

CHAPTER XVIII

GRANT OF CERTIFIED COPIES AND FREE COPIES

117. Form and fee of application – (a) Every application for grant of certified copy shall be in Form No.22 and accompanied with a non-refundable fee for Rs.5 ((Rupees Five only) in the form of IPO/DD drawn in favour of the Registrar and payable at the place of the Bench of the Tribunal.

(b) If the certified copies applied for are for more than one document in the same cases, only one copy application need be filed.

118. Right of the party to obtain certified copy – A party to an application/petition or his legal practitioner shall be entitled to obtain certified copy of the record, preceding or original document filed in case on payment of prescribed fee.

119. Application for copies by stranger – (a) Applications for copies of documents (other than orders) by person not parties to the proceedings shall be allowed only by order of the Registrar obtained on a duly verified petition in Form No.III of the Procedure Rules, setting forth the purpose for which the copy is required on payment of prescribed fee.

(b) Copies of orders can however, be granted to any person on payment of prescribed fees..

120. Register of copy application and requisition register – (a) A Register of Copy Application shall be maintained in Register Form No. 10 and a Requisition Register in Register Form No.11 in the copying Branch.

(b) Entries in respect of urgent copy applications shall be underlined in red ink/pencil.

121. Copying fee – The copying fee payable for obtaining an ordinary copy shall be at the rate of Rs.1 per page and for urgent copy at the rate or Rs.2 per page irrespective of the number of word/lines in each page.

122. Scrutiny of copy application, requisitioning of case records and rectification of defects – (a) If the application is in order necessary entries shall be made in the Register of Copy Application and the Requisition Register and the same sent to the official-in-charge of records. The officer-in-charge of the records shall promptly transmit the records along with the application aftermaking an entry in the application and initialling the same.

(b) If the application is found to be defective the same shall be notified on the Notice Board of the Registry. If the defects are not rectified within three days from the date of such notification, the copy application shall be struck off. The application shall be deemed to have been made on the date of rectification of all defects.

123. Determination of additional copying fee – On receipt of the records of officer-in-charge of copying section after satisfying that the records are completed shall determine the additional copying fee payable over and above the copying fee of Rs.5

already paid and make an entry thereof in the application with his initials. Additional fee payable shall be notified on the Notice Board of the Registry.

124. Remittance of additional copying fee – Additional copying fee shall be remitted by the applicant between 10.30 a.m. and 4.30 p.m. in the form of IPO/DD drawn in favour of the Registrar and payable at the place of the Bench within two days, in the case of urgent copy, and within seven days in the case of ordinary copy from the date of notice. If the additional fee payable is not remitted within the same notified, the application shall be struck off.

125. Order of preparation of certified copy – Certified copies shall be prepared in the order in which they become ready in all respects. Urgent applications shall take precedence over all ordinary applications.

126. Time limit for issue of urgent/ordinary copy – Urgent copy shall be delivered to the applicant as far as possible within three days and ordinary copy within ten days from the date the application is ready in all respects.

127. Notifying when copies are ready for delivery and consequence of not taking delivery – (a) On each working day before 11.30 a.m. , the officer in-charge of the copying branch shall cause to be prepared in duplicate in Form No.23, a list of cases in which certified copies are ready for delivery and publish one copy of the same on the notice board of the Registry with his signature, and the other copy shall be retained for record.

(b) If the applicant fails to take delivery within three months, the certified copy prepared shall be destroyed and the copying fee paid forfeited to Government.

128. Proper accounting of copying fee received – The Officer in-charge shall ensure that the copying fee received in the registry is promptly accounted in the IPO/DD Register and transmitted to the cash section for crediting them to the Government account.

129. Preparation and comparison of certified copy – (a) Certified copy shall be made by photocopying process or by typing. When the copy is so made, it shall be compared by the official in-charge of preparing the copy with the document of which the copy is made, aided by another official in the copying branch. He shall, after satisfying himself that the copy prepared faithfully and legibly reproduces the document desired, append a certificate as under and affix his initials:

“Certified that this is a true and accurate copy of the document/order as in the case file (OA/RA/TA/CP/MA/PT No..../19...../20.....) and that all the matter appearing therein have been legibly and faithfully copied with no modifications.”

(b) He shall affix an endorsement on the last page of the copy as under and put his initials:

(i) Serial No. of the copy of application

(ii) Name of the applicant

(iii) Date of presentation of application

(iv) No. of pages

(v) Copying fee charged/urgent or ordinary

(vi) Date of preparation of copy

(vii) Date on which copy is ready

(viii) Date of delivery

(c) The certificate and the endorsement shall be made with the help of a rubber stamp got prepared for that purpose. The entries however shall be made in ink.

(d) The officer authorized to issue the copy shall affix his signature below the endorsement and cause to affix the seal of the Tribunal on all pages of the copy and also initial wherever there are corrections.

130. Re-transmission of case records – On completion of the preparation of the certified copy, the officer-in-charge of the copying section shall re-transmit the records of the case to the concerned branch, after making necessary entries in the Requisition Register and obtain acknowledgement of the official, who receives back the records, in the relevant column of the Register.

131. Mode of delivery of certified copy – At the time of the delivery of the certified copy, the official concerned shall obtain the signature of the applicant in the relevant column in the Register of Copy Applications, record the date of such delivery on the copy application and fill up relevant column regarding the date of delivery in the Endorsement stamped on the certified copy.

132. Request for certified copy by post. (a) Where the applicant desires to have the certified copy sent to him by post, he shall send an additional sum of Rs.10 by way of IPO/DD drawn in favour of the Registrar and payable at the place of the Bench for defraying the postal charges etc.

(b) If the amount sent is found to be inadequate, the applicant shall be intimated to remit the said amount within the time specified. On receipt of the intimation, the applicant shall remit the amount in the manner provided in sub-rule(a) above and within the time specified.

133. Intimation of rejection – If for any reason the copy application is rejected, due intimation be given to the applicant and the refundable amount if any, returned to him.

134. Supply of free copy only once – Once free copy of the order is sent as provided in rule 22 of the Procedure Rules, the Tribunal shall not be required to furnish any more free copies.

135. Certifying of free copies – Every free copy issued to a party or his legal practitioner in accordance with the Procedure Rules shall be certified to be "True

Copy" and shall be superscribed "FREE COPY U/R 22 OF CAT (PROCEDURE) RULES" with rubber stamp and signed by the officer authorized in that behalf. He shall also cause to enter the date and other details of furnishing of such free copy in the Register of Free Copies in Register Form No.12.

136. Time for furnishing free copies – (a) Judicial branch of the Registry shall issue free copies of the order to the parties or their legal practitioners as provided under rule 22 of the Procedure Rules as far as possible within seven days from the date of pronouncement of the order.

(b) If the free copy of the order is delivered by hand to parties/their legal practitioner, the officer in-charge shall obtain acknowledgement thereof in the relevant column in the Register of Free Copies.

137. Furnishing of free copy in a joint application – When joint application/petition is made, only one free copy of the order contemplated by rule 22 of the Procedure Rule shall be issued, either to their legal practitioners or if they are appearing in person, to any one of the applicants.

138. Furnishing of corrected free copy of order – Whenever clerical or typographical errors/mistakes in an order are rectified subsequent to the issue of the free copy thereof, the Registrar shall cause to issue a corrected free copy of such order to the parties/their legal practitioners in the prescribed manner.