee is chargeable under Rule 1 and 2 shall be issued unless the requisite fee has been paid. As soon as the process-fee is paid, a receipt in the form contained in the Appendix to these rules shall be granted by the official receiving the same and thereafter the court-fee label denoting the fee shall be placed on the record of the case and immediately punched.

6. FEES TO BE PAID IN COURT-FEE STAMPS:-

(1) Fees shall be paid in court-fee stamps which shall be affixed to the application by which the Court is moved to issue the process, or, if there be no such application, to the memorandum of appeal or cross-objection or the application initiating the proceeding.

(2) Where an application is made for issue of process, the Court fee paid on the application itself shall not be regarded as part of such process fee.

7. SERVICE OF PROCESS BEYOND COURT'S JURISDICTION:-

(1) Where the Court sends a process for service of execution to any court beyond its jurisdiction, it shall endorse thereon a certificate that the fee chargeable under the Rules has been levied, so that it may be served or executed free of further charge by the Court to which it is sent.

(2) Where any extraordinary local expenses, such as, boat hire, have to be incurred in service of execution of such process, a sum sufficient to cover such expenses shall be paid in cash by the party concerned and sent by postal money order to the Court to which the process is sent for service or execution.

(3) When processes or summons (both in civil and criminal cases) are issued in a language other than the official language of the receiving court, such processes or summons should be accompanied by an authorized English translation.

(4) The report from the receiving court to the originating court regarding the service or non-service of the processes or summons should similarly be accompanied by an authorized English translation of the report.

8. FEES FOR PROCESSES TO BE ISSUED BY ANOTHER COURT:-

Fees for processes to be issued by the court to which a "Commission" is issued shall be payable in accordance with the orders of the Court concerned. They shall be paid in cash by the party concerned and sent by postal money order to that court.

9. REFUND OF PROCESS FEE WHEN PROCESS NOT ISSUED:-

Where in consequence of a compromise or for some other reason, it becomes unnecessary to **issue** any process for which a process fee has been paid and such process has not been issued, one-half of the fee shall be refunded to the party

concerned provided that an application for such refund is made before the court fee stamps by which such process fee was paid are destroyed.

Provided that no fees or charges which have been refunded or in respect of which a party might on application have obtained an order for refund, shall be deemed to be fees or charges within the meaning of this Rule.

10. FEES PAID TO BE COSTS IN THE CAUSE:-

Except as otherwise provided by these rules or ordered by the court, all fees and charges paid in accordance with the proceeding Rules shall be costs in the cause:

Provided that no fees or charges which have been refunded or in respect of which a party might on application have obtained an order for refund, shall be deemed to be fees or charges within the meaning of this Rule.

11. ACTION OF DEFAULT:-

Process-fee tendered after the expiration of the period fixed as per the rules, shall be refused unless it is accompanied by an application, duly stamped with Rs.2.65 Paise Court-fee under Article 1 (d)(iii) of Schedule II to the Court-Fees Act, 1870, and giving reasons for tendering process fee late. On the presentation of such application, the Deputy Registrar may, when he is satisfied that service of process can be effected before the date already fixed for hearing, accept the process-fee so tendered and cause notice to be issued for the date of hearing already fixed.

(1) Where the Deputy Registrar is of opinion that service cannot be effected before the date of hearing, he will cause the application to be laid before a Judge for orders as to acceptance of belated process-fee and the fixing of a fresh date of hearing.

(2) In the event of process-fee not being paid and no application as provided in rules 5 and 6 being made, the cause will be listed for a date soon after the original date of hearing before a Single Judge or a Division Bench as the case may be, for disposal according to Order 9, rule 2, or Order 41, rule 18, Civil Procedure Code, or otherwise as the Court may order.

(3) Previous notice of the date so fixed will be given to the appellant or petitioner, by listing the cause as a Motion Cause and, where the appellant or

petitioner in the case is not represented by counsel, by registered postcard also.

- (4) Without prejudice to the provisions of sub-rule (1), in cases including petitions under Article 226 for the issuance of directions, orders or writs, where the Court grants any ex-parte stay order, injunction or direction in favour of a party with notice to the other side and any process fee is required to be paid for the issuance of the notice, the stay order, injunction or direction, as the case may be, shall not be issued until the process fee has been paid.
- (5) Where there are more than one respondent/defendant, the appellant/applicant/plaintiff or his Advocate shall clearly mention the name of such Performa party if any, or the name of such party who was proceeded ex-parte or did not contest the proceedings in the lower court and service shall not be effected ordinarily upon such party unless the Court orders to the contrary.

12. COST OF SUMMONING A RECORD:-

The cost of summoning a record shall be rupees 2 and Rules 4 (a) and (e) 5, 7, 9 and 10 shall, so far as may be, and with necessary modifications and adaptations apply thereto. Such cost shall be paid in cash to the cashier.

13. ONE TIME PROCESS FEES:-

A fee of Rs.50 only as one time process fee irrespective of the number of respondents shall be charged in all the cases, in court fee stamps, to be deposited within 3 days in motion cases and within 7 days in admitted matters from the date of order along with copies as per respondents. In case the office is closed on 3rd or 7th day, the process fee shall be tendered on the next day when the office is open. This fee will not include the charges for registered cover. There will be additional fee to the extent of Rs.25 for any miscellaneous application filed during the pendency of the proceedings. In case of default in depositing the process fee within the aforesaid time, the matter shall be placed before the Court at the earliest

for appropriate orders with an indication in the cause list that the case has been listed on account of non-payment of process fee.

14. RETENTION OF THE REVENUE DERIVED FROM COLLECTION OF FEES AND CHARGES FOR FILING OF A CASE

- (1) The control over the revenue derived from the Process Fees, Stamp Duty, incidental charges or any other amount including cost of the Filing Slip that is collected from the litigants and advocates during the process of filing of a case in the High Court and subsequent thereafter, shall be retained by the High Court.
- (2) The Stamp Reporter or such other officer as may be directed by the Chief Justice shall maintain accounts of such revenue collected in a Register and shall also submit the annual returns in such form as may be prescribed.

15. PAYMENT AND REFUND OF COURT FEES ETC BY ELECTRONIC MEANS:-

In addition to existing modes, payment and refund of court fees, cost and other charges can be affected by electronic means.

Explanation:- For the purpose of this Rule, "Payment and refund by electronic means" includes payment and refund through an electronic payment gateway, debit card, credit card, Cash and wire transfer, on-line payment or any other recognized mode of electronic payment.

16. VERIFICATION OF E-PAYMENT RECEIPT:-

When payment of the court fees is made through e-payment, the receipt of such e-payment presented along with all appeals, applications and other document shall be scanned with Barcode scanner and on finding it valid, the concerned officer/staff member shall validate such payment on the computerized system and after such validation only, the court fees shall be considered as paid.

17. PROCEDURAL GUIDELINES FOR E-PAYMENT OF COURT FEES:-

The procedure for making payment of Court Fees through e-payment is available in the official website of the High Court under the tab "**Information of eCourts**".

APPENDIX-I
High Court of Tripura

Process-fee Receipt

Received on..... (date) court fee stamp of the value of Rupees..... in case
No..... in re.....versus.....

Signature of the Section Superintendent,
(.....Section)

CHAPTER X
SERVICE OF SUMMONS & NOTICES ETC

1. SERVICE OF SUMMONS AND NOTICES:-

Unless otherwise directed by the Court or the Chief Justice or any other law for the time being in force, the Deputy Registrar (Judicial) will issue all warrants **and notices** under the orders of the Court.

2. MODE OF SERVICE:-

The mode and manner of services of summons/notices shall, unless otherwise directed by the Court, be governed by Order V and other related provisions of Code of Civil Procedure.

3. PERSONS TO WHOM THE SUMMONS TO BE SERVED:-

- (1) When in an appeal or other proceeding the Court orders a notice to be served, such notice unless otherwise directed, shall ordinarily be issued to all parties to such appeal or other proceeding and to any person upon whom it is proposed to be served.
- (2) If the person to whom the notice is to be issued is a minor, a person of unsound mind or other disqualified person legally incapable to represent him, it shall be issued to the guardian or next friend of such person.

4. SERVICE OF NOTICE BY POST OR PUBLICATION:-

- (1) Any notice may in lieu of or in addition to any other mode of service provided by law or by these Rules be served if so ordered by sending it by registered post addressed to the person upon whom it is to be served or by publishing it in a daily newspaper circulating in the locality in which the defendant is last known to have actually and voluntarily resided, carried on business or personally worked for gain.

Provided that where an order for publication of notice has been passed by the Court or by the Registrar General, as the case may be, the party on whose behalf the notice is to be published shall, within seven days from the date of the order, obtain the tentative date from the office on the prescribed form of the

notice duly filed in by the party or his counsel and shall get it published before the date fixed in a daily newspaper circulating in the locality in which the respondent or the opposite party, as the case may be, is last known to have actually and voluntarily resided, carried on business or personally worked for gain:

Provided further that the party or his counsel getting the notice published as aforesaid shall so arrange that the notice is published at least ten days before the date fixed in the notice and shall file a copy of the newspaper containing the notice before the Registrar General a week before the date fixed:

Provided also that where the copy of the newspaper is not supplied within the time prescribed in the preceding proviso, the case or the application, as the case may be, on which the order for publication of notice had been passed, shall be listed before the Court for such orders as the Court deems fit.

Explanation I:- Where the party fails to file the copy of the newspaper, he shall be deemed to have committed default in supplying the notice.

Explanation II:- A notice sent by registered post shall, unless it is received back from the post office as undelivered, be deemed to have been served at the time at which it would be delivered in the ordinary course of post.

5. SUMMONS OR NOTICE BY ANY OTHER MEANS:-

Summons and notices may also be served through courier and email or by any other electronic mode which sufficiently records and proves due delivery of the same to the addressee as mentioned in the relevant rule.

6. THE REQUIREMENT OF THE SUMMONS AND NOTICE:-

Every appeal, cross objection, petition and application etc. which involves the issue of a rule or notice on the Subordinate Court or the respondent/opposite party, shall be accompanied by the number of copies of the memo of appeal, petition, application and its enclosures for service on the Subordinate Court and/or the opposite party;

Provided that if the petitioner so desires, the copies referred to in this rule may be filed at the time of submitting in the fee for the services of notice.

7. CONTENTS OF SUMMONS OR NOTICE:-

1. The date fixed for appearance will be inserted in the form and the notice will be dated and signed by an officer of the Court. All the filled up notices and summons shall be furnished by the appellant or the petitioner as the case may be

in the registry of the High Court. The Registrar General/Registrar may, in this discretion, direct in any particular case that the forms of notice be entirely filled up in the office of the Court.

2. If the process fee is paid and the notice forms is filed within the stipulated period or within the further period allowed by the Registrar (Judicial), the notice in the prescribed form shall at once be issued on the respondent.

3. The time allowed for service of the notice shall be specified therein by the Registrar (Judicial)/Deputy Registrar(Judicial) preferably not exceeding 21 days and shall commence from the date on which it is dispatched, which shall, in general, be the day on which the process fee is deposited and the notice forms are filed.

8. COURIER SERVICE:-

Apart from the general mode of transmitting or sending the summons/notice, the same may also be sent by electronic mail or by courier service subject to such rules as may be framed by the High Court. The High Court may prepare a list of courier services from time to time as approved courier services for the purpose of sending such summons/notices.

9. SERVICE BY THE SUBORDINATE COURTS:-

(1) On receipt of the proceedings of the High Court transmitting the notices of appeal or petition, the Subordinate Court shall cause their service without the payment of any further fee and without any further action by the appellant/petitioner. The Subordinate Courts shall issue all notices immediately on receipt thereof and in their returns of service shall, in every instance, insert (a) date of receipt of notice (b) date of delivery to the serving officer and (c) date of receiving it back from him.

(2) It shall be the duty of the Subordinate Court to cause the notice to be served in sufficient time before the date fixed and if such service be impracticable to state when returning it to the High Court the reasons thereof. The Subordinate Court shall satisfy itself that a valid service has been made, or if there has been a failure of service, it shall certify on the back of such summons or notice, the failure with reasons. The certificate shall be accompanied by the return of service and declaration of the serving

officer specifying the mode of service or also the reasons for non service, if any.

- (3) When the summons/notices are sent to any District Court within the State for service, all the service reports shall be sent to the Registry at the earliest by serving Court by e-mail and also by post.
- (4) After receipt of the report of successful service, the Registry shall list the matter before the Court accordingly.

10. FILING OF PROCESS FEE AND THE REQUISITES OF SUMMONS AND FAILURE TO FILE THE SAME:-

- (1) Unless otherwise directed by the Court, the fee for the issue of notice on the subordinate Court or respondent(s)/opposite party(s) shall be paid into the Registry of High Court within seven days from the date of admission of such appeal, and registration of cross objection, petition, application and shall be accompanied by the necessary number of copies of the memo of appeal, cross objection, petition, application and enclosures required for service on the Subordinate Court or respondent/opposite party, if such copies were not filed along with the memo of appeal, cross objection, petition, application etc.
- (2) If the process fee or the notice forms, duly filled up is not filed as provided hereinabove within the stipulated period, or if it is filed in defective condition, the matter shall be placed before the Registrar General/Registrar (Judicial) who may, in his discretion, either grant further time for making such payment, or for filing the notice forms or to remove the defect as the case may be. However, the Registrar General/Registrar (Judicial), in case of necessity, may direct the matter to be placed before the Court for orders.

Provided that no order shall be passed to receive such fee or requisites of the summons or notices when tendered out of the time, except upon an application with a Court fee of Rs.5/- setting forth the reasons for condoning delay addressed to the Registrar General;

Provided further Subject to what have been prescribed otherwise in these rules, where the Court fixes the period within which the process with fees to be submitted and party(s) concerned fails to submit the same within the said period, on application by the party concerned, the Registrar

General/Registrar (Judicial) may allow acceptance of the process having due regard to the date fixed by the Court as returnable date.

- (3) The fee for the issue of the notice to the respondent under Order XLI, R. 14, Civil Procedure Code, shall be paid into Court by the appellant.
- (4) The fee for the issue of notice under Order XLI, R.22(3), if necessary, shall be paid together with the necessary copies of cross-objection, within seven days from the date of the registration of the memorandum of cross objection and notice thereon shall be given to the parties.

CHAPTER XI
SUMMONING OF RECORD

1. ISSUE OF NOTICE AND REQUISITION FOR RECORD:-

Where an order has been made by the High Court directing notice of an appeal or application, revision or reference to be issued, the office shall take immediate steps to cause notice thereof to be served on such persons as are indicated in the chapter of service of summons and shall also give notice thereof to the Court from whose decree or order the appeal, application or revision has been presented or by which the reference has been made.

2. THE REQUISITION OF RECORD:-

The office shall, if not directed otherwise, also send a requisition to such Court asking it to transmit within ten days of the receipt of such requisition all material papers of the case or, if so directed, a part thereof, unless such record has already been received.

3. WHEN RECORD NOT TO BE SUMMONED AT ONCE (RE-ENGINEERING):-

Where a record is required from a Subordinate Court in an appeal, application or revision from an interlocutory order and proceedings in the main case are pending in that Court, the requisition for record shall not be sent for at once and only information of the fact that all material papers in the case would be sent for when actually required. The Subordinate Court shall submit the record immediately on receipt of intimation that the appeal, application or revision is ready for hearing. In case such record is requisitioned at the special request of a party, it shall be sent back to the Court concerned as soon as possible and recalled only when the appeal, application or revision is ready for hearing. A case shall not be listed for hearing later than the expiry of two months after the receipt of the record under this and the next preceding Rule.

4. NO PARTY ENTITLED TO SUMMON RECORD WITHOUT PAYMENT OF REQUISITE COSTS:-

Notwithstanding anything contained in this rules, no record shall be summoned from another Court at the instance of a party unless the cost of summoning such record, if any, has been previously paid by such party.

5. OBJECTION AS TO THE AMOUNT OF REQUISITE COST TO BE DECIDED BY THE REGISTRAR:-

Where objection is taken as to the correctness of the amount of summoning a record demanded by the office, the Advocate concerned or his clerk shall immediately bring the matter to the notice of the Registrar General who shall decide such objection forthwith.

6. APPLICATION FOR SUMMONING RECORD, REGISTER OR DOCUMENT:-

Any party desiring to summon a record, register or document from a Court or any office shall make an application to the Registrar General for that purpose. Such application shall.—

- (1) Be signed by the party or his Advocate;
- (2) Be accompanied by a statement signed by the Advocate stating---
 - (i) that such record, register or document is before the Subordinate Court and that the summoning thereof is necessary for supporting or opposing the appeal, application, revision or other proceeding in which the application is made, or
 - (ii) that the record, register or document is before any other office and giving reasons as to the necessity to summon the same; and
- (3) Contain all such particulars as may be necessary to enable such record, register or document to be summoned, including:-
 - (i) the name of the Court or the office from where the record, register or document is to be summoned;
 - (ii) the description of such record, register or document;
 - (iii) in the case of a register or document, the language in which such register or document is written and the date and the year, if any, which it bears;
 - (iv) in the case of a register or document forming part of any record, the date on which such register or document was filed and a description of such record including the date of decision, if any, and
 - (v) where the record desired to be summoned is the record of a decided case, the date when the case was decided:

Provided that the Registrar, if otherwise satisfied that the summoning of a record, register or document is necessary, may dispense with the statement

mentioned in sub-rule (2) above, or if not satisfied by such statement that a record, register or document is relevant or material, may before summoning it, require an affidavit, stating clearly how it is relevant or material:

Provided further that the Court may at any stage of the proceeding, if satisfied that the summoning of a record, register or document is necessary, dispense with such application, statement or affidavit.

7. DEPOSIT OF COST FOR SUMMONING RECORD, REGISTER OR DOCUMENT:-

Requisition for a record, register or document ordered to be summoned at the expense of a party, shall not be issued by the office, unless the cost of summoning it and, if the record ordered to be summoned includes registers or account books, an equivalent additional sum in respect of each such register or account book is deposited as cost with the cashier.

Provided that if the party at whose expense a record has been ordered to be summoned deposits only the cost of summoning the record and does not specify in his application the registers or the account books to be summoned, only the record without such registers and account books shall be sent for.

CHAPTER XII
JUDGMENT AND DECREE

1. PRONOUNCEMENT OF JUDGMENT:-

- (1) Reserved Judgment may ordinarily be pronounced within two months of the conclusion of the hearing.
- (2) On noticing that after conclusion of the hearing the judgment is not pronounced within a period of two months, the Chief Justice shall draw the attention of the Bench concerned to the pending matter.
- (3) Where a judgment is not pronounced within a period of three months from the date of reserving it, any of the parties in the case is committed to file an application in the Court with the prayer for an early judgment. Such application as and when filed shall be listed before the Bench concerned within two weeks excluding the intervening holidays.
- (4) If the judgment for any reason is not pronounced within a period of six months any of the parties to the list shall be entitled to move an application before the Chief Justice for appropriate orders. It would be open for the Chief Justice to grant the self prayer of pass any order as he deems fit in the circumstances.

2. WHEN A JUDGMENT CAN BE DELIVERED IN SITUATION WHERE ONE OR MORE JUDGES ARE UNAVAILABLE:-

- (1) Where a judgment has been reserved in a case consisting of a Bench of two or more Judges and all of them are not available for sitting together at one place, such judgment may be pronounced by any of the Judges, who heard the case after the transcript or the transcripts of the judgment has or have been initialled by all the Judges who had heard the cases.
- (2) A judgment delivered by this Court when initialled by the Judge pronouncing it, either on the transcript of the judgment or on the approval sheet attached to it shall be the final judgment of which copies could be supplied to the parties or their advocates unless the Judge delivering it desires that he wants to have a fair copy of the judgment for approval. In the latter event, the judgment shall be considered to be final when the fair copy is approved and initialled by the Judge.
- (3) Where a judgment has been reserved by a Judge sitting in single Bench and the Judge is unavailable to sit at the place where the matter is heard, the single Judge

may pronounce judgment via video conferencing link in the facility provided by the High Court.

- (4) Where a judgment is reserved by a larger Bench of two or more Judges and all the Judges of the Larger Bench are unavailable for sitting together at one place, such judgment may be pronounced by one or more of the Judges comprising the larger Bench with the other Judge or Judges joining by video conferencing link in the facility provided by the High Court.
- (5) The place where video conferencing facility is provided in the High Court for the purpose of pronouncement of judgment shall deem to be a Court for such particular purpose.

3. PROCEDURE FOR PREPARATION OF DECREES:-

- (1) The office shall prepare the draft of the decretal order within a period of fifteen days from the date of the receipt of the papers and proceedings together with the original judgment and order duly signed by the Judge/Judges and the bill of costs.
- (2) Decrees shall be drawn up in English. The decrees shall be prepared by the Section Superintendent of the concerned Bench Section and submitted to the Registrar (Judicial) within seven days of the delivery of the judgment or order on which it is founded. The Registrar (Judicial) shall after making such correction as he deems necessary exhibit a notice on the notice board that the decree has been drawn up and that any party to the decree or his advocate may within three days peruse the decree and sign it before the Registrar (Judicial) or move a written objection (which need not bear Court fee stamp) that the decree is not in accordance with the judgment or order upon which it is founded. The Registrar (Judicial) may, on perusal of such objection, hear the party or his advocate and may correct the decree or overrule the objection or may refer the matter to the Court for orders.
- (3) The Registrar (Judicial) shall cause the Court seal to be affixed to all the decrees and shall sign them, dating them with the date of pronouncement of the judgment.
- (4) Under no circumstances shall any decree or order passed or made by a Judge be altered, varied or parted from in the office, except under any order in writing of the Judges who passed or made such decrees or order, or except under an order made on appeal from such decree or order, or except under an order made upon an application authorized to be made under an order drawn up under rule.

- (5) Copies of all decrees of final orders passed in pauper suit for appeals shall be transmitted without delay to the Collector of the district in which the Court passing the original decree is situated, to enable him to recover Court fee or to apply for orders for the payment of Court fee.

4. WHEN ANY JUDGMENT CONTAIN ANY DIRECTION OR RECOMMENDATION TO ANY COURT OR TO GOVERNMENT:-

Where any judgment or order of any Judge of the Court contains any recommendation for the alternation of the procedure in this Court or Subordinate Court, or recommends or suggests for consideration of government any alteration in law or in rules having the force of law, such judgment shall immediately after delivery be submitted to the Chief Justice.

5. SPARE COPIES OF THE JUDGMENT OR ORDER SHALL BE PREPARED IN ACCORDANCE TO THE STATEMENT BELOW:-

(i) **Table**

Classes of Cases	Number of spare copies
All civil appeals and revision	3
Criminal appeals in Sessions Cases in which death sentence has been confirmed	5
Criminal appeals in other Sessions Cases	4
Criminal revisions from the decision of, or reference by, Sessions or Additional Sessions Judge	4
Criminal appeals and revision from decision of Magistrate and reference by District Magistrate	2
Writ Petitions	4

- (ii) One spare copy each will be supplied to Judges' Library, the High Court Bar Association and the other copies to the Subordinate Courts. In unsuccessful appeals from sentence of death one copy of the appellate judgment, will be supplied to the Government along with the record. One of the copies meant for the Subordinate Court will, in the first instance, be sent for the perusal of the editor of

TLR series and similarly one copy in all Criminal cases will be sent for the perusal of the Advocate General.

- (iii) In case of writ petition under Article 226 of the Constitution of India the spare copies will be supplied to the Secretary to the Law Department, Government of Tripura, including the places mentioned above in sub-rule (ii). Two copies shall also be supplied to Secretary to the Government of India, Ministry of Home Affairs under intimation to the Secretary to the Government of Tripura, Law Department.
- (iv) In Judgements and orders on service matters a spare copy of each judgment or order may be supplied to Secretary of Tripura Public Service Commission including the places mentioned above in sub-rule (ii).
- (v) In matters pertaining to provisions of Constitution of India one spare copy may be supplied to Parliament Secretariat and Parliament House including the places mentioned above in sub-rule (ii).
- (vi) In matters relating to elections one copy may be supplied to Secretary of Election Commission of India including the places mentioned above in sub-rule (ii).

6. RETURN OF EXHIBITS:-

- (1) Application by parties or their advocates for the return of exhibits put in at the hearing shall be made within ten day after the time of appealing against the decree has expired, or in case an appeal is filed within ten day after the disposal of such appeals.
- (2) Documents not directed by the Judge who has heard the case to be retained, will be returned by the Registrar (Judicial) on the expiration of time as mentioned in sub-rule (1) above unless cause to the contrary appears or the documents are of nature specified in proviso 4 to order XIII Rule 9 of Code of Civil Procedure, 1908.

7. COMMUNICATION OF E-AUTHENTICATED COPY OF THE ORDER OF THE HON'BLE SUPREME COURT OF INDIA:-

All the Subordinate Courts of Tripura shall recognize the e-authenticated copy of the order of the Hon'ble Apex Court communicated through **FASTER**(*Fast & Secure Transmission of Electronic Records*) System and comply with the directions contained therein pursuant to the order dated 23rd December, 2021 of the Hon'ble Supreme Court of India passed in *Suo Motu* Writ Petition (Civil) No. 04 of 2021 (*In re: Delay in release of convicts after grant of bail*)

CHAPTER XIII
PRESERVATION AND DESTRUCTION OF CIVIL, WRIT AND CRIMINAL
RECORDS

A. PRESERVATION OF RECORDS:-

1. GENERAL PROVISIONS:-

- (1) Every Record, unless otherwise provided, shall consist of two Parts, to be styled respectively, Part-I and Part-II. These two parts shall be maintained separately in stiff covers in the prescribed Forms (See Form Nos. 1 & 2 (Civil) and 3 to 11 (Criminal), Appendices I and II respectively.
- (2) Part-I shall be preserved for ever and Part-II for three years, after the expiry of which it shall be destroyed.
 - (a) **Conversion of records in un-editable digitized form:** Subject to the provision of Rule 2, papers contained in Part-I of Civil and Criminal records shall henceforth be converted in un-editable digitized format forever following the procedure prescribed in the High Court of Tripura Digitization of Records Rules, 2022 and shall be preserved for a period of thirty years with the mechanism of retrieval as and when required in terms of the provision of the Information Technology Act, 2000. For the said purpose, the papers contained in Part-I, after converting into un-editable digitized format, shall be authenticated in such manner and be kept in such custody as prescribed in those Rules.
 - (b) **Supervision of conversion of records into electronic form:** The conversion of judicial records (Part-I file) in electronic form, shall be carried out from time to time, in accordance with the High Court of Tripura Digitization of Records Rules, 2022 and shall be supervised by such officer as may be appointed by the Chief Justice under the Rules for the purpose and authenticated by affixing his/her digital signature.
- (3) A statutory notice to this effect shall be published following the procedure prescribed in the High Court of Tripura Digitization of Records Rules, 2022 for information of the learned members of the Bar and the litigants.
- (4) The distribution of the papers to the appropriate parts (I or II) of the Record shall in all cases be made in the Office before the Record is deposited in the Record Room.

- (5) The period of 3 years mentioned in Rule (2) above shall be calculated from the date of their Final Decree or Order which, in cases of Appeal to the Supreme Court, will be that of the Decree or Order of the Supreme Court, as the case may be.
- (6) All Copies of Paper Books shall be destroyed as soon as one copy thereof is preserved in the Compact Disc along with Part-I record.
- (7) Preservation of Part-I record in Compact Discs being of permanent nature, copies of Paper Books, both bound and unbound may be obtained whenever required on payment of requisite fees to be notified.
- (8) Copies of preserved Paper Books being available, if parties desire to purchase the same, they shall be supplied with copies in the form of print-outs at the rate to be assessed and notified. Print-out of Paper book in Second Appeal will be charged for at the rate to be assessed and notified.

2. CIVIL RECORDS

(1) Part-I Of All Civil Records Shall Contain The Following Papers:-

- (i) The Order Books;
- (ii) The Memorandum of Appeal;
- (iii) The Copies of the Judgment and Decree filed with the Memorandum of Appeal and not inserted in the Paper Book of the case;
- (iv) The Memorandum of Cross-objection (if any);
- (v) *Vakalatnamas*;
- (vi) Applications for Substitution, Addition or Removal of Parties, and the Affidavits filed therewith;
- (vii) Award of Arbitrators of Petitions of Compromise, if given effect to in the Decree; also in the case of Minors or Lunatics, the Order of the Court sanctioning the Compromise;
- (viii) Remand Order of the Court, if any;
- (ix) Copy of the finding of the Lower Court upon Remand, if any;
- (x) Final Judgment of the High Court;
- (xi) Decree;

- (xii) Application for return of Documents when they have been rejected or on which Special Orders have been passed;
 - (xiii) Paper Books: two copies when printed, and one copy when not printed;
 - (xiv) Any paper, the preservation of which may be directed by the Presiding Judge or Judges, or by the Registrar (Administration);
 - (xv) Orders of the Court other than those recorded on the Order-Sheets; and
 - (xvi) Applications for Review, and Orders relating to such Applications.
- (2) **Part II shall contain all other papers except the below mentioned:-**
Certified copies of the Judgment and Decree of the High Court filed with the Applications for Leave to Appeal to the Supreme Court shall be kept in Part-II.
- (3) Copies of the Judgment and Decree filed with the Memorandum of Appeal which, or the translation of which, have been inserted in the Paper Book, may, with the permission of the Registrar (Judicial) be returned to the Party after the disposal of the Appeal.
- (4) Exhibited Documents or any other paper not received with the Lower Court's Record but filed in the High Court under Special Orders should not be deposited in the Record Room but returned to the parties after the disposal of the case in which they were filed. If they are not taken back before the despatch of Subordinate Court Record, they should be sent to the Subordinate Court along with its record together with a copy of the Court to return the same when returning other documents to the parties.
- (5) Papers which are to be preserved under the Rules of this Chapter shall be repaired, where necessary, at the expense of the Court but Documents which are filed by the parties in the High Court or are filed in the Subordinate Court and transmitted to the High Court and which are ultimately returned to them after the disposal of the case in which they are filed shall be repaired, if and when necessary, at the expense of the party filing such Documents. An estimate of the cost of repairs shall be prepared and served on the Advocate for the party and the amount due under the estimate shall be deposited with the Cash Section of the Court within seven days from the date of Service. All cases of default as regards the deposit shall be reported to the Registrar (Judicial).
- (6) Rule 2 shall also apply, *mutatis mutandis*, to the Records of all Civil Revision Cases and References.

3. CRIMINAL RECORDS:-

(1) Part I of the Record in Criminal Appeals, Revision Cases, References and Miscellaneous Cases, shall contain the following papers:-

- (i) The Order Books;
- (ii) The Judgment of the High Court;
- (iii) The Memorandum of Appeal (or petition for Revision or Letter of Reference);
- (iv) *Vakalatnamas*;
- (v) Applications for the return of Documents when they have been rejected or on which Special Orders have been passed;
- (vi) The Judgment of the Lower Court;
- (vii) Paper Books: two copies when printed and one copy when not printed;
- (viii) Any paper, the preservation of which may be directed by the Presiding Judge or Judges, or by the Registrar (Judicial);
- (ix) Orders of the Court other than those recorded on the Order-sheets; and
- (x) In the case of an Appeal from an order of Acquittal under Section 378(4) of the Code of Criminal Procedure, preferred on the grant of Special Leave, the Application for such Leave with the Court's order granting it.

(2) Part II shall contain all other Papers.

Provided that Certified copies of Orders or of judgments in Criminal cases filed with Applications for Revision or Memorandum of Appeal which have been inserted in the Paper Books of such Cases, may, with the permission of the Registrar (Judicial), be returned to the parties filing them after the disposal of Cases.

4. PAPERS TO BE PRESERVED PERMANENTLY:-

The following papers shall be permanently preserved:

- (a) All judgments, decrees and final orders of the High Court, except orders summarily dismissing appeals or applications.
- (b) All registers of appeals and applications, including Writ Petitions.
- (c) Such papers, in cases of historical, sociological or scientific value, as in the opinion of the Registrar (Judicial), should be permanently preserved.
- (d) Judgments, decrees and final orders of the Supreme Court in cases decided by the High Court of Tripura.
- (e) Files containing original Judgments signed or initialed by the Judges.

- (f) Inspection notes and important correspondence made on the basis of inspection notes which have entitled administrative representation, departmental enquiry or proceedings.

5. PAPERS TO BE PRESERVED FOR 30 YEARS:-

The following papers shall be preserved for 30 years:-

- (a) Judgments and/or orders of High Court summarily dismissing appeals and applications.
- (b) Paper-books or prints in cases in which a sentence of death or imprisonment for life is passed.
- (c) Writs communicating final orders in applications decided under Articles 226 and 227 of the Constitution.
- (d) Farad Files, except farads of applications for interlocutory orders and applications necessary for the progress of the main proceeding.

6. PAPERS TO BE PRESERVED FOR 5 YEARS:-

The following papers shall be preserved for 5 years:

- (a) Paper-books other than those specified above in matters heard by the High Court.
- (b) Applications for interlocutory orders, applications necessary for the progress of the proceedings and applications for certificate for leave to appeal to the Supreme Court or to the High Court under the Letters Patent.
- (c) Applications for transfer, bail or stay of proceedings.
- (d) Orders made by the High Court in interlocutory applications mentioned in items (2) and (3) above.
- (e) Reports called for from the lower Courts.
- (f) Writs communicating final orders to the lower Court except interlocutory orders and orders in Writ Petition.
- (g) Original memoranda of appeals, and cross objections, and original revision applications, references and applications for review.
- (h) Applications under Articles 226 and 227 of the Constitution.
- (i) Printed copies of the transcript record of the Supreme Court.
- (j) Firistis and receipts or Records and Proceedings by the lower Courts.

- (k) Copies of judgments of lower Courts or-Tribunals against which appeals or applications have been made to the High Court.
- (l) Objections to findings on issues called for by the High Court.

7. PAPERS TO BE PRESERVED FOR ONE YEAR:-

The following papers shall be preserved for one year:

- (a) Writs communicating interlocutory orders of the High Court to the lower Courts.
- (b) Applications for issue of processes, etc.
- (c) Applications for stay of execution or orders passed by the lower Courts.
- (d) Applications for bail.
- (e) Presentation Forms.
- (f) Examination Memos.
- (g) *Vakalatnamas*.
- (h) Orders appointing Advocates in criminal matters.
- (i) Notices and Returns thereto.
- (j) R. & P. Writs including request for extension of time for certifying R& P.
- (k) Requisitions for printing.
- (l) Writs sending down the issues.
- (m) Notices of receipt of Findings.
- (n) Correspondence relating to Jail Petitions.
- (o) Writs for bail, arrest, stay, production of accused in Courts and other interlocutory orders.
- (p) Press copies of the records of the lower Courts.

8. COMPUTATION OF PERIOD FOR THE PRESERVATION OF RECORD:-

- (a) The period prescribed above for the preservation of the records shall be computed from the date of final decision of the case and in case of appeal to the Supreme Court, from the date of the final decision of the Supreme Court.
- (b) A Board file shall be preserved for three years from the date of the last board in that file.
- (c) The outward register, the inward register and the stamp register shall be preserved for five years from the date of the last entry in the register.

9. ALL FILES PERTAINING TO EACH CASE TO BE KEPT IN ONE BUNDLE:-

All files pertaining to any particular case shall be kept in one bundle bearing the number of the proceedings. Each file shall be accompanied by list of the Papers filed therein.

10. REQUISITIONS FOR RECORDS:-

- (1) Ordinarily certified copies are to be filed in respect of Original Papers, Civil or Criminal, requisitioned at the instance of the parties, from Part-I of a High Court Record. Such certified copies shall be returned with the Original Documents called for when the requisition is complied with. Certified copies, may, however, be dispensed with in respect of
 - (i) Rule 2, Sub-rule (1) (vi) and (xii) of this Chapter,
 - (ii) Rule 3, Sub-rule (1) (v) and
 - (iii) Provided the papers have printed in the Paper book of Rule 2. Sub-rule (1) (ii) and (iv) and Rule 3. Sub-rule (1) (iii).
- (2) In regard to papers of Part-II of both Civil and Criminal Records, no certified copy need be demanded except under the Orders of the Registrar (Judicial).
- (3) When a record or part of it as preserved in un-editable digitized format is called for from the Appellate Side of this Court by any Court or Officer within or outside the State, either on its own motion or on the prayer of the party, the Court or Officer calling for it shall state the circumstances which render its production necessary at the time of requisition.

11. PREVENTION OF DEFAACEMENT OF HIGH COURT RECORDS:-

- (1) No document shall be produced from the custody of this Court before any other Court, except on the condition that such document, if admitted in Evidence, shall not be so endorsed, marked with seal or any exhibit mark by such other Court, as will make such document or any part thereof illegible by reason of such endorsement or seal or mark which shall be put only on such part or parts of the document as do not contain any writing and shall preferably be made on the side or top or bottom margin of the document or cover page, if any, provided that if in any exceptional case no such part or parts of the document are available for such endorsement, seal or mark, then the same shall be placed on a separate slip of paper which shall be attached to the document.

(2) When transmitting any such document to another Court, the attention of that Court shall be drawn to Rule 11, Sub-rule (1) above.

(3) No Document, tendered in evidence or produced in this Court shall be so endorsed or marked with seal or any exhibit mark as to make any part thereof illegible. Such endorsement, seal or exhibit mark shall always be made in the manner prescribed by Rule 11, Sub-rule (1).

12. DECLARING OF DOCUMENT TO BE OF SPECIAL HISTORICAL AND ANTIQUARIAN INTEREST:-

(i) Where a document tendered in Court is, in the opinion of the Court or a Judge, of a special historical or antiquarian interest or where any party to a suit or proceeding in this Court applies, at any stage of the suit or proceedings, that a document already on the Record or about to be tendered, be declared as a document of a special historical or antiquarian interest, the Court or the Judge may declare the document as such. The declaration so made shall be final.

(ii) Upon such declaration being made;

(a) No endorsement mark, seal or effacement shall be affixed or made thereto or no kind of writing shall be made thereon save that a slip shall be attached to the document indicating that the document has been declared as having a special historical or antiquarian interest.

(b) The party producing or tendering it may be ordered to file a true copy thereof which shall be marked, sealed or endorsed as if it was the original. In such an event the original document shall be kept in deposit with the Registrar (Judicial) with liberty to the parties to inspect the same.

(c) The Court or a Judge may, in the case of a document of special historical or antiquarian interest order that instead of a true copy of such document a Photostat copy thereof be kept on record.

Provided that Rule 11, Sub-rule (1), (2) & (3) will have no application as soon as the Records or Documents are preserved in un-editable digitized format.

Provided further documents indicated in Rule 12 shall be preserved for ever and Rule 12 shall have full application thereto notwithstanding their preservation in Compact Discs.

B. DESTRUCTION OF RECORDS:-

1. RETURN OF DOCUMENTS:-

Unless otherwise ordered by the Court, all original documents including translations and copies of judgments, decrees, orders and other papers, which are not required to be preserved, shall be returned to the party producing them after the expiry of the period for filing an appeal or if an appeal is filed, after the disposal of the appeal. The rest of the papers shall be marked, classified and arranged in files for the purpose of despatch to the Record Room as prescribed below.

2. DESTRUCTION OF RECORDS TO BE CARRIED OUT IN THE SUMMER RECESS:-

- (1) Notice shall be publicly given on the Court Notice Board that parties leave documents and papers with the records of case at their own risk and that they are liable to be destroyed in accordance with the rules for the destruction of records.
- (2) The destruction of records shall be carried out in the summer recess of each year. The records to be destroyed should, if they cannot be conveniently burnt, be torn up into very small pieces and made incapable of use again as documents.

3. REGISTER OF CASES OF WHICH THE RECORDS ARE TO BE DESTROYED TO BE MAINTAINED IN THE RECORD ROOM:-

- (1) All judicial records, books and papers in respect of which the period, hereinabove prescribed, for their preservation has expired, shall be destroyed in accordance with the direction contained in the Rules above in the Chapter.
Provided that the Registrar (Judicial) may order for reasons to be specified that any particular paper or the record of any particular case be preserved beyond such period.
- (2) The destruction of judicial records shall be subject to the general superintendence of the Registrar (Judicial), or be supervised by any such officer may be called as Supervising Officer appointed by the Chief Justice or such purpose.
- (3) The destruction of judicial record including all Court fee stamp fixed shall be effected by shredding so as to render it unlikely that all the documents may not be used again.
- (4) The paper after the Supervising Officer has certified that the destruction has rendered such judicial records no value shall be sold as waste under the order of the

Registrar General and the proceeds of the sale shall be certified in the Treasury to the State Government.

- (5) A register in the form given below shall be maintained showing the numbers and years of appeals and other cases received in the Record-Room of which the records are to be destroyed. The entries for each year shall be signed by the Record-keeper and the Assistant Registrar:-

Serial number of the case	District from where case originated	Date of receipt in the record room of the record	Date of decision	Date when due for destruction	Date when actually destroyed
1	2	3	4	5	6

APPENDIX-II

FORM NO. 1

IN THE HIGH COURT OF TRIPURA

(CIVIL APPELLATE JURISDICTION)

TITLE-PAGE

Part I

(This file must be preserved for ever)

Appeal from No.....of.....20.....

Appellant.

Versus

Respondent.

Date of decision of High Court.....

Date of decision of Supreme Court.....

FORM NO. 2

IN THE HIGH COURT OF TRIPURA

(CIVIL APPELLATE JURISDICTION)

TITLE-PAGE

Part II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final decree or order, which, in cases appealed to the Supreme Court, will be that of the decree or order of the Supreme Court.

Appeal from No.....of.....20.....

Appellant.

Versus

Respondent.

Date of decision of High Court.....

Date of decision of Supreme Court.....

FORM NO. 3

IN THE HIGH COURT OF TRIPURA

(Criminal Appellate Jurisdiction)

Appeal No.....of 20.....()

THE STATE

Versus

Appellants.

TITLE-PAGE

PART I

(This file must be preserved for ever)

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 4

IN THE HIGH COURT OF TRIPURA

(Criminal Appellate Jurisdiction)

TITLE-PAGE

PART I

(This file must be destroyed at the end of 3 years)

This above period shall be calculated from the date of the final order.

Appeal No.....of 20.....

THE STATE

Versus

Appellant.

Date of decision of High Court.....

Date of deposit in the Record Room.....

CHAPTER XIV

INSPECTION, INFORMATION OF RECORDS AND ISSUANCE OF COPIES

A. INSPECTION AND INFORMATION OF RECORDS:-

1. NON-REMOVAL OF RECORD FROM COURT BUILDING:-

No record of any case shall be removed from the Court building except under an order in writing of a Judge, the Registrar, or the Deputy Registrar, or an Assistant Registrar:

Provided that if any Judge, the Registrar, other Gazetted Officer requires a record at his private residence, he may take charge of it.

2. APPLICATION FOR INSPECTION:-

Inspection of records shall only be allowed upon an application being made in the form prescribed for the purpose [see Form No. 1 (Civil), Appendix III] which will be obtainable from the Section Superintendent at Two Rupees per copy.

3. CONTENTS OF APPLICATION:-

Every application for inspection shall specify the record or paper of which inspection is desired and the name of the person or persons by whom the inspection will be made.

4. NO INSPECTION OF RECORD IN ADMINISTRATIVE DEPARTMENT:-

No record or paper in the Administrative Department shall be inspected by any person other than a Judge or a Gazetted Officer of the Court except under an order in writing of the Judge in the Administrative Department.

Provided that a party appearing in person in an appeal or other proceeding, or an advocate duly authorized by a party to a case, may upon filing an application in the prescribed form, inspect a record in the Inspection Room, without a formal order in writing obtained under this Rule.

5. INSPECTION OF RECORD IN JUDICIAL DEPARTMENT:-

Except as provided, no record or paper in the Judicial Department shall be inspected by any person other than a Judge or Gazetted Officer of the Court without an order in writing of a Judge, the Registrar or the Deputy Registrar.

6. INSPECTION BY STRANGER:-

A stranger to an appeal or other proceeding shall not be entitled as of right to inspect any record or document. He may, however, apply for an order to inspect such record or document, provided that he shall not be allowed to inspect exhibits put in evidence, except with the consent of the person by whom they were produced or his successor-in-interest. Every such application shall be in writing in the prescribed form (see Rule 2 above), and shall specify the paper or papers which it is desired to inspect, shall clearly state the reason for the inspection and shall be accompanied by the fee prescribed in Chapter IX of these Rules relating to "Processes and process fee".

7. TIME OF INSPECTION:-

Every application for inspection shall be made between the hours of 10:45 a.m. and 3:30 p.m. on a Court day and between the hours of 11 a.m. and 1 p.m. on working Saturdays.

8. PLACE OF INSPECTION:-

- (1) Inspection shall be allowed only in the Central Inspection Room and between the hours of 10:45 a.m. and 4 p.m. on Court days and between the hours of 11a.m. and 1p.m. on working Saturdays. The inspection may be made on any working day or days but must be completed within 10 days from the date of receipt of the record in the Inspection Room.
- (2) Requisition for the record shall be made by the Inspection Clerk on the day the application is filed and the record shall, except for special reasons to be stated in writing, be made available in the Inspection Room by the day following and in any case not later than the third day from the date of the application. If the requisition is not complied with within three days the matter shall be submitted with an explanation to the Gazetted Officer in charge for orders.
- (3) This rule shall not apply to pending criminal cases, inspection of which will be allowed in the Criminal Section Inspection Room with permission of the Court.

9. ORDER OF INSPECTION:-

Every order for the inspection of a record shall specify the record or the paper or papers of which inspection is allowed and shall state the name of the person or persons who may make such inspection.

10. APPLICATION TO BE FORWARDED TO THE SUPERINTENDENT CONCERNED:-

Immediately upon receipt of an application for inspection, the Inspection Clerk shall send a requisition to the Superintendent of the Section in which the record or paper mentioned in application is, and the latter upon being satisfied that the application is in order and that the person named therein is entitled to inspect under Rule 4, or has been allowed inspection under Rule 5, shall make over such record or paper to the Inspection Clerk by 10:45 a.m. on the date noted in the requisition.

11. APPLICATION TO BE NUMBERED, INITIALED, AND REGISTERED:-

The Superintendent or one of his assistants shall number and initial the application and enter it in a register in which the following entries shall be made, namely-

- (1) Serial number of the application and the nature of inspection (Ordinary or Urgent);
- (2) Particulars of the record or paper inspected;
- (3) Date of the order of inspection;
- (4) Date of inspection;
- (5) Name of each person inspecting the record;
- (6) The date of receipt of record or paper and the date of its return; and
- (7) Remarks, if any.

12. NO PEN, INK ETC. TO BE BROUGHT INTO THE INSPECTION ROOM:-

- (1) No person inspecting a record, a paper shall make any mark on, or in any respect mutilate any record or paper which is being inspected.
- (2) He may make short notes but shall on no account be allowed to make a copy or translation of any paper on the record or to compare a copy or translation already made.
- (3) The words 'short notes' in this rule mean such brief notes or memoranda with respect to the date and nature of the documents, names of parties, etc., as may be necessary to identify the document or record, in case a copy is required or a list of papers for inclusion in the paper-book of an appeal is to be filed.

(4) A notice in terms of this rule shall be hung up in a prominent place in the Inspection Room and a breach of the rule should be forthwith reported to the Gazetted Officer-in-charge.

13. ENTRY INTO INSPECTION ROOM:-

Only officers of the Court and persons authorized to inspect either under Rule 4 or Rule 5 above shall be allowed into the Inspection Room.

Provided that parties or their agents may accompany the advocate, but the number of such persons shall not exceed two.

14. INSPECTION OF REGISTER:-

No one other than a Judge, the Registrar, the Deputy Registrar, or an Assistant Registrar, shall be allowed to inspect any register of the Court or of the Office, except on an order in writing of the Registrar or other Gazetted Officer and in the presence of the Officer whose duty it is to keep such register.

15. APPLICATIONS FOR INFORMATION:-

Applications for information shall be made to the Deputy Registrar or such Officer of the Court as the Registrar may depute for the purpose, on any Court day between the hours of 11 a.m. and 4:30 p.m. and between the hours of 11 a.m. and 1 p.m. on Saturdays.

16. FORM OF APPLICATIONS:-

Applications for information shall be made in the prescribed form [see Form No. 2 (Civil), Appendix I] copies of which will be supplied at Two Rupees per sheet. An applicant for information will submit his application with the necessary particulars as shown in the Form No. 2 (Civil), Appendix I. The Officer receiving the application shall, if the information is available, fill in the information both in the upper and lower halves of the form in their proper places. If the information is not immediately available he shall state in the appropriate place the date on which the applicant should call for the information and shall make over the lower portion of the form to the applicant. Upon the applicant calling for the information on the date stated he shall supply the information in the appropriate place, an acknowledgment for the same being obtained on the upper portion of the form which shall be preserved in the office for the period prescribed from time to time. Searching fees shall be levied on applications for information as in

the case of applications for copies. An application will not be considered as complete till the searching fee, as necessary under the rules, has been paid.

17. OTHER PROVISIONS RELATING TO INFORMATION:-

Information shall ordinarily be supplied on the next open day after application.

- (i) Information requiring anything but short answers shall not be given. If any extract from the record or the substance of any order or decree or other document is desired, the proper course is to apply for a copy.
- (ii) Defective applications and applications in which the information asked for cannot for any reason be given shall be rejected subject to the orders of the Registrar (Judicial).

APPENDIX-III

FORM NO. 1

[Rule 2]

IN THE HIGH COURT OF TRIPURA

Civil Appellate Jurisdiction

- (1) Sl. No. and date of application.
 - (2) Date when requisition for the record made by the Inspection Clerk [same date as in item (1) above].
 - (3) Date of receipt of record by Inspection Clerk [3 days from the date mentioned in item (2) above].
- Searching-fee of Re. 1 in Court-fee stamp
Inspection fee of Re. 1 or Rs. 5 as the case may be.

Application for inspection of the record in the undermentioned Pending/Disposed of case.

Description	Number	Year	Description of the papers of which inspection is required	Name of person or persons who will inspect the record (not exceeding three including the Inspecting Advocate)

The.....20.....

*Signature of the Advocate for the
Inspecting Advocates.*

Note: If the applicant is a stranger or a party appearing in person in a case, he must say so in the application.

FORM NO. 2
 [Rules 15 and 16]
APPLICATION FOR INFORMATION

Serial No.....

Space for searching fee

*Re: Appeal
Rule No.....of.....20.....
Revision

District

*Nature of Information required

*The.....20.....

Signature of Applicant

Date when the applicant will call for the information:

Office report re : information

The.....20.....

Signature of Officer supplying the information

Information received on

The.....20.....

Signature of Applicant

To be perforated

Appeal

*Re Rule No.....of.....20.....
Revision

Date by which information is to be ready.....

Information-

Supplied on.....

*to be filled in by the applicant.

*Signature of Officer supplying the
 information.*

Note: A searching fee will be charged on all application, if the information required will necessitate a search in the record room of record of the appeal or proceedings from which the information can be obtained.

B. ISSUANCE OF COPIES

1. COPY NOT TO BE MADE WITHOUT ORDER:-

Except as otherwise directed by these Rules or by a Judge, no copy shall be made or permitted to be made of any record or of any paper in any record, without an order of the Court, the Registrar (Judicial) or the Deputy Registrar on an application made as hereinafter provided.

2. APPLICATION FOR COPY:-

Every application for copy shall be presented in person or sent by post to the Deputy Registrar,

Provided that an application for copy by a stranger to the case to which the paper of which a copy is sought relates shall be presented in person to the Registrar (Judicial) when it is made before the passing of the final decree or order in the case; or when the copy required is of an exhibit in the case, whether the application is made before or after the date of passing of the final decree or order.

3. CONTENTS OF APPLICATION:-

- (1) Every application for copy shall be written on the prescribed form and shall state-
- i. The name and address of the applicant;
 - ii. Whether the applicant is a party to the case to which the paper of which a copy is sought relates;
 - iii. Whether the application is an ordinary or an urgent one;
 - iv. Whether the copy is to be sent by post;
 - v. Full particulars of the paper of which a copy is sought and the record, in which it is contained mentioning in the case of an appeal, revision or reference, the district, in which the case under appeal, or revision was decided or from which reference was received;
 - vi. Whether the case has been finally disposed of and the date of decision or final order, if any and when the applicant is not a party to the proceeding, the purpose for which the copy is sought.

4. COPY BY POST:-

Where it is desired that the copy or where the application is rejected, notice of its rejection be sent to the applicant by post, the address at which such copy or notice may be sent shall also be given in the application and postage stamps of the requisite value shall be attached thereto. Where the cover is required to be sent by the registered post the fact shall be stated in the application and extra postage

stamps sufficient to cover registration charges shall also be attached to the application.

5. TIME OF PRESENTATION:-

All application for copy shall be received between the hours of 10 a.m. and 1 p.m. The Registrar (Judicial) or the Deputy Registrar, as the case may be, may in exceptional circumstances if ordered by a Judge in writing receive any application after 1 p.m.

Provided that no application for issue of a certified copy of bail, injunction or stay or any other interim order shall be entertained unless it bears an office report certifying that the requisite number of copies meant for service on opposite party/parties together with the requisite process fee have already been received and are on the record. After receiving such application the Registrar (Judicial) or the Deputy Registrar, as the case may be, shall endorse on them under his initials the date of receipt, pass order granting the applications and forward them to the Section Superintendent of the Copying Department. The Section Superintendent or his assistant shall without delay put serial numbers on them and enter in the register of applications for copies.

6. COPY OF WRITTEN STATEMENT:-

A party which has been ordered to file written statement shall not be entitled to take a copy of a written statement filed by another party until it has first filed its own.

7. APPLICATION BY STRANGER:-

An application by a stranger to the case for the copy of an exhibit whether the application is made before or after the passing of the final decree or order or for the copy of any other paper when it is made before the passing of the final decree or order in the case, shall not be granted unless the Registrar (Judicial) is satisfied that there is sufficient reason for granting it. The Registrar (Judicial) may refer any application under this Rule to the Judge appointed to receive applications for orders.

8. GRANT OF COPY OF EXHIBIT TO STRANGER:-

No order for a copy of an exhibit shall be made on the application of a stranger to the case in which such exhibit was filed, unless the application is accompanied by a properly authenticated consent of the person by whom such exhibit was filed to the grant of such copy.

9. COPY OF DEPOSITION WHICH IS BEING RECORDED BEFORE THE COURT:-

Where an application is made for the copy of deposition which is being recorded before the Court, the Deputy Registrar shall refer it to the Bench concerned for orders. If the application is granted, the ordinary procedure shall be followed except that only such portion of the deposition shall each day be given to the Section Superintendent of the Copying Department as may reasonably be expected to be copied out during the day. At the close of the day the Section Superintendent shall return it to the Bench Assistant/Court Master concerned. In the case of any urgent application, if the Court so directs, such copy may be prepared by the Judgment Clerk by whom the deposition is taken down in shorthand and shall be issued by the Section Superintendent after he has compared it with the original. At the request of the applicant, uncertified copies of such deposition may be issued without such comparison by the Section Superintendent to avoid delay.

10. COPY OF THE ORDER SHEET OR PART THEREOF:-

Where an application is made for a copy of the entire order sheet, the same may be issued, where, however, an application is made for a part of the order-sheet; the copy of only that part shall be issued which is signed by the Judge or Registrar (Judicial), as the case may be.

11. NO CHARGE FOR COPY IN CERTAIN CASES:-

Notwithstanding anything contained in these Rules, the Registrar (Judicial) may order a copy of any paper on a record to be made and delivered free of charge upon an application on behalf of a Government or the Head of any Department of a Government in India or any High Court in India, or any authority in India, exercising jurisdiction similar to that of a High Court or any Court subordinate to this Court, or any principal Court in any other country.

12. FREE COPY:-

- (1) A copy of the original or appellate decree in a pauper suit or appeal or application may be supplied free of charge on application to a Government Law Officer.
- (2) A copy of the whole or any part of the record, when required for the purpose of conducting any trial or investigation or any judicial proceeding on behalf of the Government in a criminal case may on application be supplied free of charge to a Government Law Officer. If, however, the Registrar (Judicial)

considers that the demand made is in excess of what is necessary for the purpose stated in the application, he may refuse to grant free of charge any or all the copies applied for.

- (3) A copy of the judgment or order in a criminal case may be supplied free of charge to a prisoner confined in a jail on an application received through the officer-in-charge of the jail concerned. If the application is made through a friend acting or purporting to act on behalf of the prisoner it shall be sent to the officer-in-charge of the jail concerned to be attested by the prisoner and when so attested, it shall be treated as the prisoner's own application.

13. CONFIDENTIAL PAPERS:-

No copy of, or extract from any minute, letter or document on any administrative or confidential file of the Court shall be issued except under an order in writing of the Chief Justice countersigned by the Registrar General. Every such order shall be kept in a file by the Registrar General and he shall make a note thereof duly dated and signed by him on such minute, letter or document. No copy of or extract from, the minutes book of the Administrative Committee shall be given except in accordance with any resolution passed at a meeting of the Committee.

14. COPY OF COPY:-

No copy shall be given of any document which is itself a copy except for special reasons to be recorded on the application by the Registrar General or the Registrar (Judicial), as the case may be. Where a copy of a copy is given the fact that it is such copy shall be noted in red ink on the top of each page of such copy.

15. DELIVERY OF COPY TO REGISTERED CLERK:-

An application for copy duly signed by an Advocate may be presented by his registered clerk and the copy when ready may be delivered to the clerk presenting such application.

16. COPY OF DOCUMENT IN A LANGUAGE OR CHARACTER NOT CURRENT IN THE STATE:-

Where an application is made for a copy of any document in a language or character with which no copyist on the establishment of the Court is acquainted, the Registrar General shall, if possible, arrange for the preparation of a copy by

any competent person acquainted with such language or character, who may, in his opinion, be relied upon for the purpose. In such case the person preparing the copy shall verify it in the following manner, namely – “I, A.B., declare that I have read and understand the language and character of the original and that the above is a true and accurate copy thereof.” If no such person can be found, the Registrar General may send the document together with a copy of this rule to a Court in another State where such language or character may be in use and request it to have the copy made. Any additional charges incurred shall be borne by the applicant. If agreed to by the person applying for such copy the Registrar General may, instead, have photographic copy prepared of such document, if possible, on payment by the applicant of all such additional charges as may be incurred.

17. APPLICATION TO BE ACCOMPANIED BY COPY FOLIOS AND STAMP LABELS:-

Except in a case where no copying fee is chargeable under these Rules, every application for copy shall be accompanied by copy folios bearing extra adhesive copy required be of a book, register, map or plan or an extract there from. If the whole of the copy cannot be written upon the copy folios accompanying the application it shall be completed upon ordinary foolscap size paper:

Provided that where the copy required is a copy of decree of the Court the application shall be accompanied only by adhesive stamp labels of the requisite value and the copy shall be made on the printed form prescribed for the preparation of decrees.

18. SCALE OF CHARGES:-

(1) The following scale of charges is prescribed for copies; namely-

Item	Ordinary copy	Rupees	Urgent copy	Rupees
1.	Interlocutory order	30	Interlocutory order	50
2.	Judgment or Final order	50	Judgment or Final order	80
3.	Deposition	20	Deposition	30
4.	Deed of agreement in writing or a General	30	Deed of agreement in writing or a General	50

	Power of Attorney		Power of Attorney	
5.	Any other paper except a book, register, map or plan or any extract thereof	30	Any other paper except a book, register, map or plan or any extract thereof	50
6.	Decree or Formal order	30	Decree or Formal order	50

(2) In case the interlocutory order, judgment, final order, decree, or formal order is in Bengali and is accompanied by an authorized English translation thereof, copies of both Bengali and English version shall be issued and charges for each set of copies shall be double the rate as prescribed for the said orders, judgments and decrees in the above scale of charges. Representatives of approved law journals shall be entitled to get copies of judgments and orders 'Approved for Reporting (A.F.R.)', on payment of rupees five per copy of every such judgment or order.

19. COPY OF BOOK, ETC:-

Where the application is for the copy of a book, register, map or plan, any extract there from, the Section Superintendent of the Copying Department shall, as soon as it has been received from the Registrar General or the Registrar (Judicial), as the case may be, cause an estimate to be made of the cost of preparation of such copy and submit it along with the application to the Registrar General/ Registrar (Judicial). After the Registrar General/ Registrar (Judicial) has approved the estimate notice thereof shall be affixed on the notice-board of the Copying Office on two consecutive working days requiring the applicant to deposit the estimated cost within seven days, if the application has been received by post, a copy of the notice shall be sent by unpaid post to the applicant requiring him to deposit the estimated cost within ten days. If within the time aforesaid the estimated cost mentioned in the notice is paid to the Cashier or received by him by money order, he shall enter it in the register of petty items and inform the Section Superintendent, Copying Department. The Section Superintendent shall obtain the order of the Deputy Registrar for the purchase of the necessary stamp and the copy shall thereafter be prepared. If the cost is not received by the Cashier within the aforesaid time the application shall be rejected.

20. REJECTION OF APPLICATION:-

- a) If for any reason the copy applied for cannot be given, the application shall be rejected, the copy folios and stamps shall be returned to the applicant after taking his signature in the appropriate column of the register of applications and he shall be informed of the reason why the copy cannot be given. If the application is received by post, the information shall be given to the applicant and the copy folios and stamps returned to him by unpaid post. A note shall be made in the remarks column of the register of applications accordingly.
- b) If the requisite stamps and folios are not filed within three days of the notification in the prescribed Register, the application shall be rejected by the Deputy Registrar or other Officer of the Court, but in genuine cases, the Registrar (Judicial) may condone delays in the filing of requisites.

21. DESTRUCTION OF COPY FOLIOS AND STAMPS WHICH CANNOT BE RETURNED:-

If any copy folios and stamps are to be returned to the applicant personally under the next preceding Rule and the applicant does not appear within three days of the date on which his application is rejected, they may be sent to him by post provided that the necessary postage stamps have been deposited on his behalf for this purpose. Any copy folios and stamps which cannot be returned to the applicant or are received back as undelivered from the post office, shall be destroyed under the orders of the Deputy Registrar after the lapse of a period of three months, the fact being noted in the remarks column of the register.

22. REGISTER OF APPLICATIONS:-

A register of applications for copies shall be maintained by the Section Superintendent of the Copying Department in the form given below, separate registers being used for ordinary and urgent copies:

- (1) Serial number
- (2) Date of application
- (3) Name of applicant
- (4) Description of paper of which copy is applied for
- (5) Description of the case
- (6) Fee paid
- (7) Date of receipt of record.
- (8) Date of return of record.

- (9) Date on which notice that copy is ready, is pasted on the notice board.
- (10) Date on which notice that copy is ready, is pasted on the notice board.
- (11) Signature of assistant delivering copy or dispatching it by post.
- (12) Signature of recipient.
- (13) Remarks.

23. PROCEDURE AFTER RECEIVING APPLICATION FOR COPIES:-

- i. All applications for copy shall be dealt with according to their numbers in the order of the date of presentation, **urgent** applications being given priority over ordinary ones. Any departure from this Rule shall be reported immediately to the Deputy Registrar with reasons for such departure and his orders shall be complied with.
- ii. As soon as an application for copy has been received by the Section Superintendent of the Copying Department, a requisition for the document of which a copy is required or for the record in which it is contained shall be forwarded to the proper official and such official shall make over such document or record to the Copying Office without delay. If there be any delay in complying with such requisition or if it cannot be complied with, the reason shall be communicated at once to the Copying Office.
- iii. The preparation of the copy will not be commenced until the applicant has supplied in full the Court-fee stamps and the necessary number of folios which will be not notified in the course and in the manner prescribed by these rules.
- iv. In the event of an application for a copy being refused, an endorsement to the effect shall be made on the application from which shall then be returned to the applicant.
- v. On orders being passed granting an application for a copy, the Superintendent of Copying Section shall at once, if possible, or during the same day, but not later than the following day ascertain the amount of Court-fee stamps payable for the copy applied for and the number of folios required for its preparation.
- vi. The number of folios required should be carefully calculated so as to obviate the necessity for obtaining additional folios from the applicant.
- vii. If, owing to insufficient or incorrect description, the document cannot be traced, the application should be endorsed and submitted at once to the Deputy Registrar or other officer of the Court for orders.

- viii. On receipt of the estimate as to the number of folios required, the Superintendent of the Copying Section shall enter the amount of Court-fee stamps and other charges in the middle column of the application, and shall notify the amount in the prescribed register not later than the next following day.
- ix. When the stamps and folios are filed, a note to that effect, and the date, shall be entered in place provided in the application for the purpose and the applicant shall be required to sign this entry. The date on which the copy will be ready shall also be noted in the appropriate column of the application form and a corresponding entry shall be made by the Superintendent of the Copying Section in the counterfoil of the application. The applicant shall retain the counterfoil and it shall be his duty to attend on the date fixed for the purpose of receiving the copy.
- x. If and when it is ascertained that extra Court-fees or extra folios for copies are required, the amount of such Court-fees or folios should be immediately notified in the prescribed register and shall be put in within seven days on such notification.
- xi. When the applicant complies with the preceding provision, a note should be made to the reverse of the counterfoil showing the date and number of extra folios and the date and number and the value of the extra Court-fees filed. This note shall be signed both by the applicant and by the Superintendent of the Copying Section.

24. REFERENCE TO DEPUTY REGISTRAR:-

If any difficulty arises in the preparation or issue of a copy the matter shall be referred to the Deputy Registrar for orders.

25. NOTICE OF DEFECTIVE APPLICATIONS:-

If an application for copy does not contain sufficient information to enable the record to be traced or if that fee paid is insufficient or the application is otherwise defective, a notice to that effect shall be affixed on the notice-board. If the application has been received by post the information shall be communicated to the applicant by unpaid post. If the defect is not removed or the deficiency not paid within one week, the application shall be rejected.

26. DELIVERY OF COPY TO APPLICANTS:-

After a copy has been prepared it shall be examined and certified to be true copy by the Section Superintendent of the Copying Department and each page of the copy shall be stamped with the seal of the Court. At the end of the day the Section Superintendent shall cause all copies which have been duly certified and sealed to be delivered to the applicant or their nominees in writing or where the requisite postage stamps have been deposited by the applicants for the purpose to be sent to them by post making necessary entries in the appropriate column of the register. The nominee in writing may be practicing advocate or a registered clerk of the advocate.

27. NOTICE OF READY COPIES:-

Copies not delivered to the applicants or their nominee in writing on the day on which they are ready or not the following day shall be entered in a list which shall be affixed forthwith to the notice-board.

28. DESTRUCTION OF COPIES WHICH CANNOT BE DELIVERED:-

Where a copy remains undelivered to the applicant or his nominee in writing for a period of three months after the date of affixation of the notice on the notice-board under the next preceding Rule, it shall be destroyed under orders of the Deputy Registrar, an entry to that effect being made in the remarks column of the register of applications,. Where a copy sent to the applicant by post is received back as undelivered, it shall similarly be destroyed if it is not taken delivery of by the applicant within a period of three months from the date on which it was received back by the office.

29. DELIVERY OF URGENT COPIES:-

In the case of urgent application copies shall be delivered to the applicant or his nominee in writing not later the end of the working day next after the day on which the application was presented, provided that the application is in order and the requisite fee has been duly paid.

30. ISSUE OF COPIES OF CERTAIN ORDERS THE SAME DAY:-

Copies of all orders passed by the Court granting bail or staying proceedings or execution or granting injunction or when so ordered by the Court shall on application and on payment of three times of the prescribed charged for ordinary applications be given to the Advocate for the parties on the very day on which such orders are passed and, if this be not possible, on the following day.

31. SENDING COPIES, FOLIOS ETC, BY POST:-

- (1) Where a communication may under this Chapter is sent to the applicant by unpaid post it may be sent to him by prepaid post provided the applicant has previously deposited the necessary postage stamps for the purpose. If the postage stamps so deposited are sufficient to cover registration charges also such communication may be sent to him by prepaid registered post.
- (2) Where the postage stamps deposited by the applicant are insufficient for the purpose indicated by him the copies, folios and stamps or communication, as the case may be, may be sent to him in an insufficiently stamped cover.
- (3) Where the applicant desires that any copies, folios and stamps or communication be sent to him under registered cover, but the postage stamps deposited by him are insufficient to cover registration charges such copies, folios and stamps or communication, as the case may be, may be sent to him by ordinary post,.
- (4) Where the postage stamps deposited by the applicant are in excess of requirement, the unused postage stamps shall be returned to him in the same cover.
- (5) Where any postage stamps cannot be returned to the sender they may be used as service stamp after being entered in the stock book of service postage stamps.
- (6) Where an unpaid or insufficiently paid cover is received back undelivered from the post office the amount charged by the post office shall be debited under head “contingencies”.

C. COPIES FROM RECORDS CONVERTED INTO PERMANENTLY UN-EDITABLE DIGITIZED FORM

1. Except as otherwise provided by the Rules under this Chapter and the High Court of Tripura Digitization of Records Rules, 2022, the Rules relating to Copies above, shall apply *mutatis mutandis* in regard to issuance of certified copies generated from Compact Discs.
2. Once the papers contained in the records as stored in un-editable digitized form, certified copies of such papers and documents will be in the manner as prescribed in the High Court of Tripura Digitization of Records Rules, 2022 and the fees thereof shall be the same as prescribed for urgent certified copies. A searching fee of Rs. 2 shall be charged on each application for certified copy from the Server, if the record of the case has been deposited in the Record Room:

Provided that one searching fee shall be charged for any number of copies taken from the same record and included in the same application.

3. On receipt of an application for a certified copy, the Superintendent of the Copying Section or such Officer as may be deputed by the Registrar (Judicial) shall immediately require print outs of such copies to be made available to the Officer authorized for such purpose and shall notify the charges for the certified copy applied for.
4. Where the certified copy applied for is a judgment, decree or order of this Court, such copy shall include the cause title of the proceeding in which such judgment, decree or order has been passed.
5. The Superintendent or the Officer, as the case may be, shall specify the document in respect of which a print out as to be generated from the Server and when such document is a judgment, decree or order of this Court, shall also specify the cause title of the proceeding in which such judgment, decree or order has been passed.
6. In notifying the charges for the certified copy applied for, the Superintendent or the officer, as the case may be, shall include in such charges, the charges for the cause title at the rates mentioned in Rule 2 hereof (except the searching fee) when the document, the certified copy of which is applied for, is a judgment, decree or order of this Court.
7. The charges that may be notified shall be paid by Court-fee stamps to be affixed on the first page of the certified copy and punched.
8. All certified copies of papers and documents contained in the records and generated from Server shall be in the form of print outs and, shall bear the seal of the Court and shall be "Certified to be true copy" and be digitally signed in full by an officer authorized to do so by the Registrar General.
9. When a certified copy in the form of print out of a judgment, decree or order is granted, the following particulars shall be recorded on the back of the copy itself and in the form given below:
 - (1) Date of application for copy,
 - (2) Date of notifying the charges,
 - (3) Date of putting in the charges in Court-fee stamps,
 - (4) Date on which the copy was ready for delivery,
 - (5) Date of making over the copy to the applicant.

CHAPTER XV
RULES REGARDING APPEALS TO THE SUPREME COURT UNDER
SUPREME COURT RULES, 1966

A. CIVIL APPEALS ON THE CERTIFICATE OF THE HIGH COURT OF TRIPURA

1. LAW REGARDING CERTIFICATE TO APPEAL: -

Subject to the provisions of the Supreme Court Rules, 1966 as amended from time to time the provisions of order XLV of the Code of Civil Procedure, 1908 and these rules, as far as may be applicable, shall apply in relation to application for certificate to appeal to the Supreme Court under any provisions of law including application under Articles 132 (1), 133(1) & 135 of the Constitution.

2. APPLICATION FOR CERTIFICATE:-

- (1) Whoever desires to appeal to the Supreme Court shall apply by a petition to the Court for a certificate granting leave to appeal to the Supreme Court.
- (2) Notwithstanding anything contained in sub-rule (1) a party desiring to appeal to the Supreme Court may apply for only or such certificate immediately after the pronouncement of the judgment by the Court and the Court may grant or refuse the same to the party on such oral application or direct the party to file a petition as required by a sub-rule (1).

Provided that if an oral application for certificate under sub-rule (2) is made and rejected, no written petition under sub-rule shall lie.

Provided further that when a certificate is obtained by the party at the time of disposal of an appeal an application containing the ground of an appeal for an order for registration of an appeal and preparation of the record together with the Court fee stamp of Rs.16 for drawing up an estimate for the preparation of the record.

- (3) The petition for leave to appeal to the Supreme Court under Article 123 (1) and 133 shall be made in this Court within 60 days from the date of the judgment, order, decree appealed from.
- (4) While making an application for leave to appeal to Supreme Court by the applicant a notice by him shall be delivered to the opposite party or his advocate in a following form along with the copy of a petition:-

"Please take the notice that this application will be filed with the proper officer of the Court and that you are required to attend and show cause against the application, at the hearing, if you desire to do so."

3. FORM OF PETITION: -

Petition praying a certificate for leave to appeal to the Supreme Court shall be presented in form No.1 of schedule A appended to this Chapter and shall specify in the heading the name of the actual parties to the appeal at the time of presentation of the petition, tracing their relation to the original party to the dispute, where the parties to the appeal have been placed on record as representative in interest of such original parties, or explaining in what capacity they have come on record of the Appeal.

4. ADDRESS OF PARTIES:-

Full particulars of addresses of the parties shall be furnished at the time of filing of the petition.

5. ACCOMPANIMENTS OF THE PETITION:-

- (1) Every petition shall be accompanied by two spare typed copies of the petition and certified copies of the judgment for the use of the Court where the judgment has been pronounced by the High Court.
 - (2) A notice of the application under Rule 2 sub-rule (iv) duly served upon the opposite party.
 - (3) Forms of notices to all respondents duly filled up for issuance under Rule 7.
 - (4) Court fee of Rs. 16/- for drawing up an estimate of an expense of preparing and forwarding the record of the case to the Registrar of the Supreme Court the record of the case in addition to usual fee of Rs.4 payable on the petition.
 - (5) The fee for issue of notice of the application for leave to appeal to all the respondents who did not enter appearance in the High Court at the hearing of the appeal.
- 6.** Upon the receipt of such petition the Registry shall examine the petition on the terms of limitation and other requisite which are to be filed along with the petition and if the petition is found to be defective, the same shall be laid before the Court for orders with a note of the defects in the petition. If the petition is sufficiently stamped, within

limitation and complies with the provision of the rules the Registry shall direct notice under Rule 7 below.

7. NOTICE OF RULE AND ITS SERVICE: -

If the Court grants rule upon the petition, the Registrar shall issue a notice in Form no. II of Schedule A appended to this chapter on payment of prescribed fee calling upon the opposite party to show cause, within a period of time, after the service of the notice to be prescribed by the Registrar, why the certificate as prayed for should not be granted.

8. FORM OF CERTIFICATES: -

Upon the Court making the rule absolute the office shall issue a certificate in a form no. III of the schedule A appended to this chapter.

Provided that no application for consolidation of appeals will be entertained by this Court, the parties desiring consolidation of appeals shall be required to move to the Supreme Court for an order in that behalf under Rule 5 of order XLVII of the Supreme Court Rules, 1966.

Provided further that an application for amendment of record of the appeal by adding or such substituting parties will not be entertained by this Court after the grant of the certificate, Parties desirous shall be required to move to the Supreme Court in that behalf.

9. GRANT OF CERTIFICATE:-

(1) Immediately after grant of certificate by the High Court or on receipt of the order of the Supreme Court granting special leave to appeal, the Registrar General shall call for records and other material papers from the subordinate Court.

(2) On receipt of the order of the Supreme Court granting special leave to appeal, the Registrar General shall cause it to be registered and after check up with regard to names etc. of the parties, the case shall laid before the High Court for orders.

10.Where more than one application is filed by the same party relating to same decrees or final order in pursuance to the same judgment and only one record is required to be printed, the Registrar may order that only one Courtfee of Rs. 16 be paid or that one certified copy of the judgment be accepted, or may refer the matter to the Court for order.

11. On receipt of an order from the Supreme Court granting special leave to appeal the Registrar shall lay before the Division Bench for an order for registration and preparation of record.

12. ACTION TO BE TAKEN ON RECEIPT OF THE COPY OF THE PETITION OF APPEAL FROM THE SUPREME COURT:-

- (1) The Registrar General shall cause notice of the lodgement of the petition of the appeal to be served on the respondent in a manner prescribed in Rule 7.
- (2) As soon as the notice as aforesaid is served, Registrar General shall send a certificate to Supreme Court as to the date or dates on which the notice was served.
- (3) Unless otherwise ordered by the Supreme Court, transmit or caused to be transmitted to the Supreme Court at the expense of the appellant the original record of the case including the record of the subordinate Court when the proceedings from which the appeal arises were in English. Where the record printed for the purpose of appeal before the High Court and the record is in English, and then extra printed copies shall be transmitted to the Supreme Court along with the record.

Provided that where the proceeding from which the appeal arises had not been in English language, the Registrar General within six months from the date of service of the notice of the petition of appeal, transmit to the Supreme Court in triplicate, a transcript in English, of the record proper of the appeal to be laid before to the Supreme Court. One copy of which shall be duly authenticated by appending a certificate to the same under the seal of this High Court and signature of Registrar General and no original record shall be transmitted until specifically requisitioned. If for any reason the same cannot be transmitted within the period of six months the Registrar General shall report the fact to the Supreme Court and obtain necessary extension of time before transmitting the same. The provision of rule 15 to 20 of Order XV of the Supreme Court Rules, 1966 shall apply *mutatis mutandis* when a transcript in English is to be prepared and transmitted to the Supreme Court.

Explanation: - Record proper means the complete collection of all the documents which have been settled to be included in the paper book in

accordance with rules 16, 17 & 18 of Order XV of the Supreme Court Rules, 1966.

- (4) The provisions contained in Rule 15 to 20 of Order XV of the Supreme Court Rules, 1966 shall apply *mutatis mutandis* when the record itself is to be prepared under special direction of the Supreme Court under Rule 27 of Order XV of the Supreme Court Rules, 1966 under the supervision of the Registrar General of the High Court.
- (5) The Registrar General shall cause an estimate of the cost in accordance with Scheduled B below for the preparation of the transcript of the record (and of printing or cyclostyling, preparation of index of the record) to be prepared and served (vide form VI of Schedule A) on the appellant and respondent and shall require him to pay the amount within 30 days from the date of such service. Such cost shall include the cost of translation, if any.
- (6) The Registrar General shall also append with the transcript of the record a certificate showing the amount of expense by the parties for preparation and transmission of the transcript of the record.
- (7) Any default by the appellant to deposit the amount to cover the cost of transmission and transcription printing and cyclostyling of record as above shall be reported to the Supreme Court for orders in accordance with Rule 23 of the Order XV of Supreme Court Rules, 1966. Where the respondent defaults in depositing the requisite charges the documents may be excluded from the record and a note to that effect may be made in the index.
- (8) The balance of the deposit after the meeting of the cost of the transmission and transcription of the record by the Subordinate Court as well as the High Court shall be refunded to the appellant.

13. DEPOSITIONS OF WITNESS ARE NOT BE TRANSLATED:-

Where the deposition of witness is in original, language shall not be translated in cases in which the notes of the substance of the deposition are taken in English by the subordinate Court, unless any one of the parties desirous and show sufficient cause to the Registrar General the particular deposition should be translated and the Registrar General orders that they should be translated.

14. WHEN TRANSLATIONS ARE MADE FOR HIGH COURT:-

Any part of the record if officially translated for purpose of hearing in the High Court shall not be translated over again for appeal in Supreme Court.

15. SETTLING OF THE INDEX:-

After the expiry of the time fixed for filing of the list of additional document by the appellant & respondent, the Registrar General shall fix a day for settlement of list (hereinafter referred to as index) of documents to be included in the transcript of the record of the appeal. In settling the index the Registrar General as well as the parties concern shall endeavour to exclude from the record all the documents that are not relevant to the subject matter of the appeal and generally to reduce the bulk of the record as far as practicable. For the purpose stated above in this Rule the notice shall be served for the inspection of the record and for filing the list of the document to be included in the transcript of the record in accordance with the form VII and VIII of Schedule A.

16. NUMBER OF COPIES FOR THE USE OF SUPREME COURT:-

Unless otherwise directed by the Supreme Court, twenty copies of the record shall be prepared for the use of the Supreme Court

17. NUMBER OF COPIES FOR THE USE OF THE PARTIES:-

Unless a party informs its requirements before the printing or cyclostyling is undertaken each party shall be entitled to three copies of the record.

18. PROCEEDING WHERE THE RESPONDENT IS MINOR OR IS OF UNSOUND MIND:-

- (1) After the transmission of record, the Registrar General if appointed as guardian of any minor respondent shall write to the Supreme Court expressing his inability to act for the minor and seeking permission to retire from such guardianship and the same shall be intimated to the appellant. The appellant shall take steps in the Supreme Court for discharge of the guardian and appointment of the new guardian for such minor as per the rules of Supreme Court. The notice will also be served on the cost of the appellant to the natural guardian of the minor informing him about the application for retirement of Registrar General from guardianship of such minor.

- (2) All applications by or on behalf of the minor or a person of unsound mind shall be made in the name of the minor or a person of unsound mind by the person whose name is on the record as his next friend or guardian and whenever any application is consented to or opposed by a minor or a person of unsound mind, the minor or person of unsound mind shall in like manner be represented by a person who is on record his next friend or guardian. In case there is no next friend on record a separate application shall be made for appointment of the same.

19. MATTERS RELATING TO:-

- (i) Service of notices or other processes;
- (ii) Substitution and discharge of next friends and guardian ad-litem before the admission of an appeal;
- (iii) Preparation of paper books;
- (iv) Return of documents;
- (v) Matters not expressly to be laid before Division Bench for order shall be dealt with and disposed by the Registrar General.

B. CRIMINAL APPEALS TO SUPREME COURT:-

1. APPLICATION FOR CERTIFICATE:-

The provisions of Civil Appeals to Supreme Court stated above shall apply *mutatis mutandis* to granting of certificate for leave to criminal appeal to Supreme Court. Form No. IX shall apply for petition for a certificate for leave to appeal to the Supreme Court.

2. Where the applicant of the petition is sentenced to a term of imprisonment the application shall not be entertained until the applicant has surrendered and improved thereon has filed a certificate either of the Magistrate before whom he has surrendered or of the Superintendent of Jail in which he has been lodged unless the Court on a written application for that purpose orders otherwise. Where the application for a certificate is accompanied by such an application both the applications shall be listed before the Court for orders.

3. PROCEDURE AFTER CERTIFICATE IS GRANTED:-

- (1) Where the certificate applied for is granted, a certified copy of the judgment or order appealed against shall be supplied to the petitioner free of costs together with the certificate.

- (2) In appeals involving sentence of death and in such other cases in which there is a direction from the Supreme Court, the transcripts shall be prepared and printed, if it is to be printed under the supervision of the Registrar of the High Court, at the expense of the state. In cases where the records are to be printed and the cost of the parties, they will be printed in accordance with the rule contained in First Schedule to the Supreme Court Rules, 1966.
- (3) Where the paper book is to be printed under the order of the Supreme Court, twenty five copies of the record shall ordinarily be printed unless otherwise ordered by the Supreme Court. Not less than fifteen copies of the same shall be transmitted to the Supreme Court in cases where the appeal raises a question relating to interpretation of the Constitution and not less than ten copies in other cases.
- (4) The records are to be printed and the same shall be transmitted to the Supreme Court within the period of forty five days from the date of the receipt of the copy of the petition of appeal from the Registrar of the Supreme Court.

4. INTIMATION OF APPLICATION TO THE SESSIONS JUDGE:-

As soon as an application for grant of certificate under Article 134 of the Constitution of India from or on behalf of the condemned prisoner is received, the fact shall be notified to the Sessions Judge concerned to enable him to defer execution of the sentence of death. Intimation will again be sent to Session Judge when the application is finally disposed off.

5. APPEAL TO SUPREME COURT ON CASES COVERED UNDER SEC. 426 CR.P.C:-

- (1) On the applicants executing bond within or without sureties undertaking to lodge an appeal in the Supreme Court within prescribed time, the Court may
 - (i) In a case covered by Section 426(2a) of the Code of Criminal Procedure order that the appellant be released on bail for a period sufficient in the opinion of the Court to enable him to present the appeal and obtain the order, of the Supreme Court under Section 426(1):
 - (ii) In cases under Section 426(2b) order that pending the appeal, the sentence or order appealed against be suspended and also if the applicant is in confinement, that he be released on bail;

Provided that person applying under Section 426(2b) shall make an averment to the effect that he has not made a similar application to the Supreme Court.

- (2) No application for bail or suspension of sentence or order shall be entertained unless the applicant has surrendered himself in Court and has noted the fact in his application.
- (3) Where the application is by the State, no such bond shall be required before an order under this rule is made.
- (4) A certified copy of the order under Section 426(2b) granting bail on suspending operation of the sentence or order appealed against be transmitted to the Registrar, Supreme Court without delay.

C. MISCELLANEOUS

1. FORMS:-

The forms in this Chapter shall be used for such respective purposes with such additions, deletions and modifications as may be required in each individual case.

2. LIST OF PENDING SUPREME COURT APPEALS TO BE MAINTAINED AND THE PROGRESS OF WORK IN EACH TO BE WATCHED:-

A list shall be maintained by the office of the Registry of the High Court showing the numbers and the dates of all pending Supreme Court appeals, Civil as well as Criminal, in various stages of preparation of the transcript of the record and the Registrar shall examine every fortnight the progress made in such appeals and, if necessary, call upon the appellant who may be responsible for the delay to show cause why the report should not be made to Supreme Court regarding the default which has been responsible for the delay.

- 3.** In addition to the Rules laid down in this chapter the provisions of Supreme Court Rules, 1966 shall apply for all the purposes which has not been enumerated in this chapter.

Schedule "A"
Form No. 1
(Rule 3)

Petition for a certificate for leave to appeal to the Supreme Court.
IN THE HIGH COURT OF TRIPURA
APPELLATE CIVIL JURISDICTION
SUPREME COURT CIVIL/CRIMINAL/APPLICATION NO. OF 20... (For leave to
appeal to the Supreme Court) (In First/Second/Letters Patent/Appeal from
Order/Writs Petition)
No.....of 20....

Petitioner
(Original)

Versus

Opponent
(Original)

To
The Honourable the Chief Justice and other Justices of this Honourable
Court.
The petition of
Showeth:-

1. That..... (Here set out Plaintiff's name) filed Suit No... in the Court of the..... Judge, at.....and prayed.....(here set out a concise statement of the plaint is suit and give amount or value of the subject-matter).

2. That the said suit came on for hearing before the.....Judge aton.....the day of.....and the said Judge on the.....day ofpassed a decree/an order that.....(here briefly set out the decree or the order.)
(Paragraphs 3 and 4 to be added in the case of Second Appeals only)

3. That.....(here insert the name of the appellant) the original Plaintiff/Defendant feeling himself aggrieved by the said decree/order fled Appeal No.....against the same on the.....day of.....in the District Court at.....

4. That the said appeal came on for hearing before the.....Judge, atIn theday of.....who.....(Here state briefly the result of the appeal.)

5. That.....(Here insert name of the appellant) the original Plaintiff/Defendant, feeling himself aggrieved by the said decree/order

Filed First/Second/Appeal No.....against the same on the.....day of.....in the Honorable Court.

6. That the said appeal came on for hearing before the Court consisting of the Honorable Shri Justice.....and the Honorable Shri Justice.....son the day of.....who.....(Here briefly state the result of the appeal.)
(Paragraphs 7 and 8 to be added in the case of Letters patent Appeal only.)

7. That being aggrieved by the said hearing before the Court consisting of the Honourable Shri Justiceand the Honourable Shri Justice.....day.....who.....(Here briefly set out the result of the appeal.)

8. That the said appeal came on for hearing before the Court consisting of the Honourable Shri Justice.....and the Shri Justice.....day.....of.....who.....(Here briefly set out the result of the appeal).

9. That the Petitioner, the original Plaintiff/Defendant, feeling aggrieved by the said decree/order is desirous of appealing to the Supreme Court from the same on the ground following:-

(Here state the grounds and number them consecutively as i, ii, iii, etc.)

10. That the appeal involves a substantial question of law as to the interpretation of the Constitution.

OR

10. That the amount of the value of the subject-matter of the dispute in the Court of the first instance and still in dispute on appeal to the Supreme Court is not less than Rs.20,000.

OR

10. That the Judgment, decree or final order involves directly or indirectly a claim or question respecting property of the amount or value of Rs.20,000.

(If the judgment, decree or final order appealed from affirms the decision of the Court immediately below add.)

AND

That the appeal involves a substantial question of law.

(If the appeal also involves a substantial question of law as to the interpretation of the Constitution then add also.)

That the appeal also involves a substantial question as to the interpretation of the Constitution.

OR

(If the property involved in appeal does not exceed Rs. 20,000 in amount or value or if the judgment, decree or final order does not involve directly or indirectly some claim or question respecting property of the amount or value of Rs. 20,000 say.)

10. That the case is a fit one for appeal to the Supreme Court.

11. That your petitioner is ready and willing to comply with the rules and orders as to giving security for costs and otherwise regulating appeals to the Supreme Court.

The Petitioner therefore prays that Your Lordships be pleased to grant him a certificate under Article 132(1)/133(1)(a)/(b)/(c) of the Constitution of India that.....(Here state the nature of the Certificate as set out in paragraph 10.)

**Form No. II
(Rule 7)**

Notice to show cause

IN THE HIGH COURT OF TRIPURA

APPELLATE CIVIL/CRIMINAL/JURISDICTION

SUPREME COURT CIVIL CRIMINAL APPLICATION NO.....of
2017

(In First/Second/Letters Patent/Criminal/Appeal from Orders/Writs Petition
A./Revision/Application/Confirmation Case No.....of 20....

Petitioner
(Original)

Versus

Opponent
(Original)

To

(Fill in the name of opposite party.)

Take Notice that on the.....day of.....20....., the petitioner abovenamed has presented a petition (a copy of which is enclosed herewith) to this Honourable Court for leave to appeal to the Supreme Court from the Judgment and/Decree/Order of this Court passed in the above matter on the.....day of.....20.., praying for leave to appeal to the Supreme Court and that you are hereby required within.....after the service of this notice upon you to show cause, if any, why a certificate should not be granted as prayed for in the petition.

Dated this.....day of.....20....

Registrar.

**Form No.III
(Rule 8)**

Certificate of fitness for Appeal to the Supreme Court.

IN THE HIGH COURT OF TRIPURA
CIVIL/CRIMINAL/JURISDICTION

SUPREME COURT CIVIL/CRIMINAL APPLICATION No.....OF 20...for
leave to appeal to the Supreme Court of India at new Delhi, against the judgment
and decree/order, dated the.....of this High Court
(Coram:-.....) in.....No.....

Petitioner
(Original)

versus

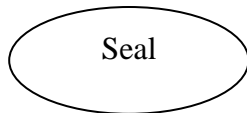
Opponent
(Original)

UPON reading the petition of.....the Petitioner abovenamed presented on
the.....day of.....20.....praying for leave to appeal to the Supreme
Court against the Judgment and Decree/Order, dated the.....day
of.....20.....of this Court in the said Appeal No..... of 20.....

AND UPON hearing Shri.....Advocate for the Petitioner and
Shri.....Advocate for the Opponent, there being no appearance for the Opponent
No.....through served, THIS COURT DOTH CERTIFY that this case is a fit one
for Appeal to the Supreme Court of India under Article 132(1)/133(1)/(a)/(b)/(c)134(1)(c)
of the Constitution of India.

AND THIS COURET DOTH FURTHER DIRECT that the costs of this
Civil Application shall be the costs in the Appeal to the Supreme Court.

WITNESS..... Chief Justice of High Court of Tripura aforesaid, this.....
day of..... one thousand nine hundred and.....



By the Court

Sealer
Additional Registrar

This..... day of..... 20... Received the above Certificate on behalf of the
Petitioner, Advocate for the Petitioner.

Form No. IV

Rule 12(5)

*Notice to appellant for depositing the costs of the preparation,
Transmission etc, of the transcript of the record*
**IN THE HIGH COURT OF TRIPURA
CIVIL/CRIMINAL JURISDICTION
SUPREME COURT CIVIL CRIMINAL APPEAL No.....OF 20....
(From the Judgment and/Decree/Order of this High Court dated
.....inof..... 19.....)**

Versus

Appellant,
Respondent

To

TAKE NOTICE that you are required to make a/an additional deposit of RS.....within eight/thirty days from the service hereof on you to meet the costs transmission/the preparation of the English Transcript of the original/record/proper of the case in question/and the printing/cyclostyling/and the transmission thereof to the Supreme Court.

TAKE FURTHER NOTICE that if fail to make the said additional deposit with the time mentioned above, the default will be reported to the Supreme Court.

WITNESS.....Chief Justice at Bombay aforesaid,
this.....day of.....One thousand nine hundred and.....



By the Court,
For Deputy Registrar,
And Sealer.

This.....day of.....20.....

Form No. V
Rule 15

Notice to the appellant for inspection of the Record and for filing the list of documents to be included in the Transcript of the record

IN THE HIGH COURT OF TRIPURA
CIVIL/CRIMINAL/JURISDICTION.
SUPREME COURT CIVIL/CRIMINAL APPEAL NO.....OF 20....
(From the Judgment and/Decree/Order of this High Court dated
.....in.....of.....19.....)

Appellant;

Versus

Respondent

To

NOTICE is hereby given to you, that the Record and Proceedings of the case from which the said Supreme Court Appeal arises are available in this Court and that you may take inspection of the same, if you so desire.

TAKE FURTHER NOTICE that you are required to file in triplicate within four weeks from the date of receipt of this notice a list of documents which you desire to include in the appeal paper book, after serving on each of the Respondents a copy of the said list, and also to produce an acknowledgment from each of the Respondents that a copy of the said list has been served on him.

TAKE FURTHER NOTICE ALSO that you are required to take all necessary steps with due diligence to arrange to transmit in triplicate with all convenient despatch a Transcript in English of the Record proper of the case, the printed/cyclostyled record of the case so far as is material to the questions in dispute in the said appeal for being placed before the Supreme Court for hearing of the said Appeal.

WITNESS.....Chief Justice of High Court of Tripura, aforesaid,
this.....day of.....Two thousand and.....



By the Court,

for Deputy Registrar and Sealer.

This.....day of.....20.....

Form No. VI

Rule 15

Notice to the Respondent for inspection of the Record and for filing the list of additional documents to be included in the Transcript of the record.

IN THE HIGH COURT OF TRIPURA
CIVIL/CRIMINAL/JURISDICTION
SUPREME COURT CIVIL/CRIMINAL APPEAL No.....OF 20.....
(From the Judgment and/Decree/Order of this High Court dated
.....in.....of.....19.....)

Appellant;

Versus

Respondent.

To

NOTICE is hereby given to you, that the Record and Proceedings of the case from which the said Supreme Court Appeal arises are available in this Court and that you may take inspection of the same, if you so desire.

TAKE FURTHER NOTICE that you are required, upon the Appellant's serving on you a copy of the list of documents which the Appellate intends to include in the paper-book, to file in triplicate within three weeks of the service on you of the said list by the Appellant, a list of such additional documents as you consider necessary for the determination of the appeal.

TAKE FURTHER NOTICE ALSO that you are required to take all necessary steps with due diligence, so far as you may be concerned, in the matter of arranging to transmit in triplicate with all convenient despatch a Transcript in English of the Record proper of the case, the printed/cyclostyled record of the case so far as is material to the questions in dispute in the said appeal for being placed before the Supreme Court for hearing of the said Appeal.

WITNESS.....Chief Justice of High Court of Tripura.
aforesaid, this.....day of.....Two thousand
and.....



By the Court,
for Deputy Registrar and Sealer.

This.....day of.....20.....

Form No. VII

Rule 20

Petition for certificate for Leave to appeal to the Supreme Court
IN THE HIGH COURT OF TRIPURA
APPELLATE CRIMINAL JURISDICTION
SUPREME COURT CRIMINAL APPLICATION NO.....OF 20.....
(For leave to appeal to the Supreme Court)
(In Criminal/ Appeal/Revision/Application/Confirmation Case No.....of 20.....
Petitioner. (Original)
Versus
Opponent.(Original)

To
The Honorable the Chief Justice and other Justices of this Honourable Court:

The petitioner of.....
SHOWETH

1. That the petitioner/Opponent above named as charged with and tried for offences under sections.....by the Judicial Magistrate, First Class,.....Metropolitan Magistrate,...../Sessions Judge atand was acquitted of all/the offences under sections.....,but was convicted of the offences under sections.....and was sentenced to death/simple/rigorous imprisonment for.....and/or a fine of Rs.....for the offence under section.....and.....(Here give details of sentences for the various offences stating whether the substantive sentences of imprisonment were ordered to run concurrently.).
2. That the Petitioner/Opponent above named being aggrieved by the said order of acquittal/conviction and sentence filed Criminal Appeal No.....on this Honourable Court on.....
3. That the said appeal came on for hearing before the Court consisting of the Honourable Shri Justice..... and the Honourable Shri Justiceon theday of.....who.....(Here briefly state the result of the appeal).
4. That the Petitioner feeling himself aggrieved by the said judgment and order is desirous of appealing to the Supreme Court from the same on the grounds following:-
(Here state the grounds and number them consecutively as i, ii, iii, etc.)
5. That the appeal involves a substantial question of law as to the interpretation of the Constitution.

Or

5. That the case is a fit one for appeal to the Supreme Court.

6. That the petitioner is ready and willing to comply with the rules and orders regulating appeals to the Supreme Court.

The petitioner, therefore, prays that Your Lordships be pleased to grant the petitioner a certificate under Article 132(1)(c) of the Constitution that..... ..(Here state the nature of the certificate as set out in paragraph 5.).

Schedule B

SI No.	Particulars	Costs
1.	Preparation of index	Rs. 1 per page
2.	Copying of documents for the preparation of transcript of record	50 paise per folio of 100 words (for 4 copies)
3.	Comparing copies of the document for the preparation of transcript of record	50 paise per folio of 100 words
4.	Writing Head notes to the documents in preparation of transcript of record	50 paise for each Head note
5.	Examination of the proofs where the record is required to be printed or cyclostyled	50 paise for every printed or cyclostyled page
6.	Certifying of the transcript of the record or of the printed or cyclostyled record by the Registrar General	Rs.2 for every 10 pages of fraction thereof
7.	Printing or cyclostyling	As per bill received from the printing press or the cyclostyling agency as per rates to be determined by the office of Registrar from time to time

Schedule C

RULES AS TO PRINTING RECORD

1. The record in appeals to the Supreme Court shall be printed in the form known as Demy Quarto.
2. The size of the paper used shall be such that the sheet, when folded and trimmed will be 11 inches in height and 8 1/2 inches in width.
3. The type to be used in the next shall be pica type, but long primer shall be used in printing accounts, tabular matter and notices. The number of lines in each page pica type shall be 47 or thereabouts, and every tenth line shall be numbered in the margin.
4. Record shall be arranged in two parts in the same volume, where practicable, viz-

Part I. The pleading and proceedings, the transcript of the evidence of the witnesses, the judgments, decrees, etc. of the Courts below, down to the order admitting the appeal.

Part II. The exhibits and documents.

5. The Index to Part I shall be in chronological order, and shall be placed at the beginning of the volume. The Index to Part II shall follow the order of the exhibit mark, and shall be placed immediately after the Index to Part I.
6. Part I shall be arranged strictly in chronological order, i.e. in the same order as the index.

Part II shall be arranged in the most convenient way for the use of the Supreme Court, as the circumstances of the cases require. The documents shall be printed as far as suitable in chronological order, missing plaintiff's and defendant's documents together when necessary. Each document shall show exhibit mark, and whether it is a plaintiff's or

defendant's documents (unless this is clear from the exhibit mark) and in all cases documents relating to the same matter such as-

- a) A series of correspondence, or
- b) Proceedings in a suit other than the one under appeal; shall be kept together. The order in the record of the documents in Part II will probably be different from the order of the index, and the proper page number of each document shall be inserted in the printed index. The parties shall be responsible for arranging the record in proper order for the Supreme Court, and in difficult cases counsel may be asked to settle it.

7. The documents in Part I shall be numbered consecutively. The documents in Part II shall not be numbered, apart from the exhibit mark.
8. Each document shall have a heading which shall consist of the number of exhibit mark and the description of the document in the index, without the date.
9. Each document shall have a marginal note which shall be repeated on each page over which the document extends, viz-

PART I

- (a) Where the case has been before more than one Court, the short name of the Court shall first appear. Where the case has been before only one Court, the name of the Court need not appear.
- (b) The marginal note of the document shall then appear consisting of the number and the description of the documents in the index, with the date except in the case of oral evidence.
- (c) In the case of the oral evidence, "Plaintiff's evidence" or "Defendant's evidence" shall appear beneath the name of the Court, and then the marginal note consisting of the number in the index and the witness's name, with "Examination", "Cross-examination," as the case may be.

PART II

The word "Exhibits" shall first appear.

The marginal note of the exhibit shall then appear consisting of the exhibit mark and the description of the document in the index with the date.

10. The parties shall agree to the omission of formal and irrelevant documents, but the description of the document, may appear (both in the index and in the record), if desired with the words, "not printed" against it.

A long series of documents, such as accounts, rent rolls, inventories, etc. shall not be printed in full, unless counsel so advises, but the parties shall agree to short extracts being printed as specimens.

11. In cases where maps are of an inconvenient size or unsuitable in character, the appellant shall, in agreement with the respondent prepare maps drawn properly to scale and of reasonable size, showing as far as possible the claims of the respective parties in different colours.

CHAPTER XVI

LAW JOURNALS & MEDIA

1. SUPPLY OF COPIES OF JUDGMENTS TO APPROVED LAW JOURNALS:-

Rules relating to

- a) Application to be accompanied by copy folios and stamped labels,
- b) Scale of charges;
- c) Reference to Deputy Registrar.
- d) Notice of defective applications;
- e) Delivery of copy to applicants;
- f) Notice of ready copies,
- g) Destruction of copies which cannot be delivered contained in Chapter XV under the heading "Issuance of Copies" shall, so far as may be apply to the issue of copies of judgments approved for reporting to representatives of approved law journals, The other Rules contained in that Chapter shall not apply.

2. The issue of copies to representatives of such journals shall be governed by the following provisions namely:

- (1) An approved list of law journals entitled to receive copies of judgments approved for reporting under the Rule shall be maintained under the orders of the Chief Justice.
- (2) No law journal shall be entered in the list unless it has given and undertaking that it will apply for a copy of every judgment delivered by the Court which is marked A.F.R (Approved for Reporting.)
- (3) No law journal on the approved list shall be entitled to receive more than one copy of such judgment under this Rule.
- (4) As soon as a judgment has been approved for reporting by the Court, the Court Master shall enter it in a register to be called "Register of judgments marked A.F.R", the entries being made in chronological order. He shall send such judgment immediately to the Section Superintendent concerned of the Judicial or the Criminal Department, as the case may be.

- (5) As soon as a judgment marked A.F.R. has been received by the Section Superintendent concerned he shall send it to the Section Superintendent of the Copying Department for the preparation of as many copies as there are law journals on the approved list together with one copy for the Indian Law Reports (Tripura Series).
- (6) Two registers in the prescribed form to be called "Register of Copies of Judgments marked A.F.R." and "Register of Applications for Copies of Judgment marked A.F.R." respectively shall be maintained by the Section Superintendent of the Copying Department with respect to such copies.
- (7) Copies prepared under this Rule shall contain the following additional information namely,
 - (i) The names of Advocates appearing in the case on both sides,
 - (ii) The names of Judges delivering the judgment or the Court; and
 - (iii) Full designation of the lower Court along with the date of its judgment or order.
- (8) Such additional information shall be sent to the Section Superintendent, Copying Department by the Section Superintendent concerned of the Judicial or the Criminal Department, as the case may be along with the judgment.
- (9) Copies prepared under this rule shall be given priority over all ordinary copies and shall be prepared as quickly as possible.
- (10) As soon as copies are ready they shall be delivered to the representatives of the journals on the approved list on their submitting a duly stamped application and on payment of Rs. 2 (in Court fee stamps affixed on application) per copy of every such judgment or order.
- (11) If the representatives of any law journal on the approved list does not apply for the copy of any judgment marked as A.F.R within three weeks from the date on which it is so marked the name of such journal may be removed from the approved list.
- (12) The Register of Copies of judgment marked A.F.R shall be open to inspection by the representative of any law journal on the approved list.

I. Register of Judgment marked A.F.R.

SI No	Description of cases	Date of receipt of judgment in disposal section/criminal department	Number of page in the judgment	Date of sending judgment to the section officer, copying department	Signature of Section Officer, C.D. with the date of receipt of judgment	Date of receipt of the judgment from C.D.	Remarks
1	2	3	4	5	6	7	8

II. Register of Copies of Judgment marked A.F.R.

SI No	Description of cases	Date of receipt of judgment in disposal section/criminal department	Date & time when judgment received by C.D.	Signature of Comparer	Number of Pages	Date & Time when handed over to section officer, C.D.	Signature of Section Officer, C.D.	Remarks
1	2	3	4	5	6	7	8	9

III. Register of Copies of Judgment marked A.F.R.

SI No	Date of application and value of stamp, if any	Name of applicant, law journal and representative	Description of case	Signature of Section Officer, C.D.	Date when copy is delivered to representative	Signature of Recipient and applicant	Remarks
1	2	3	4	5	6	7	8

3. FACILITIES TO BE GIVEN TO THE PRESS REPORTER:-

- (1) The accredited and approved representatives of approved newspapers who have been given accreditation and approval under these rules will be allowed to sit in Court, if they so desire, for the purpose of reporting proceedings.
- (2) Such representatives of newspapers can obtain copies only of such Courts documents as can be obtained by strangers after filing a regular application under the rules and on payment of prescribed fee.
- (3) Such Press Representatives will be given the following facilities for inspection of judgments only and not of records.
 - i. They may inspect judgments in the Inspection Section of the Registry upon a regular application for inspection in accordance with these rules and on payment of prescribed fee. Such applications will, however, invariably be dealt with by the office immediately. Such applications and

inspection may be allowed at any time between 10.30 am to 04.30 pm to be made by the person named in the order for inspection.

- ii. Such Press Representative will be permitted to pursue the judgments after delivery in the open Court.
 - iii. No Press Representative will in any circumstances be allowed private access of ministerial officers of the Court, nor will be allowed to pursue any judgment until it has been revised and signed in the ordinary course except by special permission of the judge who delivered it.
- (4) Accredited and approved representatives of the approved newspapers will have the responsibility of publishing true and correct news relating to judicial and administrative functions of the High Court. For reporting on a matter related to the High Court and its orders and judgments, due care shall be taken by the duly accredited approved representatives and the Court reserves the right to withdraw the facility from the representative of any newspaper or law journal in which in accurate or misleading, or scandalous reports are found to appear.
 - (5) Only such journalists shall be treated as duly accredited approved representatives, whose names have been sent by the newspaper to the High Court on year to year basis.
 - (6) The duly accredited representatives of an approved newspaper/electronic media shall not interact with the lawyers seeking comments on a case pending before the High Court. He shall not seek comments or obtain photographs from a lawyer to be published/telecast in connection with cases in which the later had been engaged or is concerned with as the same is not permitted under the Bar Council India Rules.
 - (7) Supply of one copy of judgment/order will be given to the accredited newspaper or media organization through its regularly accredited correspondent.
 - (8) An accredited representative while in Court premises will be in a formal dress in a manner befitting the decorum of the Court and displaying prominently his accreditation card.
 - (9) For the purpose of accreditation a committee may be instituted under the order of Chief Justice. The Committee shall consist of following members:

- i. A sitting Judge of the High Court as may be nominated by the Chief Justice;
- ii. Advocate General;
- iii. The Chairman of the State Bar Council;
- iv. Registrar General shall be the Member Secretary of the Committee.

CHAPTER XVII

RULES UNDER THE SPECIAL ACTS

A. APPEALS UNDER SECTION 73 OF THE COPYRIGHTS ACT, 1957

1. DIVISION BENCH TO HEAR APPLICATIONS UNDER COPYRIGHT ACT:-

All Appeals under section 73 of the Copyrights Act shall be filed in the Office of the Registrar and shall be heard and disposed of by a Division Bench. Every appeal shall, soon after it is registered, be posted for orders before a Division Bench as to issue of notice to the respondents. The Court may either direct notice to issue and pass such interim order as it may deem necessary or reject the appeal.

2. TITLE:-

All appeals under Section 72 (2) shall be registered and styled as 'Miscellaneous Appeals'.

3. FORM OF APPEAL:-

Every appeal under Section 72 shall be made in the form of a memorandum signed by the appellant or his Advocate and shall be accompanied by a certified copy of the decision or order appealed from and shall set forth the grounds of objection concisely and under distinct heads. The memorandum and its annexures shall be filed in duplicate with a complete index of the papers filed.

4. ISSUANCE OF SERVICE:-

(1) The service of notice to the respondent or respondents shall ordinarily be affected through registered post. An acknowledgement purporting to be signed by the respondent or the agent or an endorsement by a postal employee that the respondent or the agent refused to take delivery may be deemed by the Court to be prima facie proof of service.

(2) The appellant shall file as many copies of the memorandum of the appeal along with all annexures as there may be parties to be served and also the requisite number of postal envelopes bearing adequate postal stamps to enable

service to be effected on the respondent or respondents by registered post with acknowledgement due

(3) The notice of appeal shall be served on all the respondents effected and also on such other persons as the Court may provide and that on the hearing of any such appeal, any person who desired to be heard in opposition, and appears to the Court to be a proper person to be heard, shall be heard notwithstanding that he has not been served with the notice of the appeal and shall be liable to costs in the discretion of the Court if so ordered.

(4) Notice meant for the Board shall be served on the Registrar of Copyright in the manner provided in Rule 4. Sub-rule (1). The Board shall have a right to appear in the appeal through the Registrar of Copyright.

Explanation: - 'Registrar of Copyright' includes the Deputy Registrar of Copyright to whom any particular function of the Registrar of Copyrights may be assigned in pursuance of Section 10 (2) of the Act.

5. DEFECTS IN THE MEMORANDUM OF APPEAL:-

If the appellant does not remove the defect, if any, in the memorandum of appeal, or, if he does not file the requisites within a time to be fixed by the Registrar (Judicial), the appeal shall be laid before the Court for such orders as may be deemed fit.

6. PROCEDURE AFTER ADMISSION OF APPEAL:-

When an appeal under Section 72 (2) has been admitted, the Registrar (Judicial) shall send for the record and on receipt thereof shall take steps for the preparation of paper books, so far as may be, in accordance with the rules of the Court regarding preparation of paper books in appeals from original orders.

7. STAY OF FURTHER PROCEEDING:-

When an appeal under Section 72 (2) has been preferred, the Court may, on such terms and condition as it thinks fit, stay further proceedings in any matter relating to the copyright concerned before the Board till the disposal of the appeal.

8. SAVING CLAUSE:-

Save as provided in the Act and these rules, the provisions of the Code of Civil Procedure and the rules of the Court shall apply mutatis mutandis to such appeals.

B. RULES UNDER THE CHARTERED ACCOUNTANTS ACT, 1949

1. APPEAL, APPLICATION AND REFERENCE UNDER THE ACT:-

- (1) A case (hereinafter in this chapter referred to as a "reference") received by the High Court under section 21 of the Chartered Accountants Act, 1949 (hereinafter in this Chapter referred to as "the Act") shall be filed in the office of Registrar (Judicial) and shall be numbered as a reference and entered in a separate register. All cases received by the High Court under Section 21 of the Chartered Accountants Act, 1949 shall be registered as "Miscellaneous Civil Cases (Chartered Accountant)".
- (2) An appeal or a revision application under section 22-A of the Act shall be made by petition. An appeal or revision application under section 22-A of the Act shall be filed in the office Registrar (Judicial) and shall be numbered as an appeal or a revision application under the Act and entered in separate registers.

2. MATERIAL DOCUMENT TO BE SUPPLIED BY THE COUNCIL:-

- (1) The council of Institute of Chartered Accountants of India (hereinafter, in Chapter, referred to as "the Council") shall forward to the High Court a set of material papers relating to the enquiry which will be regarded as the original set. It shall include the following:
 - a) The finding of the Council,
 - b) The report of the Disciplinary committee;
 - c) Complaint or information;
 - d) Written statement in defence;
 - e) Deposition of witnesses, affidavits, exhibits and other oral documentary evidence;
 - f) Notes of the hearing before the Disciplinary Committee;
 - g) Such other papers as were before the Disciplinary Committee and the Council as the Council may consider relevant or the High Court may require for the disposal of the case.
- (2) The Council shall also furnish the High Court with five additional identical copies of the papers aforesaid for insertion in the paper books.

- (3) A translation in English of the documents which are not in that language and are included in the material papers shall be furnished by the Council under its own authority. If the High Court considers that an official translation shall be made in the High Court, the expenditure incurred in that behalf being recovered from the Council.

3. NOTICE:-

- (1) The Council shall forward along with the material papers a memorandum containing the full and correct postal address of all persons or authorities on whom notices are required to be served under Section 21 (6) of the Act.
- (2) When a reference, appeal or revision application is registered, the Registrar (Judicial) shall fix a date for the hearing of the case and shall cause notice to be served under Section 21(6) of the Act in the Form prescribed in the Annexure hereto. The date of hearing shall be so fixed that there will be an interval of not less than 15 days between the date of served of notice and the date of hearing.
- (3) The notice shall be sent by registered post, acknowledgment due, at the expense of the Government to all persons to whom notices are required to be sent under the provisions of Section 21 (6) of the Act on the addresses supplied by the Council.
- (4) In the case of a reference under section 21 of the Act, notice shall be sent to (1) the member of the Chartered Accountant Institute concerned, (2) the Council, and (3) the Central Government
- (5) In the case of an appeal under section 22-A (1) of the Act, notices shall be sent to the Council.
- (6) In the case of a revision application under section 22-A (2) of the Act, notices shall be sent to the Council and to the member of the Institute concerned.
- (7) The Court, may at any time, direct that notice of the reference, appeal or revision application be sent to the person who has made the complaint. In all cases, notices shall be sent by registered post at the addresses supplied by the Council and shall be served not less than one month before the date fixed for the hearing of the case.

4. JURISDICTION OF THE BENCH:-

References, appeals and revision applications under the Act shall be heard by a Division Bench of not less than two Judges to be nominated by the Chief Justice.

5. PAPER BOOK:-

- (1) In all five copies of paper books shall be prepared in each case, one of which shall be delivered to the member reported against or his counsel, one to each of the advocates representing the Council and the State or Union of India as the case may be, and the remaining two copies shall remain with the record for the use of the Judges.
- (2) The paper book shall consist of the papers mentioned in Rule 10. Sub Rule (1), but if the Council fails to submit the required number of copies, they shall be prepared by the Registry at the costs of the Council.

6. MISCELLANEOUS:-

- (1) Except as otherwise provided in this chapter, the provisions of the Code of Civil Procedure, 1908, so far as may be, shall ordinarily apply.
- (2) The Registrar (Judicial) shall send certified copies of any order that may be passed by the High Court in the case to the Secretary to the Council and to the Secretary to the Government of India (Ministry of Finance).
- (3) No advocate shall act for any person in these proceedings, unless he has been appointed for the purpose by such person by a document in writing signed by such person or by his recognized agent or by some other person duly authorized by or under a power of attorney to make such appointment.

APPENDIX-IV

FORM OF NOTICE

In the High Court of Tripura

Miscellaneous Civil Case (Ch. Acc.) No. ofXXXVIII of 1949) and in the matter of Members of the Institute of Chartered Accountants of India.

The Council of the Institute of Chartered Accountants of

India.....Referring Authority.

.....Respondents.

To.....

(1).....Member of the Institute, the Respondent (above named).

(2) Secretary to the Council of the Institute of Chartered Accounts of India.

(3) Secretary to the Government of India (Ministry of Finance), New Delhi.

Whereas the Council of the Institute of Chartered Accounts of India has forwarded to this Court its findings dated the year..... and the report of the Disciplinary Committee dated theyear..... in the above case.

Therefore, take notice that the day of.....year..... has been fixed for hearing and the case will be laid before the Court on that day or as soon thereafter as may be practicable. If no appearance is made on your behalf either in person or through counsel or someone legally authorized to act for you, it will be heard and decided in your absence.

Given under my hand and the seal of the High Court of Tripura, this.....day of.....year.....

By Order of the High Court

Section Officer
SEAL.....

C. RULES FOR THE DISPOSAL OF ELECTION PETITIONS FILED UNDER THE REPRESENTATION OF THE PEOPLE ACT, 1951

1. INTERPRETATION UNDER THIS CHAPTER:-

The provisions of this Chapter shall govern election petitions before High Court of the Representation of the People Act, 1951. Judge or Judges of Court under these rules are those who, from time to time, have been assigned by the Chief Justice under sub section (2) of Section 80-A of the Representation of the People Act, 1951, for exercising the jurisdiction of the High Court under sub-section (1) of Section 80-A.

2. CONTENTS AND FORM OF THE ELECTION PETITION:-

- (1) Every Election Petition shall be-
 - a) Typewritten or printed fairly and legibly on foolscap size paper of reasonable quality, one side of the paper only being used, leaving a one and quarter inch margin on the left and at least one and half inches open space on the top and bottom of each sheet.
 - b) Written in English, numbering separately the paragraphs thereof;
 - c) The petition shall be in conformity with Sections 81, 82 and 83 of the Representation of the People Act, 1951.
- (2) Every election petition shall, in addition to the contents required by the Act, contain information as to the date of election of the returned candidate or if there be more than one returned candidate at the election and the dates of their election are different, it shall mention the later of the two dates and shall also show that the election petition is presented within the period prescribed in sub-section (1) of section 81 of the Act.
- (3) Every Election Petition shall be accompanied by a receipt signed by the Cashier of the Court acknowledgment that an amount of Rs.2000/- (Rs. Two Thousand Only) has been deposited as security for the costs of the petition in accordance with the rules of the High Court as per section 117 of Act.
- (4) The appellant shall, with the election petition, file an affidavit, setting out in respect of the respondents or each respondent, where there is more than one, the address at which respondent can be served.
- (5) The Registered address required to be filed under rules 19 and 20 of Order VII and rule 112 of Order VIII of the Civil Procedure Code shall contain the following particulars:-

- (a) The name of the street, land or municipal ward and the number of the house, if any;
 - (b) The name the town or village;
 - (c) The post office with postal index number; and
 - (d) The district and the sub-division.
- (6) The petition shall be accompanied by as many envelopes as there are respondents, bearing requisite postage stamps, to enable service to be effected by registered post with acknowledgment due;
- (7) The following documents shall be annexed to the petition viz.
- (a) Vakalatnama,
 - (b) List of Documents upon which petitioner relies and
 - (c) Copies of Schedules or Annexure.
 - (d) Dates and sums occurring in the petition shall be expressed in figures and the sums also in words. When Indian dates are given, the corresponding Gregorian calendar (English) Dates shall always be added.

3. PRESENTATION OF ELECTION PETITION :-

- (1) The election petition complete in all respects along with necessary copies may be presented to the Registrar at any time during the Court hours. Immediately after it is presented, the date of presentation shall be entered in a special register maintained for the registration of election petitions.
- (2) The register referred to in Rule 38 Sub-Rule(1) above shall be called the Register of Election Petitions and shall contain the following particulars in columns provided for the same:
- (a) Serial No. of the Election Petition;
 - (b) Date of Presentation;
 - (c) Name/s of the petitioner/s;
 - (d) Name/s of the respondent/s;
 - (e) Date/s of appearance of respondent/s with name/s of advocate/s if any;
 - (f) Nature of the application (substance of the prayers);
 - (g) Date and substance of final order.
 - (h) Interlocutory application in each Election Petition will be serially numbered in the said petition in the order of presentation, and brief

particulars thereof shall be entered on the page or pages immediately following the page on which the particulars of the main petition are entered in preceding rules.

- (3) As soon as an election petition is filed, but not later than a week, intimation thereof shall be sent to the Election Commission of India.
- (4) The name of the persons presenting an Election Petition, with a description of the capacity in which he is presenting it, the date and hour of presentation and any other particulars considered necessary shall be endorsed in the margin of the first page of the petition by the Registrar (Judicial) under his own signature.
- (5) The Registrar (Judicial) shall have the petition examined in order to find out that all the requirements of the Act and these rules have been complied with. The party or his advocate shall be asked to attend the office of the High Court on the third day from the date of the presentation to remove objection, if any.
- (6) The registrar (Judicial) shall examine the petition and if it is not in conformity with the requirements of law and the rules applicable to the petition, raise objections specifying the nature or particulars of the defect or error. The objections should be brought to the notice of the party or the advocate on the date fixed for attendance under rule 8 and such objections shall be removed within three days thereafter, or within such further time as the Judge may allow.
- (7) When after scrutiny, the Registrar (Judicial) reaches to the conclusion that the petition is complete in all respects in accordance with the Act/Rules, he shall certify the same.
- (8) Every Election Petition shall be registered as “Election Petition” and given a separate serial number of the year and shall be entered with complete details in a separate register maintained for the purpose.
- (9) As soon as an election petition is filed, but not later than a week, intimation thereof shall be sent to the Election Commission of India.
- (10) Where more than one Election Petitions are presented in respect of the same election, the Judge may, in his discretion, try them separately or in one or more groups.

4. SUMMONS TO BE SERVED UPON THE RESPONDENTS :-

- (1) After the removal of objections, the petition shall be placed before the Judge for such orders as may be required to be passed under section 86 of the Act. If the petition is not dismissed under sub-section(1) of section 86 of the Act, a summons on the direction of the Judge, shall be issued to the respondents to appear before the High Court on a date specified in the summons and answer the claim or claims made in the petition. Such date shall not be earlier than three weeks from the date of the issue of the summons. The summons shall be for written-statement and settlement of issues and shall be served by sending the summons to the respondent to the address given by the petitioner by registered post prepaid for acknowledgment.
- (2) Where the postal acknowledgment has been received duly signed by the addressee or on his behalf or the envelope has been returned with the endorsement “Refused”, the respondent shall be deemed to have been duly served. In all other cases, it shall be the duty of the appellant to apply forthwith for service under Order V, Rule 20, and Civil Procedure Code.
- (3) If the summons is returned unserved, the Judge may direct the service of fresh summons either by registered post prepaid for acknowledgement of that the summons be served on the respondent personally through any of the Courts subordinate to the High Court.
- (4) Those of the respondents who appeared and file written statements or recriminatory statements as provided under Section 97 (2) of the Act, shall also furnish copies of such written statements and recriminatory statements and copies of annexure, if any, duly attested by such respondents under their own signature, for the use of the petitioner and the other respondents, as the case may be, and where a recriminatory statement under Section 97(2) alleges any corrupt practice, such a statement shall be accompanied by an affidavit in support of the allegation of such corrupt practice and the particulars thereof as required under the Act/Rules.

5. SETTLEMENT OF ISSUES, EXAMINATION OF WITNESS AND DOCUMENTS

- (1) After the pleadings in the election petition are received, a date shall be fixed, at the direction of the Judge, for (1) discovery of documents, (2) inspection of the documents disclosed, and (3) the production of documents which are in the possession and power of the parties, and issues would then be settled.
- (2) Within seven days of the settlement of issues party applying for a summon(s) to a witness(es) shall be required to submit the list of witnesses and deposit with the cashier of the Court at the time of applying for summons a sum sufficient to cover the travelling allowance, the diet allowance and the local conveyance allowance of the witness(es) according to the scale given below:

Provided that in cases not fully or clearly covered by this Scale or in cases where the Judge thinks special considerations should prevail, the Judge shall award such amounts as he deems proper:

Provided further that the local conveyance allowance shall be payable only if the party calling the witness does not provide conveyance to him.

Class of witness	Travelling allowance	Diet allowance	Local conveyance allowance
Class-I			
Gazetted Officers, Professionals like Doctors, Advocates, Architects, Chartered Accountants, etc. Income Tax payee, Members of Parliament, Members of State Legislative.	By Rail A.C. Sleeper/Chair Car fare. By Road Taxi fare at the rate prescribed by the Directorate of Transport of the State Government and is no such rate has been fixed, as the Court thinks reasonable.	Rs.500/-per day	By Taxi
Class-II			
All others except those mentioned in Class-I	By Rail Sleeper or 2 nd class fare. By Road Actual Bus fare	Rs.250/- per day	By three wheeler Auto rickshaw.

Note1:- Travelling allowance will be payable for the shortest possible route.

If in addition to travelling by rail a witness is required to travel by bus also, actual bus fare paid for such part of the journey shall also be admissible for travelling allowance.

Note2:-Diet allowance shall be payable, irrespective of the distance travelled, for the actual time required for journey each way and also for the time taken in giving evidence and for the time of detention necessary for the purpose of giving evidence. A part of the day shall be counted as equal to a day.

Note3:- The Registrar (Judicial) of the Court shall decide as to which a witness belongs or which of the alternative modes of travelling should be allowed in a particular case. A witness dissatisfied by his decision may request that a reference be made to the Judge. The Judge shall thereupon give such directions as he thinks just and proper in the case.

- (3) Payment shall be made to the witness out of the amounts deposited with the Cashier after the witness has given evidence or he is discharged by the Judge, and a certificate to either effect has been given by the “Bench Clerk”.
- (4) Witnesses may also be produced by the parties on the date of hearing without a summons, provided the parties have filed a list of the same as required under these Rules.
- (5) The evidence of each witness shall be taken down and recorded in English. It shall be in narrative form and not in question answer form except when so requested specifically by any party, and permitted by the Court, with respect to any particular question or answer for a specific requirement. The statement shall be typed and signed by the witnesses and Judge.
- (6) No Commission for the examination of any witness will be issued unless the Judge considers it absolutely necessary, and the party at whose instance such Commission is to be issued has deposited with the Cashier of the Court, within such time as may be fixed, such sum as the Court may consider reasonable for the purpose.
- (7) All documents in English shall be admitted in evidence any document not in English script shall be officially translated and the costs of the translation shall be borne by the party. Exhibit marks on documents and material objects shall

be written by the Bench Clerk and signed by the Judge or under his orders by the Bench Clerk.

6. WITHDRAWAL OF THE ELECTION PETITION :-

- (1) In case of filing of an application for withdrawal of an election petition, the cost for publication in the Official Gazette of the notice as required under sub-section (2) of Section 109 shall be realized from the petitioner, who shall deposit the necessary amount as soon as the withdrawal application is filed.
- (2) Where an application petition abates under sub-section (1) of Section 112 of the Act, the notice of such abatement, as required by sub-section (2) of Section 112 of the Act, shall be published in the official Gazette.
- (3) Cost shall not be realized for publication of the notice required under clause (b) of sub-section (3) of Section 110, sub-section(2) of Section 112 and Section 16 of the Act.
- (4) Unless otherwise directed by the Judge, the Official Gazette, in which the notice as required under sub-section (2) of Section 109, clause (b) of sub-section (3) of section 110, sub-section (2) of Section 112 and Section 16 of the Act is to be published, shall be the State Gazette in case of elections petitions relating to the State Legislatures and Gazette of India in case of election of petitions relating to the Parliament.
- (5) The office of registry shall send such notice for publication in the Official Gazette within one week of the time when such publication is order by this Court.

7. JUDGMENT AND THE ORDER OF THE HIGH COURT:-

- (1) As soon as an election petition is dismissed by the High Court under sub-section (1) of Section 86 of the Act, or the same has been finally disposed of on merits as provided under Sections 98 and 99, or the High Court passes an order under sub-section (1) of Section 116-B of the Act, the authenticated copy of the judgment or order of the Court shall be forwarded to Speaker or the Chairman, as the case may be, of the Houses of Parliament or of the State Legislature concerned; and thereafter, as soon as possible, it shall also forward to the Election Commission of India.

- (2) The officer concerned in the registry of the shall also report the Election Commission of India as required by Section 111 of the Act, when an election petition is allowed to be withdrawn and orders are passed in that behalf by the High Court.
- (3) Where an election petition abates and no attempt has been made for substituting another person for continuing the said petition as provided under Section 116 of the Act, and the Court passes a final order treating the petition as abated, the officer shall report to the Election Commission of India.

8. INDEX FOR EVERY ELECTION PETITION:-

- (1) A diary or index of proceedings showing the course of the election petition from the beginning to the end in chronological order shall be maintained in each election petition, as far as possible, in the form given below:
 - (a) Number of the Election Petition;
 - (b) Date of presentation;
 - (c) Date of issue of summons to the respondents;
 - (d) Date of service of summons on respondents;
 - (e) Date of filing the written-statement or recriminatory statement;
 - (f) Date of Production of documents;
 - (g) Date of settlement of issues;
 - (h) Date of filing the list of witnesses;
 - (i) Date of commencement of hearing of the petition;
 - (j) Dates on which the petition was heard; and
 - (k) Date of conclusion of trial of the petition.

9. SAVING PROVISION:-

- (1) The Rules of the High Court apply, in so far as they are not inconsistent with the Act or the rules, if any, made there under or the Code of Civil Procedure or these rules, in respect of all matter including processes and process fees, issuance of orders, copies and copying fees, deposit and withdrawal of money, forms, affidavits, etc. Rules relating to service of notice, summons etc. shall be applied for speedy trial of the election petition so far as the said Rules are applicable in the facts and circumstances of the case.
- (2) If any doubts or difficulty arises in the application of these rules in any particular case, the matter shall be posted before the Judge and his orders thereon shall be final.

D. PROVISIONS RELATING TO REFERENCES, APPLICATION AND APPEAL UNDER THE INCOME TAX ACT, 1961.

1. TITLE OF APPLICATION:-

An application under sub-section (2) of Section 256 of the Income Tax Act, 1961 (hereinafter referred to in this Chapter as ‘the Act’) shall be titled :

IN THE HIGH COURT OF TRIPURA

Income Tax Case No..... of sub-section (2).....
Under(.....)Section 256 of the Income-tax Act, 1961.

.....Applicant
Versus
.....Opposite Party

2. ARRAY OF PARTIES: -

In an application presented on behalf of the assessee, the opposite party shall be the Commissioner of Income Tax and in an application presented on behalf of the Commissioner of Income Tax, the assessee.

3. CONTENTS OF THE APPLICATION UNDER SECTION 256(2):-

Application under sub section (2) of Section 256 of the Act shall be accompanied by, as annexures thereto, copies of –

- (1) the assessment order,
- (2) the order of the Appellate Authority;
- (3) the order of the Appellate Tribunal passed in the case under Section 254(1);
- (4) the application of assessee or of the Commissioner, as the case may be, requiring the Tribunal to state a case to the High Court under sub-section (1) of Section 256;
- (5) the order of the Tribunal refusing to state a case and make a reference under sub-section (1) of Section 256;
- (6) any other paper or document which the applicant considers necessary for the disposal of the application; and
- (7) where the application is filed by an assessee, a certificate in original from the Appellate Tribunal to the effect that the assessee has not withdrawn his application for reference under sub-section (3) of Section 256 of the Act before the said Tribunal.

4. PRESENTATION OF APPLICATION:-

- (1) An application made by an assessee shall be accompanied by an affidavit of service stating that two copies of the application together with other papers or affidavit accompanying it have been served on the Standing Counsel authorised to receive notice on behalf of the Department concerned, and further stating that Standing Counsel has been intimated the date of filing in the Court of the application.
- (2) An application made by the Commissioner of the Income Tax shall normally be accompanied by an affidavit of service stating that a copy of the application together with other papers and affidavit accompanying it have been served on the assessee in accordance with the procedure prescribed therefore by the Income Tax Act, 1961 and also stating that the assessee has been intimated in writing the date of filing in Court and the date of hearing of the application.
- (3) A counter affidavit, if any, may be filed within two weeks of the service of the application after serving a copy thereof on the counsel of the applicant.

5. SERVICE OF NOTICE: -

After the application under sub-section (2) of section 256 of the Act is admitted and after the receipt of reference under sub-section (1) of Section 256 notice will be served on the parties giving information regarding the preparation of paper books.

6. PREPARATION OF PAPER-BOOK:-

Where the Registrar General directs the paper-book be prepared under his direction and supervision, the preparation of such paper-book shall not be undertaken unless the party concerned furnishes evidence to the Registrar General of his having deposited the cost of preparing it as determined by the Registrar General, with the Cashier. Where the paper-book is prepared by the party concerned it shall bear a certificate signed by his Advocate that the copies included therein are true copies of the documents on record.

7. PAPER BOOK:-

- (1) The paper book shall consist of a flyleaf and a general index and contain copies of the following papers, namely-
 - (i) application and the affidavit accompanying it, if any;
 - (ii) reply to the application and the affidavit accompanying it, if any;
 - (iii) any orders passed by the Court under sub-section (2) of Section 256 of the Act;
 - (iv) statement of the case and copies of documents or extracts therefrom, if any, forming part of the case;

- (v) any objection by a party to the statement of the case;
 - (vi) order of the Appellate Assistant Commissioner;
 - (vii) order of the Income Tax Officer.
- (2) Where the case is referred back to the Appellate Tribunal under 52 [Section 258] of the Act, a copy of the statement of the case as added to or altered by the said Tribunal shall also be included in the paper-book.
 - (3) If any party desires that a copy other document be included in the paper-book on the ground that it is necessary for the determination of the question of law referred to the Court, it shall make an application in writing to the Registrar General explaining the relevancy of such document. The Registrar General shall give notice of the application to the opposite party and may after hearing any objection that may be filed by such party, either reject the application or direct that a copy of such document be included in the paper book.
 - (4) The paper-book shall, unless otherwise ordered, be a type written one and such number of copies thereof shall be prepared as the Registrar General may direct.

8. COST OF PREPARATION OF PAPER-BOOK:-

- (1) The Registrar General shall within two weeks of the filing of the paper-book or of an application for preparing the paper-book through Court, determine the cost of preparing the paper-book and such cost shall be cost in the cause.
- (2) Where the paper-book is applied for to be prepared through Court, a copy of the estimate shall forthwith be delivered to the Advocate for the party concerned and the amount shall be deposited within two weeks thereof.

9. HEARING OF CASE AFTER PREPARATION OF PAPER-BOOK:-

When the paper-book has been prepared the Registrar General shall cause copies thereof to be supplied to the parties and thereafter the case shall be listed for hearing before the Bench concerned.

10. COPIES OF ORDERS PASSED BY COURT TO BE SENT TO APPELLATE TRIBUNAL: -

Copies of any orders passed by the Court under Section 261 or sub-section 1 of Section 256 or Section 258 or any judgement delivered by it under sub-section 1 of Section 260 of the Act shall be sent forthwith to the Registrar General of the Appellate Tribunal under the seal of the Court and the signature of the Registrar General together with two uncertified copies of the same.

11. APPLICATION TO BE HEARD BY A DIVISION BENCH SPECIALLY CONSTITUTED:-

Unless otherwise ordered by the Chief Justice, the Registrar General shall direct that the application be laid before the Division Bench appointed by general or special order by the Chief Justice to hear applications under this chapter immediately after the expiry of six weeks of the date of institution, along with counter and rejoinder affidavits, if any, received or if the Court is not sitting on that day, the next working day.

12. DEFECTIVE APPLICATION TO BE LISTED WITHIN A WEEK

The Bench may, in any case, direct that the service of the application may be affected afresh on the opposite parties or any of them.

13. ADVOCATES TO ACCEPT SERVICE OF NOTICE: -

Advocates for the parties shall be bound to accept service on behalf of the party represented by them of any notice issued by the Court or the Appellate Tribunal, as the case may be, until the case has been finally disposed of. Any change of Advocates appearing for a party shall immediately be notified by it to the Court, the Appellate Tribunal and the opposite party.

14. ORDERS ON APPLICATION: -

On the date fixed for the hearing of the application, the Court may after hearing the parties, if they appear, either pass an order dismissing it or in the case of an application under sub-section (2) of Section 256 of the Act, require the Appellate Tribunal to state the case and to refer it to the Court.

15. FORM OF REFERENCE BY APPELLATE TRIBUNAL:-

The Statement of a case referred to the Court by the Appellate Tribunal shall indicate the precise question of law arising in the case and concisely state such facts as may be necessary to enable the Court to decide it. It shall also contain references to all such documents as may be necessary to enable the Court to decide the question and shall be accompanied by copies of such documents or relevant extracts therefrom. The statement may include more than one question of law arising in a case.

16. NOTICE OF REFERENCE BY APPELLATE TRIBUNAL: -

On receipt of the statement of a case referred to the Court by the Appellate Tribunal under sub-section (1) or (2) of Section 256 of the Act, notice thereof shall be given to the parties and the Registrar General shall call upon the party at whose instance the reference has been made to prepare or cause to be prepared through Court a paper book of the case within four weeks from the date fixed for entering appearance. The Registrar General may for sufficient cause shown extend such time.

17. LISTING OF CASES BEFORE THE BENCH: -

Where the party concerned fails to prepare or cause to be prepared the paperbook within the time allowed by the Registrar General under the next preceding rule, the case shall be listed before the Bench concerned and the question referred to the Court may be returned unanswered, unless, on an application in writing made in this behalf, the Court for sufficient cause shown grants further time for preparation of the paper book.

18. TRANSMISSION OF ORDER OF COSTS FOR EXECUTION: -

Where costs have been awarded by the Court in a reference or in an application for reference under the Act, but have not been paid, the person entitled to them may apply the Court for execution of the order. The application shall be accompanied by an affidavit stating the amount of costs awarded and the amount district in which the order is to be executed. The order may be executed by such Court or be transferred for execution to any subordinate Court.

19. APPLICATION OF RULES TO SIMILAR PROCEEDINGS UNDER OTHER ACTS :-

The rules contained in this Chapter shall, so far as may be and with necessary modification, and adaptations, also, apply to proceedings under any other Tax Act including those under –

- (i) Section 130 of Chapter XV of the Customs Act, 1962.
- (ii) Section 35-G of the Central Excise and Salt Act, 1944;
- (iii) Section 82-B of the Gold (Control) Act, 1968];
- (iv) Section 72 and 73 of Tripura Value Added Tax Act, 2004;

Provided that where a reference may under the law be made by the Court or authority making the reference without an application by a party, the paper-book shall be prepared under the direction and supervision of the Registrar General.

20. APPLICATION UNDER SECTION 256 OF THE ACT:-

- (1) The statement of the case by the Tribunal under sub-section (1) of Section 256 of the Act shall be accompanied by, as annexures thereto, copies of -
 - (a) The assessment order;
 - (b) The appellate order;
 - (c) The order of the Tribunal under Section 254(1);
 - (d) The application of the assessee or of the Commissioner, as the case may be, requiring the Tribunal to state a case to the High Court under sub-section (1) of Section 256; and
 - (e) Any other relevant paper or papers which the Tribunal may consider relevant for the disposal of the application.
- (2) The statement of the case shall be in the form of numbered paragraphs setting out all the relevant facts and proceedings in their chronological order, the contentions of the parties in relation to the question or questions referred, the finding of fact and law of the Appellate Tribunal thereon and the question or questions of law arising there from and referred. It must not contain any discussion on the questions not referred.
- (3) The Appellate Tribunal, when submitting a statement of the case to the Court, shall forthwith give notice thereon to the parties at whose instance the reference has been made.

21. APPEAL UNDER SECTION 260 A OF THE INCOME TAX ACT 1961:-

Subject to the provisions of Section 260 A of the Income Tax Act, 1961

- (1) An Appeal shall lie to the High Court from every order passed in appeal by the Appellate Tribunal if the High Court is satisfied that the case involves a substantial question of law.
- (2) An Appeal under this sub-section shall be filed within 120 days from the date on which the order appealed against is communicated to the Appellant.

- (3) An Appeal under Section 260-A of the Income Tax Act, precisely stating therein the substantial questions of law involved, shall be filed in triplicate against the decision of the Tribunal. The appellant shall annex to such Memorandum of Appeal, assessment order, Memorandum of Appeal to C.I.T. (Appeals), decision of C.I.T. (Appeals), Memorandum of Appeal to the Income Tax Appellate Tribunal as also the impugned decision of the Tribunal (As regards the Note of appearance and address for service is concerned, High Court of Tripura Rules shall apply to such Memorandum of Appeal).
- (4) The Memorandum of Appeal shall be accompanied by a requisite Court fee as prescribed under the Court Fee Act, 1870 for filing appeals under Section 100 of Code of Civil Procedure.
- (5) Any appeal under this section, shall precisely state the substantial question of law involved in the appeal.
- (6) Where the High Court is satisfied that a substantial question of law is involved in the case, it shall formulate the question.
- (7) An appeal so filed shall be heard on the question so formulated and the Respondent shall, at the hearing of the appeal be allowed to argue it, that the case does not involve such a question.
- (8) Provided that nothing in this sub-rule shall be deemed to take away or abridge the power of the Court to hear, for reasons to be recorded, the appeal on any other substantial question of law, not formulated by it, if it is satisfied that the case involves such question.
- (9) All memorandum of Appeal as provided in this Rule shall be presented to the Registrar (Judicial) who will accept and take on file the memorandum of appeal if sub-rule (3) has been complied with and it appears to him to have been presented within time prescribed by law of limitation.
- (10) If the memorandum of appeal is rejected by the Additional Registrar (Judicial), he shall endorse thereon the date of its presentation and rejection and shall, if requested by the appellant, place it before the High Court for orders.

- (11) Application for the acceptance of a memorandum of appeal rejected by the Registrar (Judicial) shall be made to the High Court at the earliest.
- (12) The High Court on hearing such application shall accept or reject the memorandum of appeal with or without notice to the other side. If accepted, it shall be accepted as on the date of its presentation to the Registrar (Judicial).
- (13) The Appellant shall apply and take out and serve notice of the appeal on the Respondent within 15 days from the date of the order directing notice to the issue on the Respondents, unless otherwise ordered. On his failing to do so, the Registrar (Judicial) may set down appeal on the board for dismissal.
- (14) The Appellant shall on the acceptance of his memorandum of appeal apply to the Registrar (Judicial) for a copy of the notes of evidence and other necessary documents and shall prepare the appeal paper book without delay.
- (15) The Appellant shall prepare and lodge in the office of the Registrar (Judicial) within fifteen days from the service of the notice of appeal, an index of the documents to be included in the appeal paper book and shall apply to the Registrar (Judicial) to appoint a time to settle the index. Notice of time so appointed shall be given by the appellant to the respondent or his Advocate on record.
- (16) The Registrar (Judicial) shall settle the index and shall decide how many copies of the appeal paper book shall be prepared by the appellant.
- (17) If a party is not satisfied with the index as settled by the Registrar (Judicial) he may apply to the Judge in Chambers.

E. RULES UNDER THE BANKING REGULATIONS ACT, 1949

1. APPLICATION RELATING TO BANKING COMPANY WITHIN THE STATE OF TRIPURA: -

An application under Part III or Part III-A of the Banking Regulation Act, 1949 in respect of a Banking Company having its registered office, or in the case of Company incorporated outside India, its principal place of business, within the State of Tripura shall be filed in the Office of the Registrar (Judicial).

2. GENERAL HEADINGS: -

An application under Part III or Part III-A of the Act shall be instituted in the matter of the Act and in the matter of the Banking Company and, where necessary in the matter of the Act under which the Banking Company has been ordered to be wound up.

3. PRESENTATION AND HEARING OF PETITIONS UNDER PART III OR PART III-A OF THE ACT: -

An application under Part III or Part III-A of the Act shall be made by petition and shall be signed and verified in the same manner as a plaint. The petition shall be presented to the Registrar (Judicial) who shall process the matter and if found defect free, place the matter before the Judge taking company winding up matters or to such other Judge as the Chief Justice may direct. The Judge may reject the application summarily or pass such orders and give such directions as he may deem proper, including directions for notice of the petition being given to such person or persons as may seem to him likely to be affected by the proceedings.

4. NOTICE OF PETITION: -

Where notice is directed to be given to any party, it shall be served together with a copy of the petition and the petition shall not be heard until fourteen days after the service of the notice, unless the Judge otherwise directs.

5. GENERAL DUTIES AND POWERS OF THE SPECIAL OFFICER: -

Without prejudice to the generality of the powers of the Court under Section 37(3) of the Act:--

- (1) A Special Officer appointed under Section 37 (3) of the Act shall furnish security in such amount as may be ordered by the Court.
- (2) He shall generally have all the powers and shall take all the steps necessary or expedient to protect the rights and interests of all the creditors and shareholders of the Banking Company and to conserve and ensure the proper disposition according to law of the assets of the Banking Company.
- (3) The Special Officer may be empowered to represent the Banking Company in Proceedings before any Court, Tribunal or Public Officer.
- (4) The Special Officer may apply to the Court for such directions as he may deem necessary.

- (5) The Special Officer shall, where his duties so require, maintain proper accounts.
- (6) The Special Officer shall be paid such remuneration as may be determined by the Court. The said remuneration shall be paid, unless the Court otherwise directs, from the assets of the Banking Company.
- (7) The Special Officer shall continue to supervise the affairs of the Banking Company until he is removed from the Office, or the term of his appointment expires or until the Banking Company resumes business or until a Liquidator is duly appointed to wind-up the business of the Banking Company.

6. INSPECTION OF THE REPORT OF THE RESERVE BANK OF INDIA:

No person, other than the parties to the proceedings and the Official Liquidator shall be entitled to inspection of any report made by the Reserve Bank of India or be entitled to receive a copy thereof without an order of the Court.

7. APPLICATIONS IN WINDING UP TO BE BY PETITION: -

Applications for the determination of all questions of priorities and all other questions whatsoever, whether of law or fact, which may relate to or arise in the course of the winding up of a Banking Company, shall be made by petition. The petition shall contain a statement of facts relied on and the nature of the relief sought for. The petition shall be signed and verified in the same manner as a plaint.

8. NOTICE OF PETITION: -

Petitions mentioned in the last preceding rule shall be presented to the Judge for the time being dealing with the proceedings for the winding up of the Banking Company or to such other Judge as the Chief Justice may direct. The Judge shall direct notice of the petition to be given to the respondent or such person or persons as may seem to him likely to be affected by the proceedings. Such notice shall be served together with a copy of the petition and the petition shall not be heard until fourteen days after service of the notice, unless the Judge otherwise directs.

9. AFFIDAVIT IN ANSWER: -

An answer to the petition shall be made by filing an affidavit and a copy thereof shall be furnished to the petitioner or his Advocate on record at least four clear days before the returnable date of the notice.

10. DIRECTIONS AT THE HEARING OF THE PETITION: -

On the date fixed for the hearing of the petition, the Court may proceed to hear the petition or give such directions as it may think proper as to discovery and inspection, examination of witnesses in Court or in Chambers, taking of evidence by affidavit or otherwise and generally for the speedy determination of the petition.

11. TRANSFER OF SUITS AND PROCEEDINGS TO THE HIGH COURT: -

When the Official Liquidator submits to the Court a report under Section 45-C (2) of the Act, he shall apply to the Judge for the time being dealing with the proceedings for the winding up of the Banking Company or to such other Judge as the Chief Justice may direct, for directions as to the parties to whom notice may be given and the date and time for holding an inquiry whether or not the suits and proceedings mentioned in the report should be transferred to the High Court. The notice shall contain particulars of the suit or proceeding in which the party may be concerned and require him to appear and show cause why it should not be transferred to the High Court. The notice shall be served fourteen days before the date appointed for holding the inquiry.

12. AFFIDAVIT IN REPLY: -

Any party desiring to oppose the transfer of the suit or proceedings to the High Court shall file an affidavit and furnish a copy thereof to the Official Liquidator or his Advocate on record at least four days before the returnable date of the notice.

13. WHEN PROCEEDINGS NOT TRANSFERRED, COURT MAY REQUEST EXPEDITION OF THE SAME: -

If any suit or proceeding pending in any Court is not transferred to the High Court under Section 45-C (3), the Judge for the time being dealing with the proceedings for the winding up of the Banking Company or such other Judge as the Chief Justice may direct, may direct the Registrar (Judicial) to write a letter of request to the Court in which the suit or proceeding is pending, requesting that the suit or proceeding may be disposed of as expeditiously as possible.

14. LIST OF DEBTORS: -

When the Official Liquidator files in the Court a list of debtors under Section 45-D (2) of the Act, he shall obtain appointment from the Judge for the time being dealing with the proceedings for the winding up of the Banking Company or from such other Judge as the

Chief Justice may direct, to settle the same and shall give notice in writing of such appointment to every person mentioned in such list. The notice shall contain such of the particulars mentioned in the list of debtors as are applicable to such person. In case any variation or addition to such list is made by the Official Liquidator, a similar notice in writing shall be given to every person to whom such variation or addition applies. All such notices shall be served four weeks before the date appointed to settle such list, variation or addition.

15. SERVICE OF NOTICE: -

Service of notice upon the debtors shall be effected by sending the notice through the post by a registered letter or if the Judge so directs by any other mode provided under the High Court Rules. The notice shall be addressed to the party to his last known address or place of residence and unless otherwise ordered by the Court such notice shall be deemed to be served at the time the same ought to be delivered in due course of delivery by the post office and notwithstanding the same may be returned by the post office.

16. AFFIDAVIT IN REPLY: -

If the debtor desires to show cause against the inclusion of his name in the list of debtors, he shall file an affidavit and furnish a copy thereof to the Official Liquidator or his Advocate on record at least seven clear days before the day appointed for the settlement of the list.

17. SETTLEMENT OF THE LIST OF DEBTORS: -

On the date fixed for settlement of the list of debtors, the Judge may settle the list or such part thereof as he may think proper. If the Judge is of the opinion that it is not immediately possible to adjudicate upon any particular debt mentioned in the list, he may give such directions as he may think as to discovery and inspection, examination of witnesses in Court or in Chambers, taking of evidence by affidavit or otherwise and generally for the speedy adjudication of the debt. The Judge may in a special case refer the Official Liquidator to a regular suit.

18. OFFICIAL LIQUIDATOR TO REPORT IF HE CONTESTS CLAIMS OF DEPOSITORS: -

If the Official Liquidator desires to contest a claim shown in the books of the company as due to a depositor on the ground that there is reason for doubting the correctness of any

particular entry in the books, he shall make a report to the Judge for the time being dealing with the proceedings for the winding up of the Banking Company or to such other Judge as the Chief Justice may direct, stating his reason for doubting the correctness of such entry; and if, upon such report the Judge is satisfied that there is prima facie reason for doubting the correctness of the entry, the Judge may cause notice to be given to the depositor concerned to come in and prove his claim.

19. REGISTER OF SUITS IN WINDING UP MATTERS: -

Suits in respect of claims made by or against any banking company in liquidation, including claims by or against any of its branches in India, which are filed in the High Court or transferred to it under the Act shall be entered in a separate list to be maintained by the office of the Registrar (Judicial) and shall be treated as expedited suits. If such suits have been filed before the date of the order for winding up, the Official Liquidator shall furnish the Registrar (Judicial) a list of such suits.

20. HEARING OF SUITS AND MATTERS: -

All suits referred to in the preceding rule and all matters and proceedings connected with the suits shall be heard by the Judge for the time being dealing with the proceedings for the winding up of the Banking Company or by such other Judge as the Chief Justice may direct.

21. PROCEDURE IN SUCH SUITS: -

Where the suit is filed as a summary suit, the procedure prescribed for summary suits shall be followed. In all other cases, the suit shall be filed as an ordinary suit and the procedure laid down for such suits shall be followed.

22. APPLICATION FOR INSPECTION OF RECORDS: -

The Reserve Bank of India may apply to the Judge for the time being dealing with the proceedings for the winding up of a banking company or to such other Judge as the Chief Justice may direct, for permission to inspect the records of the banking company or of the High Court in the matter of the banking company, and such permission may be granted by the Judge in his discretion.

23. RECOVERY OF DUES AS ARREARS OF LAND REVENUE: -

When the Court grants leave under Section 45-T (3) of the Act for recovery of any amount found due to the company, the Official Liquidator may apply to the proper Revenue Authorities to recover the said amount as arrears of land revenue.

24. SUPERVISION OF THE CARRYING OUT OF COMPROMISE OR ARRANGEMENT: -

Where an order under Section 391 of the Companies Act, 1956 (Act 1 of 1956) sanctioning a compromise or arrangement in respect of a Banking Company is passed, the Judge may direct the Official Liquidator or any other person to supervise the carrying out of the compromise or arrangement and to make a report to the Court in regard thereto.

25. THESE RULES TO BE IN ADDITION TO COMPANIES (COURT) RULES OF THE SUPREME COURT: -

These rules shall be in addition to and not in derogation of Companies (Court) Rules, 1959, framed by the Supreme Court of India.

CIVIL APPEALS

26. APPEAL TO THE HIGH COURT TO BE HEARD BY DIVISION BENCH:-

- (1) Subject to the provisions of Section 45-N (1) of the Act, an appeal shall lie from an order or decision of a Judge in a Civil proceeding under the Act to the High Court.
- (2) The appeal shall be heard by a Division Bench as directed by the Chief Justice.

27. PERIOD WITHIN WHICH APPEAL SHOULD BE FILED: -

The appeal shall be filed within thirty days from the date of the decree or order appealed from.

28. APPEALS: -

Rules relating to appeals contained in the High Court Rules shall, with any necessary modifications, apply to appeals under Section 45-N (1) of the Act.

CRIMINAL COMPLAINTS

29. PRESENTATION OF COMPLAINTS AND ISSUE OF PROCESS:

Proceedings under Section 45-J of the Act shall commence with a complaint being presented by the Official Liquidator to such Judge as the Chief Justice may direct. On presentation of the complaint the Judge may direct a summons or a bailable or non-bailable warrant to be issued against the accused and may fix a date for the trial, or may, if he thinks fit, postpone the issue of process and direct an inquiry or investigation to be made by the Commissioner of Police or by such other person as he thinks fit, or may dismiss the complaint.

30. PROCESS IN CRIMINAL CASES: -

All complaints shall be filed in the office of the Registrar (Judicial) and all process shall issue from his office.

31. WHAT OFFENCES TO BE TRIED SUMMARILY: -

Offences punishable under the Companies Act, 1956 (Act I of 1956) or under the Banking Regulation Act, 1949 (Act X of 1949) with imprisonment for a term which does not exceed two years or with fine which does not exceed one thousand rupees may be tried in a summary way. An offence triable under Section 45-J (2) of the Act jointly with the offences mentioned in this rule may also be tried summarily, provided that it is punishable with imprisonment for a term which does not exceed two years or with fine which does not exceed one thousand rupees.

32.

(1) PROCEDURE IN SUMMARY TRIALS: -

Where an offence triable under Section 45-J (1) is tried summarily, the procedure provided in the Code of Criminal Procedure for the trial of summons cases shall, so far as it is not inconsistent with the provisions of the Act, be applicable. Where, however, the offence to be tried summarily under Section 45-J (1) is tried jointly with an offence under Section 45-J (2), the procedure provided in the Code of Criminal Procedure for the trial of warrant cases shall be applicable, provided that it shall not be necessary to adjourn the case under Section 256 (1) of the Code of Criminal Procedure before requiring the accused to enter upon his defence or inquiring of him whether he wishes to further cross-examine any witness whose evidence has been taken.

(2) PROCEDURE IN NON-SUMMARY TRIALS: -

Where the offences triable under Section 45-J are not tried summarily, the procedure provided in the Code of Criminal Procedure for the trial of warrant cases, shall, so far as it is not inconsistent with the provisions of the Act, be applicable.

33. BAIL: -

The Court may at any time grant bail to the accused on such terms as it thinks proper.

34. ACCUSED PERSON TO BE COMPETENT WITNESS: -

Any person against whom a complaint is filed by the Official Liquidator under the Act shall be a competent witness for the defence and may give evidence on oath in disproof of the charges made against him or any person charged along with him at the same trial:

Provided that –

- (1) he shall not be called or examined as a witness except with his consent;
- (2) his failure to give evidence shall not be made the subject of any comment by the prosecution nor give rise to any presumption against himself or any person charged along with him at the same trial;
- (3) he shall not be asked, and if asked shall not be required to answer, any question tending to show that he has committed or been convicted of any offence other than the offence with which he is charged, or is of bad character, unless –
 - (a) the proof that he has committed or been convicted of such offence is admissible evidence to show that he is guilty of the offence with which he is charged, or
 - (b) he has personally or by his Advocate asked questions of any witness for the prosecution with a view to establish his own good character or has given evidence of his good character or the nature or conduct of the defence is such as to involve imputations on character of the prosecutor or of any witness for the prosecution, or
 - (c) he has given evidence against any other person charged with the same offence.

35. COMPOUNDING OF OFFENCES: -

All offences triable under Part III-A of the Act may be compounded with the leave of the Court.

CRIMINAL APPEALS

36.

(1) APPEAL AGAINST CONVICTION: -

Any person convicted on a trial held by the High Court in the exercise of its jurisdiction under Section 45-J of the Act may appeal to the High Court-

- (a) against the conviction on any ground of appeal which involves a question of law only,
- (b) with the leave of the Appellate Court or upon the certificate of the Judge who tried the case that it is a fit case for appeal, against the conviction on any ground of appeal which involves a question of fact only or a mixed question of law and fact, or any other ground which appears to the Appellate Court to be a sufficient ground of appeal; and
- (c) with the leave of the Appellate Court, against the sentence passed unless the sentence is one fixed by law.

(2) APPEAL AGAINST ACQUITTAL:-

The Official Liquidator may appeal to the High Court against any order of acquittal on any ground of appeal which involves a question of law only.

37. PERIOD OF LIMITATION: -

An appeal under the last preceding rule shall be filed within thirty days from the date of the order appealed from.

38. APPLICATION TO THE TRIAL JUDGE FOR A CERTIFICATE: -

An application to the Judge who tried the case for a certificate that it is a fit case for appeal may be made either orally at the end of the trial or by petition giving the grounds on which such certificate is sought and showing that the period of limitation for the appeal has not expired.

39. MEMORANDUM OF APPEAL:-

The memorandum of appeal shall be made giving brief facts and the grounds of objection numbered consecutively, and the grounds upon which the leave, if any, of the Appellate Court is sought. It shall also show that the appeal is within time, and shall be accompanied by a certified copy of the judgment and the sentence or order of the Court,

and also of the certificate of the Judge who tried the case that it is a fit case for appeal, when such certificate has been given.

40. PROCEDURE ON PRESENTATION OF APPEAL:-

On presentation of an appeal, the date of such presentation shall be marked thereon, and if it is within time it shall be accepted and entered in the register of appeals to be kept for the purpose. When an appeal appears to the Registrar (Judicial) to be beyond time, the same may be registered only when an application for condonation of delay has been submitted, and such application shall be placed before the Court for orders.

41. ADMISSION OF APPEALS:-

Applications referred to in the preceding rule, together with the memorandum of appeal in question and appeals which have been accepted by the Registrar (Judicial) being within time, shall be placed for admission before a Division Bench.

42. APPLICATIONS FOR BAIL IN APPEALS:-

Applications for bail shall ordinarily be made to the Appellate Court at the time of admission.

43. APPLICATIONS FOR NOTES OF EVIDENCE:-

Upon admission of an appeal, the appellant shall apply with due diligence for a certified copy of the notes of evidence and of the requisite documentary exhibits, and shall pay the usual charges, unless the Registrar (Judicial) in his discretion thinks fit to dispense with such payment in whole or in part.

44. PAPER BOOKS TO BE PREPARED BY APPELLANT AND TO BE TYPED OR CYCLOSTYLED:-

The appeal paper books shall be prepared by the appellant within six weeks of the admission of the appeal unless otherwise directed by the Court. Provisions regarding preparation of paper book provided in the High Court Rules shall be applicable for this Rule.

45. CONTENTS OF PAPER BOOK:-

The appeal paper book shall consist of two parts and shall contain the following documents arranged in the following order:-

PART I

- (1) Complaint,
- (2) Charge or charges against the accused in the trial Court,
- (3) Notes of evidence including statement of the accused,
- (4) Judgment including sentence or order,
- (5) Certificate of the Judge who tried the case, if any,
- (6) Order of the Appellate Court granting leave, if any,
- (7) Memorandum of appeal,
- (8) Order admitting the appeal,
- (9) Such other papers as may be deemed necessary by the Registrar (Judicial).

PART II

EXHIBITS

46. PROCEDURE IN DEFAULT OF FILING OF PAPER BOOKS:-

Where the appellant, after admission of an appeal, does not diligently prosecute the appeal and does not file copies of the appeal paper book as required, the appeal shall be placed before the Appellate Court for dismissal. The Appellate Court may dismiss the appeal or pass such order as it may think fit.

MISCELLANEOUS

47. SECTION 5 LIMITATION ACT APPLICABLE:-

The provisions of Section 5 of the Limitation Act, 1963 shall apply to appeals Civil or Criminal under the Act.

48. CODE OF CIVIL PROCEDURE AND CODE OF CRIMINAL PROCEDURE TO APPLY:-

The provisions of the Code of Civil Procedure and the provisions of the Code of Criminal Procedure, unless inconsistent with the rules contained in this chapter shall, with any necessary modifications, apply to the civil or criminal proceedings and appeals under the rules in this chapter, as the case may be. In case of inconsistency between the provisions of the Code of Civil Procedure and the rules of the Court referred to herein the said rules of the Court shall prevail.

F. RULES UNDER SECTION 82 OF THE ARBITRATION AND CONCILIATION ACT, 1996

1. FORM OF THE APPLICATION:-

- (1) Every application under Section 9, Section 14, Section 17, Section 27, Section 34, Section 39, and Section 43 of the Act shall be made in writing duly signed and verified in the manner prescribed by Order VI Rules 14 and 15 of the Code of Civil Procedure, 1908 and shall be supported by an affidavit.
- (2) It shall be divided into paragraphs numbered consecutively and shall contain the name, description and place of residence of the parties. It shall contain a statement in concise form-----
 - (a) The material facts constituting cause of action;
 - (b) Facts showing that the Court to which the application is presented has jurisdiction;
 - (c) Relief asked for; and
 - (d) Names and addresses of the persons liable to be affected by the application;
 - (e) Provided that where a party, by reason of absence or for any other reason, is unable to sign and verify the same, it may be signed and verified by any person duly authorized by him in this behalf and is proved to the satisfaction of the Court to be acquainted with the facts of the case.
- (3) An application for enforcement of an arbitral award under Section 36 or a foreign award under Section 47 or Section 56 shall be in writing signed and verified by the applicant or by some other person proved to the satisfaction of the Court to be acquainted with the facts of the case, and shall contain in a tabular form the particulars prescribed in sub-rule (2) of Rule 11 of Order 21 of the Code of Civil Procedure, 1908.
- (4) The Court Fees (in Court fee stamps) on the application/Vakalatnama/Appeal made/preferred to the Court/Court of appeal under the Act shall be payable according to the Schedule below:-

**SCHEDULE I:
1. APPLICATIONS**

Sl. No.	Nature of application	Amt. Of Court fee
1	Application under Section 9	500
2	Application undersub-section (1) of Section 17	100
3	Application under Section 34	1000
4	Application under Sections 14, 27, 36, 39 and 43	400

5	Application under Sections 47 & 56	2000
6	Any other application	100
7	Vakalatnama	As Prescribed in Court fee Act, 1870

II. APPEALS

Sl. No.	Nature of Appeal	Amt. Of Court fee
1	Appeal against an order on an application under Section 9	500
2	Appeal against order of the Arbitral Tribunal accepting the plea referred to in sub-section (2) or sub-section (3) of Section 16	500
3	Appeal against an order on an application under	1000
4	Appeal against an order refusing to refer the parties to arbitration under Sections 45 and 54	500
5	Appeal against an order refusing to enforce a foreign award under Section 48 and sub-section (2) of Section 57.	2000

2. REJECTION OF APPLICATION:-

Where the application made by the party is not in accordance with the provisions of these rules, the Court may reject the application.

3. REGISTRATION OF APPLICATION:-

Every application shall, if the Court is satisfied that the same is in order, be numbered and registered as an arbitration case and every appeal shall be registered as an arbitration appeal.

4. NOTICE TO OPPOSITE PARTY:-

The Court to which an application is presented shall direct notice thereof to be given to the opposite party and to such other persons as are likely to be affected by the proceedings requiring to show cause within a time to be specified in the notice why the relief sought in the application be not granted. The notice shall be accompanied by a copy of the application and documents filed by the applicant.

5. SAVING PROVISION:-

(1) Save as otherwise expressly provided in the Act or these Rules the following provisions of the Code of Civil Procedure, 1908 (V of 1908) shall apply to the proceedings before a Court in so far as they may be applicable thereto, namely:-

- (a) Sections 28, 31, 35A, 35B, 107, 133, 135, 148A, 149, 151 and 152,
- (b) Orders III, V, VI, IX, XIII, XIV, XVI to XIX, XXIV, and XLI.

- (2) For the purpose of facilitating the application of the provisions referred to under sub-rule (1), the Court may construe them with such alterations, not affecting the substance, as may be necessary or proper to adapt to the matter before it. The Court may, for sufficient reasons, proceed otherwise than in accordance with the said provisions if it is satisfied that the interests of the parties shall not thereby be prejudiced.

G. RULES UNDER THE BANKERS' BOOKS EVIDENCE ACT, 1891

1. SCALE OF FEES:-

A Bank ordered under the Bankers' Books Evidence Act, 1891 (XVIII of 1891) to supply certified copies of entries from its books shall be entitled to charge on the following scale:--

Sl. No.	Particulars	Scale of fees
1	Searching fee- For each year or part of a year in respect of which search is made.	Rs. 5
2	Copies-For each Bank folio or part thereof	Rs. 5
3	Certificate – For the certificate under Section 6 of the Act.	Rs. 5

Explanation:- A Bank folio for this purpose is a page of the Bank's books of not less than 40 and not more than 50 lines.

2. NOTICE:-

On an application/petition being preferred for an order under the said Act, the Court or a Judge may direct that notice of the application/petition shall be served on the Bank or Banks named in the application/petition.

3. PARTICULARS OF ENTRIES:-

The application/petition shall set out particulars of the entries of which it is desired to obtain copies (or, if this is impossible, the year or years in which such entries will appear) and the materiality of such entries.

4. TIME PERIOD:-

All applications/petitions shall be made in such sufficient time so as to allow three clear day's notice as required to be given under Section 6 (2) of the Bankers' Books Evidence Act, and all applications/petitions not made in such sufficient time shall state the reason thereof.

5. ORDER TO BE SERVED ON BANK:-

The party who has obtained such order shall serve it upon the Bank or Banks affected and at the same time pay to the Bank or Banks the searching fee of which the amount shall be stated in the order.

6. PROCEDURE AFTER SERVICE ON BANK:-

Upon service of the order, the Bank or Banks shall forthwith cause search to be made and shall thereafter forthwith inform the party who has obtained the order the amount to be paid to such Bank or Banks for copies of the entries to be made in terms of the order.

7. AMOUNT TO BE PAID:-

Thereupon the party concerned shall pay to the Bank or Banks the amount so stated above and also the fee for the certificate and the Bank or Banks shall upon receipt thereof forthwith prepare and deliver to the party the copies of the relevant entries together with the certificate as mentioned under Section 6 of the Act.

8. LEVY OF COST:-

Nothing in the above rules shall be construed as derogating from the power of the Court or the Judge to make such orders as to costs in particular cases as may seem appropriate to it or him under Section 7 of the Act.

H. RULES UNDER SECTION 4 OF THE POWERS OF ATTORNEY ACT, 1882

9. CUSTODY OF INSTRUMENTS:-

The Registrar (Judicial) shall have the custody of all instruments deposited in the Court under Section 4 (a) of the Powers of Attorney Act, 1882.

10. REGISTER OF DOCUMENTS:-

(1) A register of all such documents shall be kept under the following headings:-

- (a) Description of documents;
- (b) Date;
- (c) By whom deposited; and
- (d) When deposited.

FEES:-

The following fees shall be paid by means of Court fee stamps under Section 4 sub-sections (a), (b) and (c):

Sl. No.	Particulars	Rs.
1	For filing every power and other documents	100
2	For obtaining copy	10
3	Where the copy is presented by the party @ 5.00	5/- per folio
4	For searching and inspecting each set of documents	10

CHAPTER XVIII
ADVOCATE AND ADVOCATE CLERK

A. ADVOCATE

1. APPEARANCE OF ADVOCATE:-

- (1) Every Advocate who is on the Roll of Advocates of the Bar Council of Tripura may act, appear and plead in any matter in the High Court.
- (2) An Advocate who is not on the Roll of Advocates of the Bar Council of Tripura may also act, appear and plead in any particular matter in the High Court;

Provided that such Advocate-

- (i) Furnishes a local address of service as required by these Rules and specifies the same on the *Vakalatnama* or note of appearance filed by him in every matter;
- (ii) Specifically endorses on the *Vakalatnama* his unique registration or roll number of the Bar Council with which he is registered;
- (iii) Files, along with his *Vakalatnama*, a signed declaration confirming that he continues to be on the Rolls of that Bar Council and is entitled to practice and that his license to practice has not been revoked, suspended or cancelled as on the date of the filing of the *Vakalatnama*;
- (iv) Shall also be bound by all other Rules applicable to Advocates registered with the Bar Council of Tripura who are entitled to practice in the High Court.

2. OFFICIAL ADDRESS:-

- (1) Every Advocate shall, along with his *Vakalatnama*, file a memorandum of local address which shall be the address where service as required under these Rules may be effected.
- (2) Except on Court holidays, service at such address shall be delivered and deemed to be accepted at any time from 10.30 a.m. to 6.30 p.m. on weekdays and from 10.30 a.m. to 3.00 p.m. on Saturdays, with one or more Clerks present thereat to accept service.
- (3) If it is brought to the notice of the Registrar General that the location of the address of any Advocate is inaccessible for service, the Registrar General,

after giving an opportunity to the Advocate concerned of being heard and after recording reasons in writing, may direct that the Advocate shall, within a specified time, notify another location of his address for service and obtain the approval thereto of the Registrar General within such specified time. If within such specified time or such further time as may be granted by the Registrar General, the Advocate fails to notify a new address for service, and obtain an approval of the Registrar General thereto as aforesaid, the Registrar General shall make a report to the Chief Justice or such other Judge as may be nominated by the Chief Justice for suitable directions and shall also intimate the Bar Council concerned of the report made. The Chief Justice or the Judge nominated by the Chief Justice, after hearing the Advocate concerned, may pass appropriate orders in the matter.

3. NO APPEARANCE WITHOUT VAKALATNAMA OR UNDERTAKING:-

No Advocate shall appear or plead in any matter without filing a *Vakalatnama* unless he has given an undertaking to file his *Vakalatnama* within two weeks from the date when he appears without having so filed a *Vakalatnama* or before the next date of hearing, whichever is earlier.

4. RATIFICATION OF ACCEPTANCE OF VAKALATNAMA BY THE ADVOCATE CONCERNED WHEN ENDORSEMENT OF ACCEPTANCE IS MADE BY ANOTHER:-

Where an endorsement of acceptance on the *Vakalatnama* has been made by any other Advocate on behalf of the advocate concerned, the latter shall ratify the acceptance of the *Vakalatnama* within one week of its being filed by putting his own signature to it.

5. JOINT VAKALATNAMA:-

Where two or more Advocates file a joint *Vakalatnama*, the same should show the address for service of any one Advocate, which should be the address for service of the Advocates for the suit or proceeding.

Provided that where *Vakalatnama* is being filed by more than one advocate it is sufficient that if the address for service of the senior most advocate among them is furnished.

6. CONSENT OF ADVOCATE NECESSARY BEFORE ANOTHER ADVOCATE FILES APPEARANCE:-

An Advocate shall not be permitted to file appearance in any matter or proceeding if there is already an Advocate, unless he produces a written consent or no-objection of the Advocate.

Provided that no such consent shall be necessary where the Advocate has been suspended or removed from practice, or has ceased to practice, or has been rendered incapable of practicing on account of physical or mental incapacity or any other cause;

Provided further that the Court may in any appropriate case dispense with such consent, if it deems fit to do so. Upon every such change of Advocate, the rules regarding intimation of a local address for service shall apply to the new Advocate.

7. WITHDRAWAL OF APPEARANCE:-

- (1) When an Advocate who has filed a *Vakalatnama* for a party wishes to withdraw his appearance he shall serve a written notice of his intention to do so on his client at least seven days in advance of the case coming up for hearing before the Court. Leave of the Court to withdraw appearance may also be applied for if the client has instructed the Advocate to that effect.
- (2) The Advocate shall file a note in writing requesting the Court for permission to withdraw appearance and shall also file along with the Note the letter of the client instructing him to withdraw his appearance or a copy of the intimation given to the client as above together with its written acknowledgment by the client. The Court if it is satisfied that no inconvenience is likely to be caused to the Court or the client may permit the Advocate to withdraw his appearance and while permitting the Advocate to do so may also impose such terms and conditions as it may deem proper either in public interest or in the interest of the parties.

8. PARTY REPRESENTED BY ADVOCATE NOT ENTITLED TO ACT OR APPEAR IN PERSON:-

When a party is represented by an Advocate, he shall not be entitled to make any application or file any pleadings or appear in person, unless the Court or the Registrar (Judicial), as the case may be, allows him to do so.

9. PARTY IN PERSON TO SUPPLY ADDRESS AND POSTAGE, IF DESIRING INFORMATION REGARDING HIS MATTER BY POST AND TO SUPPLY OPTIONALLY EMAIL ADDRESS:-

At the time of presentation, the party in person shall supply a memorandum of his address to which communications regarding the matter presented by him should be addressed by the office and sufficient postal stamps for the postage and registration charges. The party in person may, at his option, and if such facility is made available by the High Court, provide a working email address for such communications and it shall be the responsibility of such party to ensure that the said email address is functional during the pendency of his matter; that it is regularly checked; and that any change thereof is duly intimated to the Registrar.

10. ADVOCATES MAY SUPPLY EMAIL ADDRESS NOT ORDINARILY PRACTISING IN HIGH COURT TO RECEIVE WRITTEN INSTRUCTIONS AND SUPPLY NECESSARY POSTAGE, IF DESIRING INFORMATION REGARDING THEIR MATTERS BY POST:-

Advocates who do not reside or do not have their Office within the limits of Tripura, in respect of their appearances in the High Court as the case is---

- (1) Shall comply with the foregoing rules regarding a local address for service;
- (2) Shall have a recognized clerk attached to the High Court of Tripura or registered as such with the Office of the Registrar (Judicial) or as any other Registrar as may be nominated by the Chief Justice for this purpose.
- (3) Service on such clerk shall be deemed to be service on the Advocate as provided in these Rules.
- (4) May, at their option, and if such facility is made available by the High Court, provide a working email address for such communications and it shall be the responsibility of the Advocate to ensure that the said email address is functional

during the pendency of his matter; that it is regularly checked; and that any change thereof is duly intimated to the Registrar (Judicial).

11. ACCEPTANCE OF SERVICE BY ADVOCATE ON BEHALF OF CLIENT:-

When an advocate has filed his *Vakalatnama* for a party in any proceeding, he shall accept service on behalf of his client of all processes (including an Interim Application and Summons for Judgment) issued in the suit or matter until he is discharged.

12. RESPONSIBILITY OF ADVOCATE FOR PAYMENT OF FEES:-

An Advocate of any proceeding shall be responsible for fees chargeable under the rules of the High Court (but not Court fees, for which a party shall be liable) until an order for his discharge is obtained.

13. ADVOCATE KEEPING ACCOUNTS:-

Every advocate shall keep such Books of Accounts as may be necessary to show and distinguish in connection with his practice as an Advocate—

- (1) Moneys received from or on account of and moneys paid to or on account of each of his clients and,
- (2) The money received and the moneys paid on his own account.

14. OBLIGATION TO PAY MONEY INTO A “CLIENT ACCOUNT”-

Every Advocate who holds or receives money on account of a client shall forthwith pay such money to a current or deposit account maintained at a Nationalized Bank having local branch at Agartala to be kept in the name of the Advocate in the title of which the word “client” shall appear (hereinafter referred to as “clients account”). An Advocate may keep one client account or as many such accounts as he thinks fit:

Provided that when an Advocate receives a cheque or draft presenting in part money belonging to the client and in part money due to the Advocate, he may, where practicable, split the cheque or draft and pay to the client account that part only which represents money belonging to the client. In any other case he shall pay the whole of such cheque or draft into the client account.

15. PRODUCTION OF ACCOUNTS FOR INSPECTION:-

In order to ascertain whether the above rules have been complied with, the Court may require any Advocate to produce before the Registrar-General his Books of Accounts, bank pass-books, statements of accounts, vouchers and any other necessary documents for inspection. On a report from the Registrar-General, if, after hearing the Advocate, the Court is of the opinion that the name of such Advocate be removed from the Register permanently or for some period, it may direct accordingly and may further direct the Registrar-General to report the name of the Advocate to the Bar Council for necessary action.

16. ADVOCATE FOR THE OFFICIAL LIQUIDATOR NOT TO ACT, APPEAR OR PLEAD FOR ANY OTHER PARTY IN MATTERS ARISING IN WINDING UP OF COMPANY:-

No Advocate who is appointed to assist the Official Liquidator of a Company in the performance of his duties under section 181 of the Indian Companies Act, 1913, or section 459 of the Companies Act, 1956, shall, except with the leave of the Court, act, appear or plead for any creditor or debtor or contributory of such company or for any third party in any matter or proceeding, whether civil or criminal arising out of or in the course of the winding up of such Company.

17. REGISTRATION IN ADVOCATE ROLL:-

(1) Application to be admitted to the Roll of Advocates of the High Court shall be in writing, addressed to the Chief Justice and Judges of the Court, and shall be delivered to the Registrar (Judicial) or the Deputy Registrar (Judicial) of the Court personally or through an Advocate of the High Court. The application, which must be dated, stamped with a Court-fee label of the prescribed value and signed by the applicant, shall state:

- (a) the age of the applicant;
- (b) the date on which the applicant acquired necessary qualifications for enrolment;
- (c) whether or not it is his intention to practice within the jurisdiction of the Court, and, if so, the district which he proposes to make his ordinary place of business;
- (d) whether or not he holds any appointment under Government, and, if so, the nature of the appointment held;

- (e) whether or not he is engaged in any business in India, and if he is, the nature of such business and the place where it is carried on;
 - (f) whether he has been convicted by a Criminal Court or dismissed from Government service, if so, he should give further particulars to show that the conviction or dismissal was not due to conduct rendering him unfit to be enrolled as an Advocate;
 - (g) whether he has been declared insolvent;
 - (h) whether he is a discharged insolvent, and, if so, he should further give particulars to show that his insolvency was due to misfortune or circumstances beyond his control.
- (2) The application shall be accompanied by:
- (a) Satisfactory evidence of the applicant's qualifications under Rule 1;
 - (b) Two testimonials of good character and conduct of the applicant from designated Senior Advocates of the High Court.
 - (c) if the applicant has been enrolled as an Advocate of any one or more of the other High Courts (including Courts of Judicial Commissioner) in the Union of India, a certificate or certificates of other satisfactory evidence of such admission, showing that his name is still borne on the Roll of such other High Court or High Courts, or, if his name has been removed, the circumstances under which it was removed;
 - (d) If the applicant has practiced under any other High Court, evidence that his conduct as an Advocate has been satisfactory;
 - (e) An extra copy of the application for the records of the Bar Council;
 - (f) A written undertaking that:
 - i. He will within six months of his enrolment as an Advocate apply for membership of a Bar Association, and if admitted, continue to be member.
 - ii. He will abide by the rules regulating the appointment of clerks by legal practitioners.
 - iii. He will faithfully observe and obey all rules made by the High Court of Tripura.
 - iv. Whether he has made any previous application for admission as an Advocate to any High Court and whether it has been refused.

- (g) No woman shall be disqualified for admission as an Advocate by reason only of her gender.
- (h) The Chief Justice and Judges may, if for any special reason, think it desirable to do so relax the provisions of any of these rules and permit the enrolment of any other person who in their opinion is sufficiently qualified as an Advocate or permit such person to appear as an Advocate in a particular case.
- (i) On receipt of the application, the Registrar (Judicial) or the Deputy Registrar (Judicial) shall cause a notice of the said application to be served on the Secretary, Bar Council, together with the application and enclosures or copies of the same, intimating that the application will be taken into consideration after ten days from the date of the service of the notice and inquiring whether the Bar Council has any objection to the granting of the application. The Registrar (Judicial) or the Deputy Registrar (Judicial) shall forward the copy of the application to the Secretary, Bar Council, which will be retained by him for the records of the Bar Council.
- (j) Every candidate for admission as an Advocate shall attend in person, if so required by the Bar Council, for the purpose of giving further information touching any matter mentioned in his application for enrolment, certificates and statements filed by him.
- (k) If the Bar Council prefers any objection to the admission of the applicant, such, objection shall be laid before the High Court for hearing in accordance with the provisions of the Indian Bar Councils Act, 1926.
- (l) At such hearing the applicant and the Bar Council will be entitled to be heard and represented by counsel, if they so choose.
- (m) The fee payable to the Bar Council by every applicant for admission as an Advocate of the High Court shall be Rs. 1000 or such other sum as may be fixed by the Bar Council from time to time.
- (n) If the application for enrolment as an Advocate be granted, the Registrar (Judicial) or the Deputy Registrar (Judicial) will, on payment of the stamp duty, if any, chargeable under the Stamp Law for the time being in force in the State of Tripura and on production of a receipt

from the Secretary, Bar Council, showing that admission of the Bar Council, has been paid, deliver to the applicant a certificate of admission and enrolment in the form annexed to these rules under his signatures and the seal of the High Court and enroll his name in the Court's Roll of Advocates.

18. APPEARANCE OF AN ADVOCATE

- (1) Save as otherwise provided for in any law for the time being in force and in these Rules, no advocate shall be entitled to appear, plead or act for any person in any Court in any proceeding unless the advocate files an appointment in writing signed by such persons or his recognized agent or by some other persons duly authorized by or under a power of attorney to make such appointment and signed by the advocate in token of its acceptance, or the advocate filed a memorandum of appearance in the form prescribed by the High Court:

Provided that where an advocate has already filed an appointment in any proceeding, it shall be sufficient for another advocate, who is engaged to appear in the proceedings merely for the purposes of pleading, to file a memorandum of appearance or to declare before the Court that he appears on instructions from the advocate who has already filed his appointment in the proceedings:

Provided further that nothing herein contained shall apply to an advocate who has been requested by the Court to assist the Court as *amicus curiae* in any case or a proceeding or who has been appointed at the expense of State to defend an accused person in a Criminal Proceedings.

Explanation:- A separate appointment or a memorandum of appearance shall be filed in each of the several connected proceedings, notwithstanding that the same advocate is retained for the party in all the concerned proceedings.

19. AMICUS CURIAE:-

- (1) The appointment of *amicus curiae* shall be made from the panel of advocates prepared as under following rules to represent accused/litigant in the *lis* before the Court at the expense of the State and it shall also be noted in order sheet.

- (2) *Amicus curiae* shall be entitled to inspect the records of the case. The office of the Registrar (Judicial) shall furnish him with the necessary papers and the Court shall allow him reasonable adequate time for presenting the case.
- (3) The panel of advocates of not more than 10-20, who are suitable and willing, may be prepared and approved according to the respective years of experience of each advocate by the Chief Justice every year in January. A panel once prepared shall remain in force until fresh panel of advocates is prepared.
- (4) The fees payable to the *amicus curiae* shall be determined by the Court.

20. ADVOCATE WHOSE NAME IS NOT ON THE ROLL OF ADVOCATES:-

- (1) An advocate whose name is not on the roll of advocate or the bar council of the state in which the Court is situated shall not appear act, or plead in such Court, unless he files an appointment along with an advocate whose is on the Roll of the such State Bar council and who is ordinarily practicing in such Court.
- (2) In Cases in which a party is represented by more than one advocate, it shall be necessary for all of them to file a joint appointment or for each of them to file a separate one.
- (3) Unless the Court grants leave, an advocate is not on the roll of the advocates in the High Court of Tripura shall not be allowed to appear, act or plead in the High Court of Tripura unless he files an appointment along with an advocate who is on the roll of the State Bar Council.
- (4) The Roll of Advocates shall bear in regard to each advocate entered, his full name, Father's name, passport size coloured photograph, enrolment number, date of enrolment, complete postal address both of residence and office which shall be in the municipal limits of the town of Agartala.
- (5) The Rolls shall be prepared and revised periodically in the manner and under the authority as may be prescribed by the Chief Justice of Tripura.

21. POWER TO DEBAR:-

- (1) An Advocate who is found to have accepted money in the name of a Judge or on the pretext of influencing him; or

- (2) An Advocate who is found to have tempered with the Court record or Court order; or
- (3) An Advocate who browbeats and /or abuses a judge or judicial officer or staff of the Registry of the High Court; or
- (4) An Advocate who is found to have sent or spread unfounded and unsubstantiated allegations/ petitions against judge of the High Court or a judicial officer; or
- (5) An Advocate who actively participates in a procession inside the Court campus and/or involves in a “gherao” inside the Court room or holds placard inside the Court room; or
- (6) An Advocate who appears in the Court under the influence of liquor;
Shall be debarred from appearing before the High Court permanently or for such period as the High Court may think fit and proper the Registrar General shall thereupon report the said fact to the Bar Council of Tripura.

22. POWER TO TAKE ACTION:-

- (1) Where any such misconduct referred to in the rule 21 above is committed by an advocate before the High Court, the High Court shall have the power to initiate action against the advocate concerned and debar him from appearing before the High Court.
- (2) The High Court shall before making an order under rule 21 above, issue to such advocate a summon returnable before it, requiring the advocate to appear and show cause against the matters alleged in the summons and the summons shall if practicable, be served personally upon him.
- (3) The High Court May before making the final order under rule 21 above, pass an interim order prohibiting the advocate concerned from appearing before the High Court as it may deemed fit, pending enquiry.

23. HEARING TO BE STAYED FOR NON-ATTENDANCE OF ADVOCATE OWING TO ILLNESS OR OTHER CAUSES:-

- (1) When an Advocate is prevented from attending the Court on any day by reason of illness, he shall, for the purpose, send intimation, either in writing to the Registrar (Judicial) or by sending email from his registered email address to the designated email address of the High Court, before

10.30 a.m. on that day only, for being processed, approval and circulation before the Honourable Court. The hearing of the case in which such advocate is engaged may be adjourned for the day provided that such advocate is the only advocate representing the party. This sub-rule shall apply only where intimation of illness is filed only for one day. If an advocate is prevented by reason of illness from attending the Court for more than one day, he may file a note praying for leave, of absence as provided in sub-rule (2).

- (2) When an advocate is prevented from attending the Court for a period exceeding one day by reason of illness or other sufficient cause, he shall, for the purpose, send intimation, either in writing to the Registrar (Judicial) or by sending email from his registered email address to the designated email address of the High Court, before 1.30 p.m. only. The intimation should be sent 24 hours (one working day) in advance, for being processed. The Chief Justice or any other Judge as may be nominated by the Chief Justice for this purpose may, grant leave for such period not exceeding one week as he may deem proper or may refuse such leave. The cases in which such advocate is the only advocate representing the party shall stand adjourned during the period of leave. Such cases shall however, retain their place on the Daily Board with the necessary note as to the date to which such cases are adjourned. Nothing in this sub-rule shall apply to Criminal Cases, Special Civil Applications and matters specially fixed for hearing or expedited by the order of the Court and matters on the daily Board.

24. WITHDRAWAL OF APPEARANCE BY ADVOCATE:-

- (1) An advocate may with the leave of the Court withdraw his appearance if his client has instructed him to that effect or if he has duly intimated to the client his inability to represent him. Leave of the Court shall be sought within a week of the advocate receiving the client's instructions or the client receiving the Advocate's intimation, as the case may be.
- (2) The Registrar (Judicial) may exercise the power of the Court in sub-rule (1) where leave to withdraw is sought in a case which is not on the Daily Board.

- (3) Where leave to withdraw has been granted by the Court or the Registrar a notice to the party concerned shall be sent.

25. DRESS CODE FOR ADVOCATES:-

- (1) Advocates, appearing in the High Court shall wear the following as part of their dress which shall be sober and dignified;
- (2) **Advocates other than lady advocates:**
 - (a) a black buttoned-up coat, chapkan, achkan, black sherwani and white bands with Advocate's Gown, or
 - (b) a black open breast coat, white shirt, white collar, stiff or soft, and white bands with Advocates' Gowns.

In either case stated above long trousers (white, black, striped or grey) or *Dhoti*.

- (3) **Lady advocates:**
 - (a) Black buttoned-up coat and full or half-sleeve jacket or blouse, white collar stiff or soft with white bands with Advocates' Gowns;
 - (b) Sarees or long skirts or Salwar-Kameez (white or black or any mellow or subdued colour without any print or design) or flares (white, black or black-striped or gray):

B. ADVOCATE CLERKS

1. WHO ARE ADVOCATE CLERKS OR MOHOR?

- (1) The expression "recognized clerk" means a clerk employed by an advocate and permitted as such to have access to the Court and the Registry in connection with his clerical work.
- (2) Two or more clerks of a legal practitioner may be recognized if the extent of practice necessitates their employment.

2. NUMBER OF ADVOCATE CLERKS:-

- (1) An advocate may avail service of one or more clerks, but not more than two clerks shall be registered for one advocate.
- (2) The clerk shall not be registered for providing clerical services to more than three advocates at a time.

3. REGISTRATION OF ADVOCATE CLERKS IS NECESSARY:-

No clerk employed by an Advocate shall be allowed access to the Offices of the Court, or to present and receive papers or to act on behalf of Advocate in formal matters unless he is registered as a Clerk of that Advocate.

4. ELIGIBILITY CRITERIA OF ADVOCATE CLERK:-

A Clerk of an advocate shall be eligible to be registered as an registered advocate clerk if he fulfills the following criteria:-

- (1) Citizen of India
- (2) Above 21 years of age
- (3) At least a matriculate/Higher Secondary passed from a recognized University or a Board of School Education.

5. Disqualification of advocate clerks:-

- (1) A person who has been convicted of any offence by Court of law; or
- (2) A person who is declared insolvent; or
- (3) A person who is convicted for an offence of moral turpitude; or
- (4) A person is an ex-petition writer, ex-deed writer whose licence has been cancelled for corruption or dishonesty; or
- (5) If he is found guilty of having suppressed any material fact having comparing on the Registration under these rules; or
- (6) If he is found indulging in soliciting; or
- (7) If he is found receiving payment from litigant on a miss representation; or
- (8) If he is found to have tempered with any document, petition etc to be presented in the Registry or Court or tempered with the record of the Court whether judicial or administrative; or
- (9) If the commits a breach of any of the condition prescribed in these Rules.

6. ADVOCATE WHO DO NOT HAVE ADVOCATE CLERK:-

An Advocate who does not employ a clerk as stated hereinabove shall attend the office of the Registrar (Judicial) personally and regularly for presenting and receiving his papers and he will be deemed to have notice of all communications concerning him and which are placed on the notice board of the office or on the website of the High Court or both.

7. APPLICATION BY ADVOCATE FOR RECOGNITION OF CLERKS:-

- (1) Every application for recognition shall be made by a legal practitioner, by a letter addressed to the Registrar General in the following form:-

“I beg that (name)..... son of
.....aged.....resident
of.....may be recognized as my clerk.

I have made due enquiries with regard to the character and qualification of the candidate, and certify that in my opinion he is a fit and person to be recognized as a legal practitioner's clerk, under the rules made by the High Court of Tripura. I also, certify that he will be employed bona fide in my service for clerical work".

- (2) The application shall state the legal practitioner's standing at the Bar, the name or names of the recognized clerks, if any, already in his service, and the educational qualifications of the person proposed to be employed as a recognized clerk.
- (3) An application for renewal of recognition shall be made by the Advocate to the Registrar General before the 15th January of each year.
- (4) A fee of Rs.100/- for recognition and an annual fee of Rs.50/- for the renewal of recognition shall be payable in respect of each clerk. The fee payable for renewal will be Rs.100/- if the application for renewal is made after the date mentioned in the preceding sub-rule. The fee shall be paid of non-judicial stamps affixed to the applications.
- (5) No person convicted of an offence involving moral turpitude shall be registered as a recognized clerk after taking into consideration the age, and antecedents of the person, the circumstances in which the offence was committed, the interval since conviction and the conduct of the person during that interval, the Registrar General is of the opinion that the conviction should no longer operate as a bar to the registration. No person shall be registered as a recognized clerk unless the Registrar General is satisfied that he has a sufficient elementary education in Bengali and also in English.
- (6) No clerk recognized as the clerk of one legal practitioner shall do business in the Court or its registry on behalf of any other legal practitioner unless permitted in writing to do so by his master on special occasions.

8. MAINTAINING OF THE REGISTER FOR ADVOCATE CLERKS:-

The Registrar General shall maintain in the following form, a register of all recognized clerks:

Serial No.	Name	Father's name	Residence	Date of Registration
1	2	3	4	5
Name of advocate under whom employed		Date of removal from the Register with cause for removal in brief		
		7	8	6

Note:- The register will be open for inspection on payment of the usual fees prescribed for inspection of registers.

9. REMOVAL OF NAME OF CLERK FROM REGISTER:-

- (1) The Registrar General shall have the sole authority to determine the conditions for registration of advocate clerk. If in his opinion advocate clerk, is not sufficiently qualified or is otherwise unsuitable to be registered as such and may for reasons to be recorded in writing, remove from the Register the name of any clerk after giving him and his Advocate an opportunity to show cause against such removal. The removal of such name shall be notified on the Notice Board of the Office and on the High Court Website.
- (2) Any recognized advocate clerk if found guilty of misconduct in his duty in the Court shall have his name struck off from the register of recognized advocate clerk.

Provided that the Registrar may hold such inquiry as he may deem fit and shall give reasonable opportunity to the clerk to show cause.

10. FUNCTIONS OF ADVOCATE CLERKS:-

A registered clerk may act in all matters of a routine nature which do not require the personal attendance of a legal practitioner such as-

- (1) To file petition/appeals/process fee etc.
- (2) To receive back the appeals/petitions/etc which are under objection.
- (3) To apply for certified copies of judgment and receiving of the same.
- (4) To present applications signed by the Advocate to whom he or she is registered.

- (5) To file an application for making copies of records,
- (6) To file application for return of documents from records,
- (7) To pay process fees or diet-money and to make required arrangement for issuing of process with diet-money,
- (8) To pay incidental costs,
- (9) Translation and typing of documents.
- (10) To inspect if authorized by his Advocate and sanctioned by the Court or other office empowered to do so;
- (11) To file powers of attorney in favour of his Advocate; and
- (12) To identify, if required and if in a position to do so, persons making inspection of records or swearing affidavits.
- (13) Acts which the law requires to be done by a party or his recognized agent or by the pleader duly appointed on his behalf, such as the presentation of a memorandum of appeal shall not be allowed to be done by recognized clerk.

11. WHEN ADVOCATE CEASES THE EMPLOYMENT OF RECOGNIZED CLERK:-

Whenever, an Advocate ceases to employ a recognized clerk, he shall notify the fact to the Registrar General in writing and he shall forthwith also briefly state the reason why he has ceased to employ his recognized clerk. On receipt of this information the name of such advocate clerk entered in the register against the clerk concerned under this rule shall be struck off from the register and all concerned shall be informed.

12. DRESS CODE FOR ADVOCATE CLERKS:-

Each recognized clerk shall be given an Identity Card. Every recognized clerk, while in the Court premises, shall be properly dressed in sky blue full sleeve shirt and black pant/trouser or safari suite of sky blue colour and wear a plastic badge admeasuring 1"x3" of black colour containing his name, and description as Advocate's Clerk in white letters. Two sets shall be supplied for the clerks by their Advocates every year one for summer and another for winter.

13. IDENTITY CARD:-

- (1) On registration of a Clerk as a recognized Clerk of an Advocate, the Registry shall issue him a stamp size photo identity card at his cost giving necessary particulars about his name, address, date of registration, name/names of Advocate(s), who

have recognized him as their Clerk under the signature of any officer authorized by the Registrar General.

- (2) Every recognized Clerk of an Advocate visiting the Registry for any purpose shall prominently display the Identity Card on his person.
- (3) It will be obligatory for every registered Clerk to renew their Photo Identity Card after a period of every 5 years. Advocate(s) who has employed him, to continue their services as Clerk.
- (4) Failure to renew the Photo Identity Card after the prescribed time limit shall result in removal of the name of the recognized Clerk from the register.

14. RESIDUARY POWERS:-

Nothing in this rule shall be deemed to affect the powers of the Hon'ble Chief Justice to make such orders from time to time as he may deem fit in regard to all the matters forming part of the subject matter of these rules and all the matters incidental or ancillary thereto not specifically provided for or have not been sufficiently provided for hearing.

C. NORMS FOR PRESENTATION OF PROCEEDINGS IN PERSON BY PARTIES

- (i) Registry, by orders of the Chief Justice, shall scrutinize the matter/proceedings filed by Party-in-Person so as to ensure that the Party-in-Person has complied with the requirements of these Rules and shall certify that the Party-in-Person is 'Competent' to assist the Court in person.
- (ii) In case of a Party, who wishes to defend his matter/proceedings in person as respondent/opponent, the above Committee shall ensure and certify that such person is 'Competent' to assist the Court in person.
- (iii) If the certificate is not issued in both the cases mentioned at Norm No. (i) and (ii) and the party-in-person is lawfully entitled to be referred to the High Court Legal Services Committee in accordance with law, the same will be referred to the Committee for offering legal services to the concerned litigant.
- (iv) If the concerned litigant is not entitled under law to get assistance of Legal Services Committee, he will be asked to appoint a lawyer to represent his case.
- (v) The Party-in-Person shall give an Undertaking that he shall maintain decorum of the Court and shall not use objectionable and unparliamentary language during the course of hearing in the Court.

(vi) These Rules will not apply, if the concerned Court, before whom the concerned litigant wants to move the matter, permits such litigant to appear in person.

Provided that these norms will not apply in cases of applications for temporary bail, parole, furlough and habeas corpus.

Provided further that this Rule will not apply to an Advocate having registration of the Bar council, who intends to appear in person.

(vii) The Party-in-Person shall file his matter/proceedings with the leave of this Court by filing an application in this behalf.

(viii) If the Party-in-Person fails to abide by his Undertaking as above, Contempt Proceedings may be initiated against him or/and appropriate costs be imposed on him.

CHAPTER XIX

MISCELLANEOUS RULES

A. TESTAMENTARY AND INTESTATE JURISDICTION

1. NON-CONTENTIOUS BUSINESS:-

Non-contentious business shall include the business of obtaining probate and letters of administration (with or without the will annexed, and whether general, special or limited) where there is no contention as to the right thereto, or where there has been contention, the contest is terminated, and all ex-parte business to be taken in the Court in matters of testacy and intestacy, not being proceedings in any suit, and also the business of lodging caveats against the grant of probate or letters of administration.

2. NOTICE TO BOARD OF REVENUE:-

The Registrar shall give notice of every application for probate or letters of administration to the Board of Revenue within one week of the filing of the application.

3. APPLICATION FOR PROBATE:-

An application for probate shall be made by petition with the will annexed, accompanied if the will is not in English or Bengali, with an official translation thereof in English, and such application shall contain an undertaking that an inventory and account will be filed within six and twelve months respectively after the date of issue of the probate. The petition shall be in the prescribed form or as near thereto as the circumstances of the case may permit and shall be accompanied by—

(1) An affidavit of one of the attesting witnesses, if procurable; and (2) An affidavit of valuation in the form set forth in Schedule III to the Court Fees Act, 1870, as adapted to Tripura.

4. APPLICATION FOR LETTERS OF ADMINISTRATION:-

An application for letters of Administration shall be made by petition in the prescribed form or as near thereto as the circumstances of the case may permit and shall be accompanied by annexure (b) mentioned in the last preceding Rule.

5. APPLICATION FOR LETTERS OF ADMINISTRATION WITH WILL ANNEXED:-

An application for Letters of Administration with the will annexed shall be made by petition in the prescribed form or as near thereto as the circumstances of the case may permit. It shall set out the names and addresses of the Legal representatives of the

deceased (unless the Court sees fit to dispense-with the statement thereof), and shall be accompanied by the annexure referred to in Rule 4.

6. CERTIFICATE THAT NO OTHER GRANT HAS BEEN MADE:-

Within fourteen days of the filing of an application for probate or letters of administration, the Registrar shall certify (if such can be the case) that no intimation has been received by the Court from any other High Court or any District Court, of any grant of probate or of letters of administration of the property and credits of the deceased having effect throughout the territory of India. Such certificate shall be made on the order sheet and shall be in the prescribed form.

7. CERTIFICATE AS TO COURT FEE:-

No order for the issue of a grant of probate or letters of administration shall be made until after the Registrar has certified either that the Court-fee payable on the grant has been paid or that no Court-fee is payable. Such certificate shall be made on the order sheet and shall be in one of the prescribed forms.

8. PROOF OF IDENTITY:-

The Judge may, in cases where he deems it necessary, require proof, in addition to the usual statement required to be made in the petition, of the identity of the deceased or of the party applying for the grant.

9. INTERLINEATIONS, ALTERATIONS, ETC. IN THE WILL TO BE SWORN TO BY THE ATTESTING WITNESSES:-

When interlineations, alterations, erasure or obliterations appear in the will (unless duly executed as required by the Act or recited in or otherwise identified by the attestation clause) a statement shall, if possible, be made in the affidavit of the attesting witness whether they existed in the will before its execution or not.

10. IN ABSENCE OF ATTESTING WITNESSES WHAT OTHER EVIDENCE MUST BE PRODUCED:-

If no affidavit by any of the attesting witnesses is procurable, an affidavit shall be procured (if of attesting possible) from some other person (if any) who may have been present at the execution of the will; but if no affidavit of any such person can be obtained, evidence on affidavit must be procured of that fact and of the handwriting of the deceased

and one attesting witness, and also of any circumstances which may raise a presumption of favour in due execution.

11. ATTEMPTED CANCELLATION MUST BE ACCOUNTED FOR:-

Any appearance of an attempted cancellation of a testamentary writing by burning, tearing, obliteration or otherwise, and every circumstance leading to a presumption of abandonment or revocation of such writing or part thereof, must be accounted for.

12. UNSIGNED OR UNATTESTED WILL:-

In cases in which it is not necessary that a will should be signed by the testator or attested by witnesses to constitute a valid testamentary disposition of the testator's property, the testator's intention that it should operate as his testamentary disposition must be clearly proved by affidavit.

13. RENUNCIATION:-

No person, who renounces probate of a will or letters of administration of the property of a deceased person in one character, shall, without the leave of Judge, take out representation to the same deceased in another character.

14. APPLICATION FOR ADMINISTRATION BY CREDITOR:-

In all applications by a creditor for letters of administration, it shall be stated particularly how the debt or debts arose, the amount due on the date of the application, and whether the applicant has any and what security therefore.

15. PRODUCTION OF DEED PAPER, ETC. REFERRED TO IN WILL:-

If a will contains a reference to any paper, memorandum, or other document of such a nature as to raise a question whether it ought not to form a constituent part of the will, such paper, memorandum or other document should be produced with a view to ascertain whether it is entitled to probate, and where not produced, its nonproduction must be accounted for.

16. PERSONS CONSENTING TO AN APPLICATION FOR LETTERS OF ADMINISTRATION SHALL DO SO ON AFFIDAVIT:-

Persons desiring to give their consent to an application for letters of administration shall do so on affidavit, stating their relationship to the deceased and that they consent to the grant of letters of administration to the petitioner.

17. CITATION TO RIGHTFUL PARTIES:-

On an application for letters of administration, unless otherwise ordered by the Judge or Registrar, a citation shall issue to all persons having a right to take the grant prior or equal to that of the applicant, unless such persons have signed their consent to the application.

18. CITATION ON APPLICATION BY CREDITOR:-

Where letters of administration are applied for by a creditor, a special citation shall be issued to the widow, if any, and to the next-of-kin, provided they shall be resident within the jurisdiction or have any known agent or agents resident within the jurisdiction, and to the Administrator General of Tripura, and a general citation shall be issued to all persons claiming to have any interest in the estate of the deceased.

19. CITATIONS:-

All citations shall, unless otherwise ordered, direct the persons cited to show cause on such day certain as the Judge shall direct and shall be in the prescribed form and, where they cannot be served in the manner provided for service of process, may be served by the insertion as an advertisement in such newspapers as may be directed, of a notice in the prescribed form.

20. PROOF OF PUBLICATION:-

Proof of due publication of a citation by advertisement shall be by affidavit, unless the Judge or Registrar has directed that such citation be published once only in a single newspaper in which case a copy of the issue of the newspaper containing the said advertisement may be filed in lieu of an affidavit. The affidavit shall be in the prescribed form or as near thereto as circumstances permit.

21. PROOF OF POWER OF ATTORNEY:-

Proof of due publication of a citation by advertisement shall be by affidavit, unless the Judge or Registrar has directed that such citation be published once only in a single newspaper in which case a copy of the issue of the newspaper containing the said advertisement may be filed in lieu of an affidavit. The affidavit shall be in the prescribed form or as near thereto as circumstances permit.

22. GRANT WHEN TO HAVE EFFECT IN TRIPURA:-

All grants of probate or letters of administration (with or without the will annexed) other than grants under the Administrator-General's Act shall, unless otherwise ordered, be drawn up by the Registrar to have effect within the State of Tripura.

23. GRANT WHEN TO HAVE EFFECT THROUGHOUT INDIA:-

In all cases in which it is sought to obtain a grant of probate or letters of administration (with or without the will annexed) to have effect throughout the territory of India, or under the Administrator-General's Act, 1963, to have effect throughout one or more of the other Divisions as defined in that Act, such grant shall be expressly asked for, and it shall be shown where the assets are situated.

24. ATTESTATION OF BONDS:-

The execution of administration bonds shall be attested by the Registrar or, where executed outside the Court House, by the Registrar or such Gazetted Officer as may be nominated by the Registrar for that purpose.

25. CONSEQUENCE OF NEGLECT TO PROCEED WITH PETITION OR TO FURNISH SECURITY:-

If a petitioner for a grant of probate or letters of administration, for three months from the admission of the petition, neglects to proceed with the petition, or for three months of the date of the order, for grant neglects to give the required security or otherwise to proceed with the application, or to take out the grant, the Registrar shall give notice in writing of his default to the Administrator-General, who may then apply to the Court for an order that the petition be dismissed, and that he may be at liberty to apply for a grant of letters of administration. If no further steps are taken in the matter, the petition may be posted before the Court for dismissal and the Court may thereupon make such order as it thinks fit.

26. SCHEDULE OF PROPERTY TO ACCOMPANY CERTIFICATE UNDER SECTION 274 OF THE INDIAN SUCCESSION ACT OR SECTION 25 OF THE ADMINISTRATOR GENERAL'S ACT:-

With every certificate to be sent to a High Court, under the provisions of section 274 of the Act, or section 25 of the Administrator-General's Act, 1963, the Registrar shall send a copy of so much of the schedule of the property and credits of the deceased as relates to the estate within the jurisdiction of such Court.

27. INVENTORY AND ACCOUNT:-

The inventory and account to be furnished by an executor or administrator under section 317 of the Act shall be in the prescribed forms, and shall be verified in the manner following:

“I....., the executor (or administrator) named in the above inventory, do hereby declare that the said inventory is in every respect true, perfect and correct to the best of my knowledge, information and belief and that the same contains a full, true and perfect inventory of all the property in the possession of the deceased, at the date of his death, and of all credit owing to him, and of all debts owing by him; “ or

“I....., the executor (or administrator) named in the above account do hereby declare that the said account is true, perfect and correct to the best of my knowledge, information and belief, and that it gives a full, - true and perfect account of all the estate and the effects of the deceased, which has or have come into my hands, possession, power, control, custody or knowledge, and of the disposition of the same”.

28. CONTENTIOUS BUSINESS

Any person intending to oppose the issuing of a grant of probate or letters of administration must either personally or by his advocate file a caveat in the Court in the prescribed form. Notice of the filing of the caveat shall be given by the Court to the petitioner or his Advocate.

29. AFFIDAVITS IN SUPPORT OF CAVEAT:-

Where a caveat is entered after an application has been made for a grant of probate or letters of administration with or without the will annexed, the affidavit or affidavits in support shall be filed within fourteen days of the caveat being lodged. Such affidavit shall state the right and interest of the caveator, and the ground of the objections to the application.

30. WHEN CAVEAT IS ENTERED BEFORE APPLICATION FOR GRANT IS FILED:-

Where an application for grant of probate or letters of administration with or without the will annexed is presented after a caveat has been filed, the Registrar shall forthwith issue notice to the caveator, calling upon him to file his affidavit or affidavits in support of the caveat within fourteen days from the service of such notice.

31. CONSEQUENCE OF NON-COMPLIANCE:-

Where the caveator fails to file any affidavit in support of his caveat, in compliance with Rule 29 or in compliance with the notice issued under Rule 30, the caveat may be discharged by an order to be obtained on application to the Court.

32. CONVERSION OF APPLICATION INTO SUIT:-

Upon the affidavit in support of the caveat being filed (notice whereof shall immediately be given by the caveator to the petitioner, the proceedings shall be numbered as a suit in which the petitioner for probate or letters of administration shall be the plaintiff, and the caveator shall be the defendant, the petition for probate or letters of administration being registered as and deemed a plaint filed against the caveator, and the affidavit filed by the caveator being treated as his written statement in the suit. The procedure in such suit shall, as nearly as may be, be according to the provisions of the Code.

33. PROOF IN SOLEMN FORM:-

The party opposing a will may, with his affidavit, give notice to the party setting up the will that he merely insists upon the will being proved in solemn form of law, and only intends to cross-examine the witnesses produced in support of the will, and he shall thereupon be at liberty to do so, and shall not in any event, be liable to pay the costs of the other side, unless the Court shall be of opinion that there was no reasonable ground for opposing the will.

34. TRIAL ON PRELIMINARY ISSUE: -

The Court may, on the application of the petitioner before directing that the proceedings be numbered as a suit, direct the trial of an issue as to the caveator's interest. Where upon the trial of such issue, it appears that the caveator has no interest, the Court shall order the caveat to be discharged, and may order the issue of probate or letters of administration, as the case may be.

MISCELLANEOUS

35. CUSTODY OF ORIGINAL WILL: -

- (1) Every original will filed in the court for the purpose of an application for the grant of a Probate or Letters of Administration with the Will annexed shall, except as hereinafter provided, remain in the custody of the Registrar General and shall be preserved by him in the manner hereinafter mentioned:

Provided that it shall be lawful for the Registrar General upon the requisition from any other court for the production of an original will in a case pending in such court to forward the Will in a sealed packet under the custody of a responsible officer to such court for production in the pending case. The Officer shall deliver the sealed packet containing the Will to the Judge of such Court and the Judge shall thereupon take all needful precautions for the safe custody and preservation of the Will, until he has returned the same in a sealed packet to the officer to whom it was entrusted for production, who shall deliver the sealed packet to the Registrar General for the purpose for which it was filed.

- (2) The Registrar General may transmit a Will to a court requiring its production by registered post insured for not less than Rs. 1,000, when its production through a responsible officer before that court, shall entail an amount of delay or expense which is unreasonable.
- (3) The Registrar General shall not comply with any requisition for the production of a Will except on receipt of a sum sufficient to cover all necessary expenses.
- (4) When any such original Will is filed, the Registrar General shall endorse upon it a serial number and a reference to the application in which it is filed and shall cause a copy of the Will to be made and after the copy has been examined by himself or such officer of the court as he directs and found by him to be a true copy, shall certify the copy to be a true copy and shall place it with the records and the Will shall thereupon be placed in a sealed cover and shall be locked up in fire proof box, which shall be kept in the sole custody of the Registrar General. The key of the box shall also be in the sole custody of the Registrar General, who will be held responsible for the safe custody of the box and its contents.

- (5) No original Will, after being placed in the fire proof box, shall be removed therefrom except under an Order in writing of the Registrar General made for the purpose of-
- (a) Complying with a requisition as required by the proviso to Rule 35(1), or
 - (b) For being produced in Court on the hearing of the application for the purpose of which it was filed or on the hearing of an application for the revocation of a grant of probate or Letters of Administration with the Will annexed or on the hearing of a case in court or in any subordinate court, in which it is necessary to put such Will in evidence,
 - (c) For being copied, and
 - (d) For inspection of the Will.
- (6) A special register shall be maintained in the prescribed form for making entries of such Wills filed in the court.
- (7) Alphabetical index shall also be prepared in the prescribed form to the entries made in the Register and a copy of such index shall be attached to the Register. The Registrar General may upon an application in writing for inspection of the Register or any Will mentioned in such Register, make an order for the inspection of the same:

Provided that rules contained in Chapter with regard to entertainment of an application for inspection and inspection of records and register of records shall also apply to the entertainment of an application for inspection of any original Will and Register of original Will and also for inspection of original Will and register of Wills.

- (8) Every copy of original Will shall be made in the presence of the Registrar General or such officer of the Court as the Registrar General may direct.
- (9) Application for copy of the original will shall be submitted to the court and such a copy shall only be granted subject to the conditions which is attached to the inspection of original Wills.

36. DECREE UNDER SECTION 295 OF ADMINISTRATORS-GENERAL ACT, 1963:-

- (1) In all cases falling under Section 295 of the Act, a decree shall be drawn up in the prescribed form.

- (2) The decree shall direct the grantee to file in court within six months and one year respectively the inventory and account mentioned in Section 317 of the Act.
- (3) After an order for grant of probate is made and in contentious cases the decree is drawn up, the probate or Letters of Administration shall be drawn up in the form prescribed in Schedule VI or VII of the Act, as the case may be, on stamp paper of requisite value produced by the petitioner, upon the petitioner filing in the court the Administration Bond of himself and/of his sureties in accordance with the orders of the Court.

37. ADMINISTRATOR-GENERAL ACT, 1963:-

Nothing in this Chapter shall apply to applications to be made or acts to be done by the Administrator General in so far as they conflict with the provisions of the Administrators-General's Act, 1963.

38. APPLICATION OF RULE TO SUBORDINATE COURTS:-

The Rule contained in this Chapter shall, so far as may be and with necessary modifications and adaptations, also apply to proceedings under the Act in Subordinate Courts.

B. RULES REGARDING CAVEATS

1. Every Caveat to be lodged under Section 148A of the C.P.C. shall be drawn up in the manner prescribed in Form 'A' annexed herewith and filed in the filing section of the High Court of Tripura. Every Caveat intended to be lodged shall be filed in the same Form with the Dy. Registrar of the High Court and in his absence to the officer in-charge of the filing section.
2. All Caveats shall be accompanied by Postal Receipt of service of notice of the Caveat by registered post with A.D. on the person by whom the application has been or expected to be made, in respect of which the Caveat is being lodged under Section 148A, sub Section(1).

Provided that in a case where Caveat is lodged in pending proceeding, instituted through advocate the Caveator shall also annex, to his caveat a receipt showing of such caveat by the said learned Advocate.

3. Every caveat shall contain the following particulars;
 - (1) Name and full postal address of the person lodging caveat.

- (2) Name of the applicant in respect of whose application the caveat is intended to be lodged and the full postal address of such applicant.
 - (3) The Court by which the decree or order referred to in the caveat was passed together with the number and the year of the suit or proceeding in which the decree or order was passed.
 - (4) Particulars of the proceeding of the High Court, in case the caveat is being lodged in a pending proceeding with reference to which the caveat is being lodged.
 - (5) Value of the suit or proceeding.
 - (6) A statement that the notice of the caveat had been served on the person by whom the application in respect of which the caveat is being lodged has been or is expected to be made.
 - (7) Every caveat shall bear requisite court fee stamp.
 - (8) Every caveat shall be signed and dated either by the person lodging the caveat or his advocate.
4. When a caveat is being lodged through an Advocate, a Vakalatnama executed by the caveator and accepted by the said Advocate shall be annexed to the Caveat and such a Vakalatnama will remain in force for the purpose of appearance on behalf of the Caveator in the proceeding instituted and in all matters arising therefrom connected therewith.
 5. When a Caveat is not in proper form or is otherwise defective, the Registrar General or Deputy Registrar of the High Court may allow the defects to be removed within such time as the Registrar General or Dy. Registrar may direct.
 6. All caveats in respect of applications expected to be made in any proceeding to be instituted shall be entered in the appropriate register to be maintained and the said register shall contain the following particulars:
 - (1) Serial number
 - (2) Date
 - (3) Name of Caveator with address
 - (4) The name of the applicant with address
 - (5) Member and nature of the proceeding to be instituted
 - (6) Valuation of the proceeding

- (7) Number any year of the suit or other proceeding in which the order or decree had been passed and with relation to which the application is expected to be made.
 - (8) The Court which passed that decree or order.
 - (9) All caveators in respect of applications made or expected to be made in any proceeding pending shall forthwith be incorporated in the records of that proceeding and the fact of the lodging of such caveat shall be recorded in the order sheet under the date and signature of the Superintendent of that Department dealing with the said proceeding.
- 7.** A caveat shall form part of the proceeding in connection with which the same is lodged. The caveat in respect of which no application is filed within the time prescribed by sub-Sec. 5 of Sec.148A of the Code be deposited in the filing section and be preserved for one year and on the covering page of Part I file A of the High Court there should be a seal with appropriate signature of the officer in charge of the filing section. The seal should be conspicuous so that the attention of the Court might be drawn from the impression that a caveat has been filed in the proceeding. Such seal and signature should be there in the second Judge's copy as well.
 - 8.** No caveat shall be entered in the Register unless the application is accompanied by a self addressed envelope with requisite postal stamp for registration and other costs required to be deposited to the Registrar or the Dy. Registrar for service of notice upon the caveator u/s 148A(3) of the C.P.C.
 - 9.** A Court fee of Rs.20/- or court fee prescribed by the Court Fees Act, whichever is less, shall be affixed on every caveat, every caveat shall be entered in the Register of caveats maintained for the purpose and examined by the stamp reporter of the High Court. If he finds that the caveat complies with the requirements he shall make an endorsement as to same effect on the caveat examined and may be registered. If he finds that the caveat does not comply with the requirements, he shall place the matter immediately before the Registrar General or Dy. Registrar (J) as the case may be for necessary orders.
 - 10.** A caveat returned for non compliance with the provision of the rules or provisions of Section 148A of the Code may be presented afresh if rectified within the time granted by the Registrar General or the Deputy Registrar (Judicial) as the case may be.
 - 11.** An affidavit shall state the rights and interest of the caveator and the grounds of objection to the application.

- 12.** Immediately upon entry in the Register of caveat, the stamp reporter shall place the Register before the Registrar General or Dy. Registrar, as the case may be, for necessary orders. After lodgement of a caveat the Caveator or the person by whom the caveat has been lodged, shall also be referred as “the caveator” shall cause due notice of the caveat, serve in accordance with the provisions of Section 148(1), if any.
- 13.** After a caveat has been lodged u/s 148A(1), if any application, suit/appeal is filed in respect of which the caveat has been filed, the court shall serve a notice of the application/suit appeal to the Caveator provided the Caveator has deposited the requisite cost and expenses for such service of notice upon him.
- 14.** The address for service on the caveator must be within a radius of five miles from the court house. The Caveator shall expressly state the person on whom the caveat should be served, if the caveator is found absent. If the caveator is found absent, a person or his agent appointed for the purpose is also not found at the residence indicated in the application, a notice shall be served in any conspicuous place of the residence indicated by the applicant. However, if the caveator authorizes his lawyer to accept notice, service on his lawyer will be sufficient service of notice for the purpose of Section 148 –A (i).

APPENDIX-V

FORM – A

In the High Court of Tripura
(Civil/Criminal appeal/Revisional/Original Jurisdiction)

In the matter of:

An application (set out the particulars)

An application (set out the particulars)

-AND-

In the matter of:

Name of the Caveator

Plaintiff/Defendant/Appellant/Respondent/Petitioner/Opposite Party

In the proceeding in the Court below or Authority below

To,

The Register General/Deputy Registrar (Judl)

High Court of Tripura.

Sir,

Under Section 148A of the C.P.C. I am lodging a caveat in respect of an application/appeal/revision which is expected to be made/has been made in a proceeding instituted/about to be instituted in this High Court. Let not order be made on such application except on notice to me. I am furnishing the necessary particulars hereunder.

Yours faithfully

C. RULES UNDER SECTION 477(1) (D) READ WITH SECTION 96 OF THE CODE OF CRIMINAL PROCEDURE, 1973

1. HOW APPLICATIONS UNDER SECTION 96 OF CODE OF CRIMINAL PROCEDURE TO BE MADE:-

- (1) Every application to the High Court under sub-section (1) of section 96 of the Code of Criminal Procedure, 1973 (hereinafter referred to as “the said Code”) to set aside the declaration of forfeiture in respect of any newspaper, book or other document made under section 95 of the Code, shall be made by the presentation of a petition which shall be signed by the applicant and verified at the foot by an affidavit of the applicant.
- (2) The interest of the petitioner in the publication in respect of which order of forfeiture has been made and then grounds on which the order of forfeiture is sought to be set aside shall be stated in the petition which shall be suitably arranged in paragraphs and consecutively numbered. The relief sought shall be set out at the end of the petition. In every such petition the petitioner or where there are more than one petitioner, the petitioners shall state whether he or any of the petitioners have filed any proceeding in the Supreme Court, any High Court or any other Court in respect of the same matter and how that application or proceeding has been disposed of.
- (3) Where a person signs the petition in a capacity other than his individual capacity, such as public officer, guardian of a minor, partner of a firm, power of attorney holder, Director, Secretary or Principal Officer of a Company or Corporation etc., he shall indicate the capacity in which he signs.
- (4) Every petition under this rule shall be supported by an affidavit by the petitioners or one of the petitioners or by a person acquainted with the facts of the case.
- (5) The deponent shall state what paragraphs or portions of his affidavits he swears or solemnly affirms to from his own knowledge and what paragraphs or portions he swears or solemnly affirms to from his own knowledge and what paragraphs or portions he swears or solemnly affirms to on his belief, stating the grounds of such belief.
- (6) If the petitioner or any of the petitioners makes an application to the Supreme Court in respect of the same matter on any question arising therein during the pendency of the petition in the High Court, he shall forthwith ring this fact to the

notice of the High Court by filing an affidavit in the case and shall furnish a copy of the same to the other side.

2. HOW PETITION TO BE WRITTEN:-

The petition shall be written in the English language on foolscap paper or other paper similar to it in size quality, book-wise, and divided into paragraphs, number consecutively. All dates and sums occurring in the petition shall be expressed in figures.

3. HOW PETITION TO BE HEADED AND INSTITUTED:-

The petition shall be headed “In the High Court Tripura, Appellate Jurisdiction” and shall be instituted as “ In the matter of the (Name or description) newspaper, book or other document”” as the case may be.

4. WHAT PETITION SHOULD STATE AND WHAT EXHIBITS SHOULD BE ANNEXED TO IT:-

- (1) The petition shall state what the interest of the applicant is in the property in respect of which the declaration of forfeiture has been made and all documents and copies thereof in proof of such interest together with the copy of the declaration of forfeiture under section 95 of the Code shall be annexed as exhibits to the petition.
- (2) The petition shall state the grounds on which it is sought to set aside the declaration of forfeiture.

5. WHAT DOCUMENTS ARE TO BE TRANSLATED INTO ENGLISH AND BY WHOM:-

All documents in the regional language annexed to the petition as exhibits and all documents in the regional language relied upon by the applicant and intended to be in evidence, shall be translated into English by an official Translator or Translators, so that no question may arise as to the accuracy of the translation or the admissibility in evidence of the documents and the translations annexed to them by reason of any defects in the translations thereof.

Provided that such translations would not be necessary if the documents are in Bengali and if the party or the Advocate undertakes that English translations would be supplied whenever an order in that respect is made by the Court in a particular proceeding.

6. PETITION SHOULD BE PRESENTED TO THE CHIEF JUSTICE:-

The petition with exhibits annexed thereto and the translations thereof, if any, together with a copy of such petition and exhibits with the translations shall be presented to the

Chief Justice, who will constitute a Special Bench and appoint a day for the hearing and determination of the application.

Provided that such translations would not be necessary if the documents are in Bengali and if the party or the Advocate undertakes that English translations would be supplied whenever an order in that respect is made by the Court in a particular proceeding.

7. NOTICE OF HEARING:-

A notice in writing of the day appointed for the hearing and determination of the application shall be given by the Registrar to the Secretary to the Government of Tripura in the Home Department, and the copy of the petition and exhibits with translations, if any, mentioned in rule 7, shall accompany such notice.

8. HOW PRINTED PAPER-BOOKS TO BE PREPARED:-

Printed paper-books containing the petition and all exhibits annexed thereto with the translations thereof shall be prepared in the manner prescribed by the rules for the preparation of paper-books, in appeals from the High Court, and shall be delivered to the Registrar, by the applicant, at least one week before the day fixed for the hearing and determination of the application.

9. NUMBER OF PAPER-BOOKS TO BE PRINTED:-

There shall ordinarily be printed 15 copies of the paper-books; but the Registrar may, when necessary, direct a larger number of copies to be printed.

10. HOW COSTS OF PETITION TO BE TAXED:-

The table of fees now in force in the High Court shall be applicable to the applications under sub-section (1) of section 96 of the Code and proceedings thereon and costs payable in respect of such applications and proceedings shall be taxed when so directed on that scale.

11. WHAT PROVISION AND RULES ARE APPLICABLE TO EXECUTION ORDERS ON APPLICATIONS:-

The provisions of the Code and the rules and forms of the High Court relating to execution of decrees and orders, shall be applicable to the execution of orders passed by the High Court on applications under sub-section (1) of section 96 of the Code.

D. CASE FLOW MANAGEMENT RULES, 2017

In exercise of the power conferred by Article 225 of the Constitution of India, Part X of the Code of Civil Procedure 1908 (5 of 1908) and all other enabling powers, the High Court of Tripura hereby makes the following Rules, with regard to the Case Flow Management in the High Court of Tripura:

DIVISION OF CASES INTO DIFFERENT TRACKS

1. WRIT PETITIONS:-

- (1) The Court shall, while, issuing 'Notice before Admission' or at the stage of 'Admission', categorise the Writ Petitions, other than the petition for Writ of Habeas Corpus, into three Categories, depending on the 'Urgency' with which the matter should be dealt with: '*Fast Track*', '*Normal Track*' and '*Slow Track*'. The broad classifications, as per the subject matter of Writ Petition, Appeal, Original Jurisdiction matters, Applications, etc. as per Schedule to these Rules.
- (2) All efforts shall be made to dispose of the Petitions in Fast track in 6 months; Normal Track in 12 months (one year) and Petitions in the Slow Track, subject to the pendency of other cases in the Court, ordinarily in 24 months, from the date the 'Reply Affidavit' by Respondent or a Rejoinder by the petitioner (if permitted by the Court on request made on valid ground), is filed, The Court may, for appropriate and justifiable reasons recorded in the order, extend the time-limit.
- (3) The Cases wherein 'an ad-interim' or 'Interim order' or 'Stay' or 'Injunction' is granted in respect of liability to pay tax, duty, royalty etc. or against action of demolition or eviction from Public Premises etc, & all matters involving 'Tenders' shall invariably be put in the Fast Track.

2. Other Matters:-

- (1) Civil Appeals and other matters in the High Court shall also be divided into different Tracks of the line indicated above and the said clauses shall apply, mutatis mutandis, to the Civil appeals filed in the High Court.
- (2) Subject-wise division of the Appeals and Revision Applications shall also be made for allocation into different Tracks, considering the complexity & nature of the issues required to be resolved in each such matter.

3. PROCEDURE FOR DECIDING TIME LIMIT: -

- (1) The time limit for deciding the Cases shall, in respect of all types of cases, commence from the date when the reply affidavit is filed and the Case is listed by the Registry, or completion of pleadings in all respects, for hearing in appropriate cause list i.e. list

of matters for 'Final Hearing' which, however, shall not be, as far as possible, be beyond 1 week after completion of pleadings. If a rejoinder is permitted by the Court, the time limit shall be reckoned from the last date for filing of such 'Rejoinder' for which, ordinarily more than 10 days may not be granted.

- (2) In Cases where order granting ex-parte stay/injunction order is passed, the further order after bi-parte hearing shall, ordinarily, be passed within four weeks from the last date for filing reply, otherwise reasons shall be recorded. The provisions and time limit prescribed under Article 226(3), of the Constitution of India shall apply.
- (3) A senior Officer of the High Court, nominated for the purpose shall, at interval of 3 weeks, monitor the stage, with reference to the respective category to which the matters are allocated, of each case likely to come up for hearing before each Bench (Division Bench or Single Judge) during the following month and/or on the Change of Roster and the Details/data shall be placed before the concerned Judge.
- (4) The data so prepared will be fed into the computer in such a manner that the data shall be available to the concerned Judge so as to instantly ascertain at any time the position and stage of every case of the subject assigned to the Judge as per the Roster. When the roster is changed, a complete list of all matters pending at the stage of 'admission' & 'final hearing' shall be placed before the concerned Judge, in Chamber, to enable the assessment for regulating the daily admission & final hearing list.
- (5) The Court may shift the Case from one Track to another, depending upon the complexity urgency and other circumstances of the Case.
- (6) Whenever the 'Roster' changes, the Judge concerned who is dealing with final hearing matters shall be supplied, by the Registrars (Judicial) a detailed statement of all cases according to the Roster assigned and such data shall also show the Track in which the Cases are placed and the 'Stage' at which the Cases are pending on the date of change in 'Roster' so as to enable the Judge to keep abreast about the 'Stage' at which the Cases are pending on the date of change in 'Roster' so as to enable the Judge to keep abreast about the 'Stage' of the cases in various Tracks listed before him during every up-front week for the next 30 days. The 'Statement', shall contain details of all Cases pending at 'admission' stage and 'final hearing' stage as per the Roster, arranged Year-wise seriatim, as also showing Subject wise division (as per the roster for the concerned Court). The statement shall also reflect the details of the stage of pleadings (particularly of the matters pending at admission stage) and the details of any injunction order/s.

- (7) In all petitions, First Appeals, Second Appeals, O.J. Appeals, Original Side Applications or Suits and all other Proceedings including all Civil and Miscellaneous Applications and Contempt Petitions, the petitioner-appellant/applicant, as the case may be, shall cause to file, a separate list, annexed to the Memo of the Application/Petition the list of the heirs/Legal Representatives of all petitioners/appellants/applicants and the Memo of Petition, Appeal, Application, Suit etc. shall further clearly declare that the Address mentioned in the Cause-Title of the Memo is correct, complete and the latest address of all parties arrayed therein.
- (8) In all proceedings including A.O., First Appeals, Second Appeals, Civil Revision Application, Misc. Applications, O.J. Appeals, the entire set of Paper-Book (complete pleading and all annexure/documents and exhibits on record) shall be filed along with the Memo and the copies for the opposite side shall also contain the entire set of Paper Book so that adjournments and delay caused in calling for Record and Proceedings from Trial/lower Courts, can be avoided.

WRIT OF HABEAS CORPUS

4. When in a Writ of Habeas Corpus the person is alleged to be in custody under orders of the State Government or Central Government, the matter shall be listed for substantive hearing, within 48 hours from the date of filing of Petition. The said time shall also be applicable in other petitions seeking writ of Habeas Corpus. The time for returning the Notice-Process issued by the Court shall not be more than 72 hours, except in cases where, for appropriate reasons, more time is justified.
5. State Government or Central Government may file a brief return along with relevant document to answer the allegations or to justify the detention, if the person is under detention.
6. The matter shall be listed again on the Court working day after issuance of 'Notice/Rule', and the Court shall consider whether a more detailed return to the Writ is necessary.
7. All efforts shall be made to dispose of a Writ of Habeas Corpus within a Period of weeks and it shall have preference over all other Fast Track Cases.

8. MODE OF ADVANCE SERVICE:-

When interim orders are sought against Government or Public-Sector Undertakings, who have Standing Counsel, duly notified as representing them, and Advance Notice of 48 hours shall be given to such Counsel by hand delivery, together with copies of all documents annexed to the copy of the petition, submitted in the Registry, so as to ensure

that an advance copy of the Petition /Appeal/Application wherein injunction order is requested for, is duly served, while such Petition/Appeal/Application is presented for circulation and urgent hearing, the Public Sector Undertaking-Corporations, local bodies-authorities shall file, with the Registrar (Judicial) the list containing details of the names and addresses of their respective advocates. The Registrar (Judicial) shall cause publication of all such lists on the Notice Boards and in the website of the High Courts at all such places which may be considered appropriate.

FIRST APPEALS TO THE HIGH COURT

9. The Appeal Memo, in all cases, shall have to be filed along with all documents, replies, etc, which formed the record before the Trial Court or the learned Single Judge (in case of intra-Court appeal) as the case may be, without which the appeal may not be duly registered.

10. SERVICE OF ADVANCE COPY OF APPEAL: -

If memorandum of appeal is presented as per amended Rule 9 (1) of Order 41 of Code before the Court from whose decree, the appeal is preferred, advance Copy/notice in addition to the process for normal service as per the Code, shall simultaneously be given by the counsel for the party who files the Appeal, in accordance with the said provision read with the provision under Section 148 (A). Such advance service of the appeal and/or the application, where appeal is already pending shall be effected at least 24 hours in advance. The copy so served shall be complete in all respect and with all annexures (i.e. not the memo alone).

This provision shall be equally applicable to all intra-Court Appeals as well. In the event the Advance copy is refused by the other side, and 'Affidavit' stating the fact, shall be filed.

11. PRINTING OR TYPING OF PAPER-BOOK:-

- (1) Without prejudice to any provisions contained in this rule relating to printing, typing and preparation of Paper Books, after the service on notice is effected, Counsel for both sides may also agree on the list of documents and evidence and the Paper Book shall be made ready, duly printed or typed by the parties within the time limit fixed by the nominated officer/Registrar, in accordance with the High Court Rules, but having regard to the relevant Track to which the appeal is assigned.
- (2) The Registry shall ensure that the Paper-Books, as per the Record and Proceedings, are ready within the time prescribed for the relevant Track pertaining to the Appeal and in any case 1 week before the appeal is required to be taken up for arguments.

- (3) A default list shall be displayed containing details of the matter where Paper-Book is not made ready within prescribed time. The matters listed in such Default list, shall be entered into Regular list, only after objection are removed and costs, as per Court's Order, is any, is paid. The cases of default shall be dealt with as per High Court Rules.

12. FILING OF WRITTEN SUBMISSIONS AND TIME FOR ORAL ARGUMENTS:-

- (1) Both the petitioners/appellants and respondents, shall submit in advance their respective concise written submissions, mentioning the details, the relevant page numbers. The provisions regarding Written Submissions, applicable to Suits, shall also apply to the Petitions and Appeals/LPAs.
- (2) The cause List shall indicate whether Written Submissions, have been filed or not. If the submissions are not filed, the Registrar (Judicial) shall direct that the same to be filed within such time as the Registrar (Judicial) may deem proper, in view of the time limit applicable and available as per the relevant Track, to which the Case is assigned.
- (3) After the Written Submission are filed, (with due 'Service' of copy to the other side), the matter shall be listed before the Registrar (Judicial), for the parties to indicate the time likely to be taken for arguments in the Appeal. Accordingly, the hearing of the matter shall be listed before the Judge, after getting confirmation from the Judge, on any clear date when the requisite extent of time may be available.
- (4) The Court may direct the Registry to notify a Caution List, to meet with the eventualities when the listed case/s gets adjourned due to unavoidable reasons. In such eventuality the cases notified on such Caution List of the Court, shall be taken up for hearing in seriatim.

13. COURT MAY EXPLORE POSSIBILITY OF SETTLEMENT:-

- (1) At the first hearing of a First Appeal or any other Case, when both parties are present/are represented by their respective Advocates/counsels, the Court may explore the possibility of a settlement. For the said, purpose, with the consent of the parties/learned advocates, 21 days' time can be spared, which shall be outside the time limit prescribed for the case as per the Track in which the case is categorized. Furthermore, at any stage of the proceedings with the consent of the

parties, the Court may entrust the Case for mediation, to Mediator(s), mutually agreed upon.

- (2) If necessary, the process contemplated by Sec. 89 of CPC may be resorted to by the Appellate Courts, so that the hearing of the Appeal is not unnecessarily delayed.
- (3) After the Appeal against interlocutory order is listed for hearing, all steps shall be taken to decide the Appeal against interlocutory orders within period of 30 days.
- (4) The practice, procedure and requirements with regard to and applicable to First Appeals shall mutatis mutandis apply in respect of Letters Patent Appeals and Original Side Appeals.\

14. SECOND APPEALS:-

- (1) At the stage of Admission hearing, in addition to the questions of law, a brief 'Synopsis' and Written Submissions as regards each of the propositions, shall also be filed.
- (2) The Notice shall invariably contain intimation to the Respondents to file their Written Submissions not later than 10 days from the service of the Notice.

15. CIVIL REVISIONS

The practice and direction in regard to the First Appeals to the High Court shall mutatis mutandis apply in respect of Revision Applications-Petitions. Except for unavoidable circumstances and for reasons to be recorded, endeavour should be made to decide the CRA, wherein stay order is passed, within 5 weeks and in other cases within the time prescribed under the relevant Track. The applicant while filing CRA, shall supply sufficient copies of the entire Paper Book and record, for all defendants and an Advance notice to the opponent or to the counsel who appeared in the Trial, Court, shall also be given by the applicant with a copy of the Memo of CRA and entire record to avoid adjournments.

16. CRIMINAL APPEALS

- (1) Categorisation of Criminal Appeals into Tracks:- The Registry shall classify Criminal Appeals relate to cases of:-
 - (a) Capital punishment, Rape, Sexual offences, Dowry-death, in Track-I
 - (b) Other Cases where the accused is not granted bail and is in Jail, in Track-II.

- (c) Cases which affect larger number of persons such as the Cases of Mass-cheating, Economic offences, liquor tragedy, Food adulteration Cases, offences of sensitive Nature etc, in Track-III.
- (d) Cases tried by special courts such as NDPS, Prevention of Corruption, etc, in Track-IV.
- (e) Other matters like cases where bail is granted or acquittal matters, into Track-V.

(2) All endeavour shall be made to dispose Track I Cases in Six (6) Months; Track II Cases in Nine (9) Months, Track III Cases in Twelve (12) Months, and Track IV and V cases in 15 months.

17. PAPER-BOOKS IN APPEAL BY STATE OR PERSONS IN JAIL:-

Whenever an Appeal is filed by a person in Jail, and also when Appeals are filed by the State, the Court may, order in consultation with the Counsel for the State that the complete Paper-Books including evidence, shall be filed by the State within Three Weeks, after 'Notice' is issued to the other side.

18. LEGAL AID COUNSEL IN ACQUITTAL APPEALS:-

In Appeals against acquittals, the Court may appoint State Legal Aid Counsel, in respect of the accused who do not have a lawyer of their own, or may direct that the steps shall be undertaken by the Registry or State Legal Services Authority as the case may be, immediately after completion of three weeks of service of Notice of the accused has not appointed a counsel.

19. SAVING PROVISION:-

Whenever there is any inconsistency between these Rules and the provision of either the Code of Civil Procedure, 1908 or the Code of Criminal Procedure, 1973 or any Special Act or any Other Statute, and the Rules framed thereunder, the provision of the Civil Procedure Code or Criminal Procedure Code or such other Statutes, as may be the relevant and applicable, shall prevail.

BROAD CLASSIFICATION OF MATTERS FILED IN THE HIGH COURT FOR
CASE FLOW MANAGEMENT
SCHEDULE: 1-A Part-I (Civil)

No	Subject	FAST TRACK	NORMAL TRACK	SLOW TRACK
[I] SERVICE MATTERS (Writ Petitions)				
	Subject involving:			
i.	Suspension	6 months		
ii	Transfer	6 months		
Iii	Recruitment/ Appointment			
Iv	Termination/ Dismissal		12 Months	
V	Departmental Enquiries		12 Months	
Vi	Promotion			36 Months
vii	Other Pay Scale matters			
[II] NON-SERVICE MATTERS				
Under Article 226				
i.	(Election/Contract/Tender/Licence/ Demolition/Eviction Matters)	6 Months		
ii.	Under Article 227 (Where stay is granted)	6 Months		
iii.	Other matters including OJ Matters			24 Months
[III] INTERLOCUTORY APPLICATIONS				
Civil Application for:				
i.	Condonation of Delay	6 weeks		
ii.	Early Hearing	10 days		
iii.	Substitute Service	6 weeks		
iv.	Bringing Legal Heirs on Records	3 Months		

v.	For Stay/ Interim Relief		4 Months	
	Misc. Civil Application for:			
i.	Restoration	3 weeks		
ii.	Clarification	2 Months		
iii.	Directions	2 Months		
iv.	Review	3 Months		
	[IV] DIVISION BENCH MATTERS			
i.	Letter Patents Appeal References Special Civil Applications Appeals/OJ Appeals		12 months	
	[V] FIRST/SECOND APPEALS			
	First Appeals:			
i.	Hindu Marriage Petition/Workmen Compensation/Gratuity etc.		12 Months	
ii.	Motor Accidents Claim Petition/ Land Acquisition Cases	When Claimant's Application Rejected		24 Months
	Second Appeals:			24 Months
	(VI) REVISIONAL JURISDICTION			
i.	CRAs U/S 115, CPC Under Bombay Rent Act	6 Months		
ii	AOs	6 Months		

**BROAD CLASSIFICATION OF MATTERS FILED IN THE HIGH COURT FOR
CASE FLOW MANAGEMENT
SCHEDULE: 1-A Part-II (Criminal)**

No.	Subject	FAST TRACK	NORMAL TRACK	SLOW TRACK
1	Bail (Temporary/Regular)/ Parole/ Applications } Furlough }	3Months		
2	Cancellation of Bail Applications	6 Months		
3	Quashing (Where Stay is granted)		12 Months	
4	Special Criminal Applications (Where Stay is granted)	6Months/12 Months		
5	Criminal Appeals			
	(i) Where imprisonment is less than 7 yrs. Wherein Bail is not granted. (Single Judge)	6 Months/12 Months		
	(ii) Where imprisonment is less than yrs. Wherein Bail is granted. (Single Judge)	In due Course		
	(iii) Section 138, Negotiable Instrument Act			
	(iv) Where imprisonment is more than 7 yrs. Wherein Bail is granted. (Division Bench)		12 Months	
	(v) Where imprisonment is more than 7 yrs. Wherein Bail is granted. (Division Bench)			2 Years

6	Acquittal Appeals	In due Course		
7	Revision Applications	6 Months/12 Months		
	INTERLOCUTORY APPLICATIONS			
8	Misc. Criminal Application for:			
i	Condonation of Delay	3 Months		
ii	Early Hearing	3 Months		
iii	Bringing Legal Heirs on Records	3 Months		
iv	For Stay/Interim Relief		6 Months	
v	Restoration	3 Months		
vi	Clarification	3 Months		
vii	Directions	3 Months		

By order,

sd/-

Registrar General
High Court of Tripura.

APPENDIX-VI

CATEGORY OF CASES

THE HIGH COURT OF TRIPURA

CATEGORY CODES OF JUDICIAL CASES

WRIT PETITIONS RELATING TO SERVICE OF TEACHERS OF PROVINCIALISED SCHOOLS

Nomenclature	Category Code	Category of Case
W.P.(C)	10001	Ad hoc appointment.
W.P. (C)	10002	Regularisation of <i>ad hoc</i> appointment.
W.P. (C)	10003	Selection and appointment.
W.P. (C)	10004	Appointment in retired teacher quota.
W.P. (C)	10005	Appointment in compassionate ground.
W.P. (C)	10006	Appointment of family members of victims of extremist violence.
W.P. (C)	10007	Regular appointment of Honorary Teacher.
W.P. (C)	10008	Salary and allowances.
W.P. (C)	10009	Seniority.
W.P. (C)	10010	Promotion.
W.P. (C)	10011	Transfer.
W.P. (C)	10012	Suspension.
W.P. (C)	10013	Disciplinary and enquiry proceedings.
W.P. (C)	10014	Minor punishment.
W.P. (C)	10015	Major punishment.
W.P. (C)	10016	Date of Birth
W.P. (C)	10017	Retirement Benefits.
W.P. (C)	10018	Orders passed by the Director.
W.P. (C)	10019	Orders passed by any other Educational Authority.
W.P. (C)	10020	Other service matters not covered above.
<u>WRIT PETITIONS RELATING TO STATE GOVT. EMPLOYEES</u>		
W.P. (C)	10021	Ad hoc appointment.
W.P. (C)	10022	Regularisation of ad hoc appointment.
W.P. (C)	10023	Selection and appointment.
W.P. (C)	10024	Appointment on compassionate ground.
W.P. (C)	10025	Appointment of family members of victim of extremists violence.
W.P. (C)	10026	Salary and Allowances.

Nomenclature	Category Code	Category of Case
W.P. (C)	10027	Seniority.
W.P. (C)	10028	Promotion.
W.P. (C)	10029	Reservation of vacancies.
W.P. (C)	10030	Transfer.
W.P. (C)	10031	Suspension.
W.P. (C)	10032	Disciplinary and enquiry proceedings.
W.P. (C)	10033	Minor Punishment.
W.P. (C)	10034	Major Punishment.
W.P. (C)	10035	Compulsory retirement.
W.P. (C)	10036	Order of the Appellate or Revisional Authority.
W.P. (C)	10037	Order of the Administrative or Service Authority.
W.P. (C)	10038	Date of Birth.
W.P. (C)	10039	Retirement benefits.
W.P. (C)	10040	Other service matters not covered above.
<u>WRIT PETITIONS RELATING TO SERVICE IN LOCAL BODIES, BANKS, STATE AND CENTRAL PUBLIC SECTOR UNDERTAKINGS, STATUTORY BODIES AND UNIVERSITIES AND INSTITUTIONS.</u>		
W.P. (C)	10041	Ad hoc appointment.
W.P. (C)	10042	Regularisation of ad hoc appointment.
W.P. (C)	10043	Selection and appointment.
W.P. (C)	10044	Appointment on compassionate ground.
W.P. (C)	10045	Appointment of family members of victim of extremist violence.
W.P. (C)	10046	Salary and allowances.
W.P. (C)	10047	Seniority.
W.P. (C)	10048	Promotion.
W.P. (C)	10049	Reservation of vacancies.
W.P. (C)	10050	Transfer.
W.P. (C)	10051	Suspension.
W.P. (C)	10052	Disciplinary and enquiry proceedings.
W.P. (C)	10053	Minor Punishment.
W.P. (C)	10054	Major Punishment.
W.P. (C)	10055	Compulsory retirement.
W.P. (C)	10056	Order of the Industrial/Labour Tribunal.

Nomenclature	Category Code	Category of Case
W.P. (C)	10057	Order of the Appellate or Revisional Authority.
W.P. (C)	10058	Date of Birth.
W.P. (C)	10059	Retirement benefits.
W.P. (C)	10060	Other service matters not covered above.
<u>WRIT PETITIONS RELATING TO SERVICE OF DEFENCE PERSONNEL AND ARMED FORCES</u>		
W.P. (C)	10061	Ad hoc appointment.
W.P. (C)	10062	Regularisation of ad hoc appointment.
W.P. (C)	10063	Selection and appointment.
W.P. (C)	10064	Appointment on compassionate ground.
W.P. (C)	10065	Service Benefits.
W.P. (C)	10066	Salary and allowances.
W.P. (C)	10067	Seniority.
W.P. (C)	10068	Promotion.
W.P. (C)	10069	Reservation of vacancies.
W.P. (C)	10070	Transfer.
W.P. (C)	10071	Suspension.
W.P. (C)	10072	Disciplinary and enquiry proceedings.
W.P. (C)	10073	Minor Punishment.
W.P. (C)	10074	Major Punishment.
W.P. (C)	10075	Compulsory retirement.
W.P. (C)	10076	Order of the Appellate or Revisional Authority.
W.P. (C)	10077	Court martial.
W.P. (C)	10078	Date of Birth.
W.P. (C)	10079	Retirement benefits.
W.P. (C)	10080	Other service matters not covered above.
<u>WRIT PETITIONS RELATING TO ACADEMIC MATTERS</u>		
W.P. (C)	10081	Admissions in MBBS or BDS Course in Medical and Dental Colleges.
W.P. (C)	10082	Admissions in Post Graduate Degree and Diploma Courses in Medical Colleges.
W.P. (C)	10083	Admissions in Engineering Colleges.
W.P. (C)	10084	Admissions in other Institutions.
W.P. (C)	10085	Withholding and cancellation of results.

Nomenclature	Category Code	Category of Case
W.P. (C)	10086	Evaluation and totaling of marks in Examination.
W.P. (C)	10087	Malpractice at the time of Examination.
W.P. (C)	10088	Examination Centre.
W.P. (C)	10089	Expulsion of students from Academic Institutions.
W.P. (C)	10090	Other academic disputes not covered above.
<u>OTHER WRIT PETITIONS RELATING TO ACADEMIC INSTITUTIONS</u>		
W.P. (C)	10091	Governing Body of aided Colleges.
W.P. (C)	10092	Governing Body of other Colleges.
W.P. (C)	10093	Managing Committee of aided Schools.
W.P. (C)	10094	Managing Committee of other Schools.
W.P. (C)	10095	Permission for and Recognition of Schools and Colleges.
W.P. (C)	10096	Provincialisation of Schools.
W.P. (C)	10097	Grants in Aid to Schools.
W.P. (C)	10098	Provincialisation of staff of Schools.
W.P. (C)	10099	Orders passed by authorities in relation to Management of Schools and Colleges.
W.P. (C)	10100	Other disputes relating to Management of Academic Institutions not covered above.
<u>WRIT PETITIONS RELATING TO TAX MATTERS</u>		
W.P. (C)	10101	Sales Tax.
W.P. (C)	10102	Agricultural Income-Tax.
W.P. (C)	10103	Income Tax.
W.P. (C)	10104	Central Excise.
W.P. (C)	10105	Motor Vehicle Tax.
W.P. (C)	10106	Wealth Tax.
W.P. (C)	10107	Gift Tax.
W.P. (C)	10108	Estate Duty.
W.P. (C)	10109	Purchase Tax.
W.P. (C)	10110	Municipal tax.
W.P. (C)	10111	Custom Duty.
W.P. (C)	10112	Professional Tax.
W.P. (C)	10113	Entertainment Tax.
W.P. (C)	10114	Octroi.
W.P. (C)	10115	Licence Fee.

Nomenclature	Category Code	Category of Case
W.P. (C)	10116	Penalty.
W.P. (C)	10117	Confiscation.
W.P. (C)	10118	Seizure.
W.P. (C)	10119	Check Gate.
W.P. (C)	10120	Other Tax matters not covered above.
<u>WRIT PETITIONS UNDER LABOUR AND INDUSTRIAL LAW</u>		
W.P. (C)	10121	Industrial Disputes Act, 1947.
W.P. (C)	10122	Trade Union Act, 1926.
W.P. (C)	10123	Workmen Compensation Act, 1923.
W.P. (C)	10124	Employees State Insurance Act, 1948.
W.P. (C)	10125	Factories Act, 1948.
W.P. (C)	10126	Employees Provident Funds and Misc. Provision Act, 1952.
W.P. (C)	10127	Payment of Gratuity Act, 1962.
W.P. (C)	10128	Payment of Bonus Act, 1965.
W.P. (C)	10129	Payment of Wages Act, 1936.
W.P. (C)	10130	Plantation Labour Act, 1951.
W.P. (C)	10131	Contract Labour (Regulation Payment) Act, 1970.
W.P. (C)	10132	Other Labour and Industrial Cases not covered above.
<u>WRIT PETITIONS RELATING TO SETTLEMENTS MADE BY THE STATE GOVERNMENT AND OTHER AUTHORITIES</u>		
W.P. (C)	10140	Settlement of Fishery by the State Government.
W.P. (C)	10141	Settlement of Fishery by the Corporation and other Institution.
W.P. (C)	10142	Settlement of Country Liquor Shop.
W.P. (C)	10143	Settlement of Foreign Liquor Shop.
W.P. (C)	10144	Settlement of Markets.
W.P. (C)	10145	Settlement of Sand Mahal.
W.P. (C)	10146	Settlement of Quarry.
W.P. (C)	10147	Settlement of Forest Produce.
W.P. (C)	10148	Other Settlements not covered above.
W.P. (C)	10149	Orders passed by the Revenue Commissioner.
W.P. (C)	10150	Orders passed by the Government in appeals.
<u>WRIT PETITIONS RELATING TO LAND MATTERS</u>		

Nomenclature	Category Code	Category of Case
W.P. (C)	10151	Acquisition of Land.
W.P. (C)	10152	Requisition of Land.
W.P. (C)	10153	Settlement of Land.
W.P. (C)	10154	Eviction from Land.
W.P. (C)	10155	Orders passed under the Urban Land (Ceiling Regulation Act, 1976)
W.P. (C)	10156	Order for demolition of unauthorized construction on land.
W.P. (C)	10157	Sale of land by member of Scheduled Tribe.
W.P. (C)	10158	Issue of patta in respect of land.
W.P. (C)	10159	Orders passed by the Revenue Commissioner in Land matters.
W.P. (C)	10160	Other Land matters not covered above.
<u>OTHER WRIT PETITIONS</u>		
W.P. (C)	10161	Recovery of land revenue.
W.P. (C)	10162	Recovery of other dues under the Public Demand Recovery Act.
W.P. (C)	10163	Electricity Disputes.
W.P. (C)	10164	Requisition of Vehicles.
W.P. (C)	10165	Payment of bills in respect of requisitioned vehicles.
W.P. (C)	10166	Permit of vehicles.
W.P. (C)	10167	Payment of road tax.
W.P. (C)	10168	No confidence motion passed by Panchayat.
W.P. (C)	10169	Other cases under the Panchayat Acts.
W.P. (C)	10170	Election of Municipal Boards/Corporation.
W.P. (C)	10171	Election of Members of Panchayat.
W.P. (C)	10172	Election of office bearers of Co-operative Societies.
W.P. (C)	10173	Annual General Meeting of Co-operative Societies.
W.P. (C)	10174	Orders passed by the authorities under the Co-operative Societies Act.
W.P. (C)	10175	Orders under the Essential Commodities Act.
W.P. (C)	10176	Orders of the Foreigners Tribunal.
W.P. (C)	10177	Transit passes for Forest produce.
W.P. (C)	10178	Telephone Disputes.
W.P. (C)	10179	Disputes against the Railways.
W.P. (C)	10180	Award of contracts by the State or its instrumentalities.

Nomenclature	Category Code	Category of Case
W.P. (C)	10182	Dissolution of Autonomous Council and Local Bodies.
W.P. (C)	10183	Compensation.
W.P. (C)	10184	Licenses and permissions.
W.P. (C)	10185	Electoral Roll and Voters' List.
W.P. (C)	10186	Army and Police Action.
W.P. (C)	10187	Eviction from Houses.
W.P. (C)	10189	Other Civil Rules not covered above.
<u>WRIT PETITIONS BEFORE THE DIVISION BENCH</u>		
W.P.(C)(HC)	10190	Habeas Corpus-Non production of a person before the Magistrate after arrest.
W.P.(C)(HC)	10191	Detention under the Prevention Detention Law.
W.P.(C)(HC)	10192	Death after detention in Custody.
W.P.(C)(HC)	10193	Other Habeas Corpus petitions.
W.P.(C)(PIL)	10194	Public Interest Litigations.
W.P.(C)(CAT)	10195	Against the order of Central Administrative Tribunal.
W.P.	10196	Any other Writ Petition not covered above.
<u>ORIGINAL JURISDICTION CASES</u>		
Cont. Cas(C)	10200	Contempt of Court cases relating to Civil Contempt.
Cont.Cas(Crl.)	10201	Proceedings relating to Criminal Contempt.
Cont. Cas(C) Cont.Cas(Crl.)	10202	Contempt petition (Suo-Moto).
Co. Pet.	10203	Company Petition.
Co. Appl.	10204	Company Applications.
Test. Cas.	10205	Testamentary Cases, e.g. probate or Letters of Administration, etc.
El. Pet.	10206	Election petitions relating to election of Members of Legislative Assembly
	10207	Elections petition relating to election of Members of Lok Sabha.
	10208	Election petition relating to election of Members of Rajya Sabha.
Ex. P	10209	Execution Cases.
C.A.C	10210	Chartered Accountants Cases.
O.C.	10211	Original cases relating to Liquidation of Bank.
O.C.(Other)	10212	Any other subject matter not covered above.

Nomenclature	Category Code	Category of Case
<u>FIRST APPEALS</u>		
R.F.A	10220	First Appeal from Judgment and Decree in Suits.
C.O. (F.A.)	10221	Cross Objection in First Appeal.
F.A.O.	10222	First Appeal from orders.
L.A. (Ref.)	10223	Reference.
L.A. App	10224	Appeals.
M.A.C. App	10225	Motor Accident Appeal.
Arb. P	10226	Petition under Indian Arbitration Act.
Arb. A	10227	Appeal under Indian Arbitration Act.
M.F.A. (Name of Act)	10228	First Appeal against Judgment in Special Jurisdiction Cases.
M.F.A.	10229	Other First Appeal not covered above.
F.A.	10230	Family Court Appeal.
<u>SECOND APPEALS</u>		
R.S.A.	10231	Second Appeal from Judgment and Decree.
S.A.O.	10232	Appeal from appellate order.
C.O.(R.S.A.)	10233	Cross Objection in Second Appeal.
<u>COMMERCIAL APPEAL</u>		
Comm. Appeal	10234	Commercial Appeal under Commercial Courts Act, 2015.
<u>SPECIAL APPEALS TO DIVISION BENCH</u>		
L.P.A.	10235	Letters Patent Appeal.
C.A.	10236	Appeals under the Companies Act,
W.A.	10237	Writ Appeal under the High Court Rules.
MAT. App.	10238	Appeals.
Misc. Appeal	10239	Any other category of appeal case not covered above.
<u>CIVIL REVISION</u>		
C.R.P.	10240	Revision Petition. (Civil Revision against order passed by Civil Court in Suits)
	10241	Civil Revision against appellate decree under Local Rent Control Act.
	10242	Civil Revision against orders in Cases filed u/s 6 of the Specific Relief Act.
	10243	Civil Revision against order passed by the execution cases.
	10246	Other Civil Revisions not covered above.
<u>CRIMINAL (Appeals and other Cases)</u>		

Nomenclature	Category Code	Category of Case
CRL.A	10250	Appeals against Conviction for offences under I.P.C.
	10251	Appeals against acquittal.
	10252	Appeals against Conviction under the NDPS Act.
	10253	Appeals against the conviction under other Acts.
CRL. A(J)	10255	Criminal Appeals (Jail).
W.P. (CRL)	10256	Petition under Article 226 for Writ and Habeas Corpus and other relief in relation to a Criminal proceeding.
CRL. L.P	10257	Application for leave to appeal u/s 378 Cr.P.C. or under the relevant corresponding proceedings.
CRL. M.A.	10258	Appeal under Section 449 Cr. P.C. against the order under Section 446 Cr. P.C. and other Misc. Appeals.
<u>CRIMINAL REVISION AND OTHER CASES</u>		
CrI. Rev. P.	10260	Criminal Revisions against acquittal.
	10261	Criminal Revisions against orders passed in trial Court.
	10262	Criminal Revision in respect of orders passed in cases other than trial Courts.
	10263	Criminal Revision for quashing of Criminal proceedings and charges.
	10264	Other Criminal Revisions.
Bail Appln.	10265	Bail applications u/s 439 Cr. P.C.
	10266	Anticipatory Bail application u/s 438 Cr. P.C.
	10267	Cancellation of Bail.
CRL Petn.	10268	Application u/s 482 Cr.P.C.
Tr. P. (CRI)	10269	Transfer petition for transfer of Criminal proceeding.
Criminal Reference Case	10270	Criminal Reference u/s 395 of Cr. P.C.
Criminal Misc.	10271	Any other category of Criminal Case not covered above.
<u>TAX REFERENCE CASES</u>		
I.T.R.	10272	Reference u/s 256(1) of the Income Tax Act, 1961
I.T.A.	10273	Application u/s 256(2) of the Income Tax Act, 1961.
W.T.R.	10274	Reference u/s 27(1) of the Wealth Tax Act, 1957.
C.R.(M)	10275	Reference u/s 27(3) of the Wealth Tax Act, 1957.
G.T.R.	10276	Under section 26(1) of the Gift Tax Act, 1958.
OTR (Cus. Ref) (C.E. Ref)	10277	Other Tax Reference not covered above.

Nomenclature	Category Code	Category of Case
E.D.R.	10278	Reference u/s 64(1) of the Estate Duty, 1953.
E.D.A.	10279	Application u/s 64(3) of the Estate Duty, 1953.
S.T. REF	10280	Reference under Local Sales Tax Laws to the High Court.
S.T. Appl.	10281	Applications to the High Court for reference in Sales Tax matters.
A.I.R. (REF)	10282	Reference under the Agricultural Income Tax Act to the High Court.
C.R. (M)	10283	Application to the High Court for reference under AIT Law.
<u>CONFIRMATION OF SENTENCE AND DECREES</u>		
CRL. Death Sentence Ref.	10285	Confirmation of Death Sentence u/s 366 Cr. P.C.
DS	10286	Confirmation of Decree of Divorce.
<u>APPLICATION RELATING TO THE APPEALS BEFORE SUPREME COURT</u>		
SCA	10290	Application for Certificate of Appeal before Supreme Court in Civil Cases.
SCA	10291	Application for Certificate of Appeal before Supreme Court in Criminal Cases.
SCLP	10292	Application for Leave to Appeal to Supreme Court in Civil Cases.
<u>REVIEW PETITION (IN RESPECT OF SINGLE BENCH)</u>		
Rev. Pet.	10296	Review Petition in First Appeal.
	10297	Review Petition in Second Appeal.
	10298	Review Petition in Civil Revision.
	10299	Review Petition in WP (C) Cases.
	10300	Review Petition in other Cases not covered above.
<u>REVIEW PETITION (IN RESPECT OF DIVISION BENCH)</u>		
Rev. Pet.	10301	Review Petition.
Cont. App. (C)	10302	Appeals against order in contempt matters.
Tr. P. C	10303	Transfer petition under Section 24 of C.P.C.
<u>MISCELLANEOUS APPLICATIONS</u>		
C.M. Appl. (WP)	10400	Miscellaneous Applications in respect of Writ petitions.
C.M. Appl. (OJ)	10401	Miscellaneous Applications in respect of Original Jurisdiction Cases.
C.M. Appl. (FA)	10402	Miscellaneous Applications in respect of First Appeals.
C.M. Appl. (SA)	10403	Miscellaneous Applications in respect of Second Appeals.
C.M. Appl. (CRP)	10404	Miscellaneous Applications in respect of Civil Revision Matters.

Nomenclature	Category Code	Category of Case
C.M. Appl. (CRL)	10405	Miscellaneous Applications in respect of Criminal matters.
C.M. Appl. (TAX)	10406	Miscellaneous Applications in respect of Tax Reforms Cases.
C.M. Appl. (REVIEW)	10407	Miscellaneous Applications in respect of Review Matters.
C.M. Appl. (ORS)	10408	Miscellaneous Applications in respect of other matters.
I.A.	10409	Inter Locutory Application in pending Appeals.
Caveat	10410	Caveat Petition.
C.M. Appl. (DB)	10411	Miscellaneous Applications in respect of Division Bench matter.
C.M. Appl. (LPA)	10412	Miscellaneous Applications in respect of Special Appeals to Division Bench.
C.M. Appl. (CA)	10413	Miscellaneous Applications in respect of Special Appeals to Division Bench.
C.M. Appl. (WA)	10414	Miscellaneous Applications in respect of Special Appeals to Division Bench.
C.M. Appl. (MAT)	10415	Miscellaneous Applications in respect of Special Appeals to Division Bench.
Appropriate Case Type depending upon subject matter	10416	Any other category of case for which no specific category code is available in the above list.

Copy to:-

1. The Principal Secretary to Hon'ble the Chief Justice, High Court of Tripura, Agartala.
2. The Secretary to Hon'ble Mr. Justice A.Lodh, Judge, High Court of Tripura, Agartala.
3. The Advocate General, Tripura, Agartala.
4. The Chairman, Bar Council of Tripura, Agartala.
5. The Government Advocate, High Court of Tripura, Agartala.
6. The Secretary, Tripura High Court Bar Association, Agartala.
7. The Secretary, Tripura Bar Association, Agartala.
8. The Assistant Solicitor General of India, Govt. of India, Agartala;
9. The Public Prosecutor, High Court of Tripura, Agartala.
10. The Director, Tripura Judicial Academy, Agartala.
11. The LR & Secretary, Law, Government of Tripura, Agartala.
12. The Private Secretary to the Registrar General, High Court of Tripura, Agartala.
13. **The District & Sessions Judge**, Dhalai Judicial District, Ambassa/ North Tripura Judicial District, Dharmanagar/ Sepahijala Judicial District, Sonamura/ West Tripura Judicial District, Agartala/ Gomati Judicial District, Udaipur/ South Tripura Judicial District, Belonia/ Khowai Judicial District, Khowai/ Unakoti Judicial District, Kailashahar for information.
14. The Registrar (Vigilance), High Court of Tripura, Agartala.
15. The Registrar (Judicial), High Court of Tripura, Agartala.
16. **The Judge**, Family Court, Khowai, Khowai District/ Agartala, West Tripura District/ Kailashahar, Unakoti District/ Sonamura, Sepahijala District/ Ambassa, Dhalai District / Dharmanagar, North Tripura District/ Belonia, South Tripura District/ Udaipur, Gomati District.
17. The Registrar (Admn.P&M), High Court of Tripura, Agartala.
18. The Joint Registrar, High Court of Tripura, Agartala.
19. The Deputy Registrar(s), High Court of Tripura, Agartala.
20. The Chief Librarian, High Court of Tripura, Agartala for information and necessary action.
21. The System Analyst, High Court of Tripura, Agartala for uploading the notification in the official website of the High Court of Tripura, Agartala.
22. The Manager, Government Press, Agartala, Tripura. He is requested to publish the said Notification in the next extra-ordinary issue of the Tripura Gazette and send at least 2(two) copies of the same to the undersigned after publication.
23. The Superintendent (Rules & Recruitment), High Court of Tripura, Agartala

Registrar General