

THE SUPREME COURT RULES, 1966

SCHEDULES

FIRST SCHEDULE

Rules as to Printing of Record

1. The record in appeals to the Court shall be printed in the form known as demy quarto on both sides of the paper with single spacing.

2. The size of the paper used shall be such that the sheet, when folded and trimmed, will be about 11 inches in height and 8 1/2 inches in width [or 29.7 cm. in height and 21 cm. in width].

3. The type to be used in the text shall be pica type but "Long Primer" shall be used in printing accounts, tabular matter and notes. Every tenth line shall be numbered in the margin.

4. Records shall be arranged in two parts in the same volume, where practicable, viz. -

Part I- The pleadings and proceedings, the transcript of the evidence of the witnesses, the judgments, decrees, etc., of the Courts below, down to the orders 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 Court, as the circumstances of the case require. The documents shall be printed as far as suitable in chronological order, mixing plaintiff's and defendant's documents together when necessary. Each document shall show its exhibit mark, and whether it is a

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1. Ins. by G.S.R. 410, dated 26th February, 1968 (w.e.f. 26-2-1968).

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plaintiff's or defendant's document (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 will be responsible for arranging the record in proper order for the 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 heading which shall be repeated at the top of 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 heading 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 oral evidence, 'Plaintiff's evidence' or 'Defendant's evidence' shall appear next to the name of the court and then the number in the Index and the witness's name, with 'examination', 'cross-examination' or 're-examination', as the case may be.

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PART II

The word 'Exhibit' shall first appear and next to it the exhibit mark and the description of the document in the Index with the date.

Sufficient space shall be left after the heading to distinguish it from the rest of the matter printed on the page.

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 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 advises, but the parties shall agree to short extracts being printed as specimens.

11. In case 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.

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<sup>1</sup>SECOND SCHEDULE

Fees payable to Advocates

PART I

Sl. No.		Fee on brief not exceeding (Rs.)	Refresher not exceeding (Rs.)
1.	Defended appeals, suits of reference under Article 143 or Article 317(1) of the Constitution or defended petitions under Article 32 of the Constitution	Leading counsel Associate Advocate, if any Advocate-on-record for instructing	2400/- 600/-
2.	Undefended appeals.	One fee	1400/- No refresher
3.	Petitions for special leave (or appeals on a certificate heard ex parte).	Leading Counsel Advocate-on-record when not pleading but only instructing	800/- 400/- } No refresher
4.	Undefended petitions under Article 32 of the Constitution.	Leading Counsel Advocate-on-record when not pleading but only instructing	1500/- 750/- 800/- 400/-

1. Subs. by G.S.R. 409, dated 3rd July, 1990 (w.e.f. 7-7-1990)

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Sl. No.	Fee on brief not exceeding (Rs.)	Refresher not exceeding (Rs.)
5. Notices of motion other than petitions under Article 32 of the Constitution when opposed.	Leading counsel Advocate-on-record	1500/- per appearance 800/- per appearance No refresher
6. Petitions in courts for review.	Leading counsel Advocate-on-	1500/- 1000/- No refresher
7. Opposed applications for investigations in Chambers	One fee	1000/-
8. Unopposed motions and Chamber applications and review applications in taxation.	One fee	500/-
9. Attending taxation or hearing judgment.	One fee	250/-
10. Attending settlement of Index and for taking other steps for preparation of the record.	One fee	500/-

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PART II

	Not exceeding Rs.
1. To junior Advocate for drafting petitions for special leave and petitions under Article 32 of the Constitution inclusive of the affidavits in support of the petition.	1200/-
To the senior for settling petitions for special leave and petitions under Article 32 of the Constitution inclusive of the affidavits in support of the petition.	1000/-
2. To junior Advocate for drafting other petitions or affidavits (other than formal petitions like petitions for excusing delay and affidavits in them and affidavits of service.) or written briefs	550/-
To Senior Advocate for settling other petitions or affidavits (other than formal petitions like petitions for excusing delay and affidavits in them and affidavits or service.)	750/-
<sup>1</sup> [3. To Junior Advocates for drawing statement of case in appeals, pleadings in suit or special case.	1200/-
To Senior Advocate for settling statement of case in appeals, pleadings in suit or special case in consultation with Junior, if allowed.	1800/-]
4. Acting Fees-	Rs. 2000/- but not less than Rs. 1200/- as the Taxing Officer may in his
In appeals (defended and undefended including suits and References under Article 143 or Article 317(1) of the Constitution or defended petitions under Article 32 of the Constitution.	allow, having regard to the nature and duration of the 'Acting' work involved in the case.
In undefended petitions under Article 32 of the Constitution.	1000/-

Actual postal and telegraph charges where necessary to be allowed in the discretion of the Taxing officer.

1. Subs. by G.S.R. 407, dated 9th December, 1997 (w.e.f. 20-12-1997).

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PART III

	Not exceeding Rs.	
1. Preparing copies of documents (other than tabulated statements and accounts) whether written or typed (6 copies)	Rs. 10/-	
2. Cyclostyling (per page 10 copies)	Rs. 5/-	Rs. 10/- type or actual charges
3. Preparing copies of tabulated statements and accounts per folio	Rs. 20/-	
4. Preparing lithographed or printed copies per folio for each copy.	Rs. 12/-	
5. Preparing photographed copies.	—	Actual charges
6. Making transcript or copying papers for the press where necessary for preparing paper book, including examination, per folio.	Rs. 12/-	—
7. Printing of paper book.	—	Actual cost at a reasonable rate to be allowed by the Taxing Officer
8. Examining proofs, per folio.	Rs. 5/-	

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THIRD SCHEDULE

TABLE OF COURT FEES

PART I

ORIGINAL JURISDICTION

	Rs.
1. Filing and registering plaint	250.00
2. Filing and registering written statement	50.00
3. Filing and registering set-off or counter-claim	50.00
4. Reply to a counter-claim	50.00
5. Examining and comparing document with the original, for each folio.	0.50
6. Reducing into writing or, where taken down in shorthand, transcribing the deposition of witnesses, for each folio.	0.62
7. Typed copies of transcript of depositions of witnesses for any Party-	
First copy, per folio.	0.50
Carbon copies, per folio.	0.12
8. Petitions under article 32 of the Constitution other than petitions for habeas corpus and petitions arising out of criminal proceedings.	50.00

PART II

APPELLATE JURISDICTION

1. Petition for special leave to appeal	250.00
<sup>1</sup> [1(a) Consolidated process fee for intimating contesting respondents.	10.00

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1. Ins. by G.S.R. 189, dated 15th March, 1991 (w.e.f. 30-3-1991).



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- |                  |   |   |
|------------------|---|---|
| 2.               | Lodging and registering petition of appeal-Where the amount of value of the subject-matter in dispute is Rs. 20,000 or below that sum.  | 250.00  |
|                  | For every Rs. 1,000 in excess of Rs. 20,000   | 5.00<br>for every<br>thousand<br>rupees or part<br>thereof. |
|                  | In case where it is not possible to estimate at a money value the subject-matter in dispute<br>Provided-  | 250.00  |
|                  | (1) that the maximum fee payable in any case shall not exceed Rs. 2,000 and<br>(2) that where an appeal is brought by special leave granted by the court credit shall be given to the appellant for the amount of court-fee paid by him on the petition for special leave to appeal.] |   |
| <sup>1</sup> [3. | Lodging of statement of case of caveat.]  | 20.00   |
| 4.               | Application for review of judgment or order of Court  | The same fee as was paid on the original proceedings.       |
| <sup>2</sup> [5. | Petition of Appeal under Consumer Protection Act, 1986  | 250.00  |

PART III  
MISCELLANEOUS

- |    |   |             |
|----|---|-------------|
| 1. | Entering in register of suits, appeals or matters, names of representatives of a deceased party or of a substituted or added party. | Rs.<br>2.00 |
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1. Subs. by G.S.R. 407, dated 9th December, 1997 (w.e.f. 20-12-1997).

2. Ins. by G.S.R. 409, dated 3rd July, 1990 (w.e.f. 7-7-1990).

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<sup>1</sup> [2.	Summons or notice to defendant or his representatives or a respondent to a petition or to a memorandum of appeal, for each person.]	<sup>2</sup> [10.00]
3.	Entering appearance	5.00
4.	Amending appearance	5.00
5.	Vakalatnama	3.00
6.	Filing fee for every document for which a fee is not specially provided including documents annexed thereto as exhibits if any, or produced with plaint for use in evidence, each document	2.00
7.	Every application to the court not specially provided for	10.00
8.	Every application to the court by notice of motion where an ad interim ex parte order is prayed for	20.00
9.	Every application to a Judge in Chambers, the Registrar or Taxing Officer not specially provided for	5.00
10.	Every requisition to draw up an order including fee for filing the order	5.00
<sup>1</sup> [11.	Warrant Writ, summons or other process not specially provided for, for each person]	<sup>2</sup> [10.00]
12.	Every certificate or report of a Judge in Chambers or of Registrar on an investigation	10.00
13.	Every other certificate for which a fee is not specially provided	3.00
14.	Commission to examine witnesses or other commission	10.00
15.	Production by an officer of the court in any other court or before a Commissioner of records of any suit, matter or appeal, exclusive of traveling expenses	10.00
16.	For production of records by post, exclusive of postage, registration and insurance fees	5.00

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1. Ins. by G.S.R. 387, dated 13th March, 1978 (w.e.f. 18-3-1978).

2. Subs. by G.S.R. 466, dated 26th June 1983 (w.e.f. 2-7-1983) and again Subs. by G.S.R. 189, dated 15th March, 1991 (w.e.f. 30-3-1991).

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17.	For every attendance on parties or their advocates inspecting books and papers in court.	5.00
18.	For enquiry into sufficiency of security	8.00
19.	For every search or examination of records	3.00
20.	Every affidavit affirmed or sworn	2.00
21.	For every oath or affirmation administered to witness	3.00
22.	Every exemplification of decree or other documents in addition to the folio and other charges	10.00
23.	Every requisition for duplicate or other copy of any document	1.00
24.	For duplicate and other copies of any document, per folio less requisition fee paid	<sup>1</sup> [1.00]
25.	For amending pleadings or other proceedings under order of the Court, per folio	2.00
26.	Upon all moneys or securities paid to the Registrar or deposited with him	A commission of 1 per cent and 2½ per cent on interest drawn on invested money.
27.	Every requisition for translation	1.00
28.	Every written translation, per folio, less requisition fee paid	2.00
29.	Checking and certifying a translation made by a translator other than an officer of the Court, per folio	1.00
30.	Summons by Taxing Officer	3.00
31.	Certificate by Taxing Officer	2.00
32.	Taxing each bill, not exceeding 10 folios	10.00
33.	For every other folio	1.00
34.	Registering every bill of costs	1.00
35.	Special certificate of allowance where required.	8.00

1. Subs. by G.S.R. 387, dated 13th March, 1978 (w.e.f. 18-3-1978).

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36.	Certificate on review of taxation	10.00
37.	For every certificate of funds in Court	8.00
38.	Requisition to prepare an estimate of the charges for preparation of record	10.00
39.	Preparing copies, making transcript or keeping papers for the press for preparing paper book including examination thereof, to be deposited in cash initially and thereafter to be converted into Court-fees	0.50 per page
40.	Examining proofs from the press	0.25 per page
<sup>1</sup> [41.	Cyclostyling record for 20 copies or less	4.00 per page of metric size
	For every additional 5 copies or less	0.80 per page of metric size]
42.	Printing the record	Actual charges to be ascertained according to the prevailing rates (to be deposited in cash)
43.	Preparing photograph copies or copies of maps	Actual charges (to be deposited in cash).
44.	Certification of the record.	Rs. 0.25 per page or part thereof to be deposited in cash and thereafter to be converted into Court-fees.
45.	Registering a clerk of an advocate or a firm of advocates	5.00
46.	Requisition for issue of an identity card in substitution of one that is lost or damaged	3.00

N.B.-In the case of references under article 143 of Constitution such of the above fees as may be appropriate shall be charged.

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1. Subs. by G.S.R. 466, dated 22nd June, 1983 (w.e.f. 2-7-1983).

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FOURTH SCHEDULE  
Fees to Officers of Court

	Rs.
1. Fees of interpreter for explaining at the House of a party or any place other than the Court House, pleadings and other documents except affidavits or affirmations where not exceeding 20 folios	8.00
Where over 20 folios, for every 10 folios or part thereof	2.50
2. Fees of Registrar for taking bonds and of Commissioners for taking affidavits or affirmations at the house of a party or any place other than the Court House:	
For the first affidavit, oath or affirmation or bond, where within the limits of the Union Territory of Delhi.	16.00
For the first affidavit, oath or affirmation or bond, where beyond such limits	24.00
For every affidavit, oath or affirmation or bond, taken at the same time and place after the first, in the same suit, appeal, or matter	8.00
3. Fees of Commissioners, for receiving affidavit, oaths or affirmations at the Court House, for every affidavit, oath or affirmation	2.00
4. Fees of interpreter for explaining bonds, affidavit, of petitions, at the house of a party or any place other than the Court House.	Half the fees allowed to Registrar or Commissioner.

THE SUPREME COURT RULES, 1966

FIFTH SCHEDULE

FORMS

NO. 1

Application for the registration of a clerk

(S.C.R., Order IV, rule 12)

IN THE SUPREME COURT OF INDIA

1. Name of advocate/firm of advocates on whose behalf the clerk is to be registered.
2. Particulars of the clerk to be registered :
  - (i) Full name (In capitals) :
  - (ii) Father's name :
  - (iii) Age and date of birth :
  - (iv) Place of birth and nationality :
  - (v) Educational qualifications :
  - (vi) Particulars of previous employment, if any :

I, ..... (clerk above-named), do hereby affirm that the particulars relating to me given above are true.

.....  
(Signature of Clerk)

3. Whether the advocate/firm of advocates has a clerk already registered in his/its employ, and whether the clerk sought to be registered is in lieu of or in addition to the clerk already registered.
4. Whether the clerk sought to be registered is already registered as a clerk of any other advocate and if so, the name of such other advocate.

I, ..... (advocate) certify that the particulars given above are true to the best of my information and belief and that I am not aware of any facts which would render undesirable the registration of the said ..... (name) as a clerk.

.....  
(Signature of advocate/  
partner of firm of advocates)

Dated .....

To

The Registrar,  
Supreme Court.

THE SUPREME COURT RULES, 1966

NO. 2

Form of Summons for an Order in Chambers  
(S.C.R., Order VI)

IN THE SUPREME COURT OF INDIA

[Appellate Jurisdiction]

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[Original Jurisdiction]  
Appeal

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Case No..... of .....19.....

[A.B.]

[Appellant]

-----  
[State of A.B.]

-----  
[Plaintiff]

Vs.

[C.D.]

[Respondent]

-----  
[State of C.D.]

-----  
[Defendant]

Let all parties concerned attend before ..... in Chambers at the Court House (New Delhi) on the ..... day of ....., at ..... o'clock in the forenoon on the hearing of an application on the part of the above-named plaintiff (or appellant, defendant, respondent as the case may be) for an order that (here state the precise object of the application).

Dated this the ..... day of ..... 19.....

[Take notice that this summons will be attended by counsel for the applicant]

(Signed).....

Advocate on record for the plaintiff

This summons was taken out by ..... Advocate on record for the plaintiff.

To

.....

Advocate on record for the defendant.

THE SUPREME COURT RULES, 1966

NO. 3

Notice of Appeal from Registrar  
(S.C.R., Order VI, rule 3)  
IN THE SUPREME COURT OF INDIA

[Appellate Jurisdiction]

\_\_\_\_\_  
[Original Jurisdiction]  
Appeal  
\_\_\_\_\_

Case No.....of .....19.....

[A.B.]

[Appellant]

-----  
[State of A.B.]

-----  
[Plaintiff]

Vs.

[C.D.]

[Respondent]

-----  
[State of C.D.]

-----  
[Defendant]

Take notice that the above-named plaintiff (or appellant, respondent, defendant as the case may be) intends to appeal against the decision of the Registrar, given on the .....day of..... (ordering or refusing to order) that

And further take notice that you are required to attend before the Judge in Chambers at the Court House (New Delhi) on the..... day of ....., 19..... at .... o'clock in the forenoon on the hearing of an application by the said plaintiff (or appellant, respondent, defendant as the case may be) for an order that (here state the order sought to be obtained).

(Signed).....  
Advocate on record for the plaintiff

To

Advocate on record for the defendant.



THE SUPREME COURT RULES, 1966

<sup>1</sup>[NO. 4]

Notice of Motion

(S.C.R., Order VIII, rule 2)

IN THE SUPREME COURT OF INDIA

[Appellate Jurisdiction]

.....

[Original Jurisdiction]

Civil /Criminal Misc.Petition No..... of ..... 19.....

[Appeal]

.....

Case No. of 19.

[A.B.]

[Petitioner]

-----

[State of A.B.]

[Appellant]

[Plaintiff]

Vs.

[C.D.]

[Respondent]

-----

[State of C.D.]

[Defendant]

Take notice that the Court will be moved on the..... day of ..... 19  
..... at 10-30 o'clock in the forenoon, or so soon thereafter as counsel can be  
heard, by Mr..... counsel for the above-named plaintiff (or defendant,  
petitioner, appellant, respondent as the case may be), that (or for an order that, or  
for ) (here state the precise object of the motion).

A copy of the application is enclosed herewith.

\* Take further notice that meanwhile this Court has been pleased to pass the  
following order, (here quote the interim order of the Court).

Dated this the ..... day of ..... 19.....

.....

Advocate on record for the  
Petitioner / Appellant / Plaintiff.

Address: .....

To

Advocate on record for the  
Opposite party/respondent/defendant

\*Wherever applicable

1. Subs. by G.S.R. 1350, dated 11th December 1974 (w.e.f. 21-9-1974).

THE SUPREME COURT RULES, 1966

NO. 5

Form of Oath by Translator

(S.C.R., Order X, rule 4)

IN THE SUPREME COURT OF INDIA

In the matter of ....., a translator.

I, ....., solemnly affirm and say that I will translate correctly and accurately all documents given to me for translation.

Dated this the ..... day of ..... 19.....

Before me.

.....

Registrar

NO. 6

Application for Production of Record

(S.C.R., Order XII, rule 1)

IN THE SUPREME COURT OF INDIA

[Appellate Jurisdiction]

-----  
[Original Jurisdiction]

Appeal

-----  
Case No..... of .....19.....

[A.B.]

[Appellant]

-----  
[State of A.B.]

-----  
[Plaintiff]

Vs.

[C.D.]

[Respondent]

-----  
[State of C.D.]

-----  
[Defendant]

To

The Registrar,  
Supreme Court of India  
Sir,

Please produce the records of the within mentioned case before .....  
no.(here insert the number and title of the case of which the records are required.)

Dated this the .....day of ..... 19.....

.....  
(Signature)

THE SUPREME COURT RULES, 1966

NO. 7

Notice to the Respondent of Lodgement of Petition of Appeal  
(S.C.R., Order XV, rule 11)

IN THE SUPREME COURT OF INDIA  
Civil Appellate Jurisdiction

Civil Appeal No..... of ..... 19.....  
(Appeal from the judgment and decree / order of the High Court of Judicature  
at ..... (full particulars to be given.....).

(A.B.) (Appellant)

Vs.

(C.D.) (Respondent)

To

Through Shri.....  
Advocate-on-record,  
Supreme Court of India,  
New Delhi.

OR

(give the address of the respondent if no appearance of an advocate-on-record has been entered).

TAKE NOTICE that the Appellant above-named has on ..... filed in the Registry of the Supreme Court a petition of appeal (copy enclosed) from the judgment and decree/order of the High Court of Judicature at ..... and the said petition has been registered in Supreme Court as Civil Appeal No..... of 19....., and that as required by rule 6 of Order XV of the Supreme Court Rules, 1966, the appellant has deposited with the Registrar of the Court requisite security for the cost of the respondent.

Notice is hereby given to you that if you wish to contest the appeal you may appear within thirty days of the receipt of this notice before this Court either personally or by an advocate-on-record of the Court appointed by you in that behalf, and take such part in the proceeding as you may be advised.

Take further notice that in default of your appearance within the time prescribed the appeal will be proceeded with and determined in your absence and no further notice in relation thereto shall be given to you.

Dated this the ..... day of ..... 19.....

.....

Assistant Registrar

THE SUPREME COURT RULES, 1966

Address for service on the Appellant :

(If the appeal has been filed through an advocate-on-record, the address of the advocate-on-record should be given.

OR

If the party is appearing in person then a local address should be given).

NOTE :—

Where the record of the appeal is required to be prepared under the supervision of the Registrar of the Court appealed from, the notice shall also state this fact and shall in relation to the preparation of the record, also require the respondent to take steps before the Court appealed from (vide rule 14 of Order XV, of the Supreme Court Rules, 1966).

NO. 8  
Memorandum of Appearance in Person  
(S.C.R., Order XV, rule 12)  
IN THE SUPREME COURT OF INDIA

[Appellate Jurisdiction]

Appeal No..... of ..... 19.....

(A.B.) (Appellant)

Vs.

(C.D.) (Respondent)

To

The Registrar,  
Please enter an appearance for the respondent above-named in this appeal.

Dated this the ..... day of ..... 19.....

(Signature).....

Address for Service.

THE SUPREME COURT RULES, 1966

NO. 9

Memorandum of Appearance through Advocate-on-record  
(S.C.R., Order XV, rule 12)  
IN THE SUPREME COURT OF INDIA

[Appellate Jurisdiction]

\_\_\_\_\_

[Original Jurisdiction]

Appeal No.....of ..... 19.....

Case

[A.B.]

[Appellant]

-----

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[State of A.B.]

[Plaintiff]

Vs.

[C.D.]

[Respondent]

-----

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[State of C.D.]

[Defendant]

To

The Registrar,

Please enter an appearance for the above-named Respondent (or the defendant) in this appeal/case.

Dated this the ..... day of ..... 19.....

(Signed).....

Advocate on record for the Respondent.

THE SUPREME COURT RULES, 1966

<sup>1</sup>[NO. 9A

Certificate to the Advocate appointed at the cost of State  
[S.C.R., Order XXI, rule 8(3), 25 and 25A (1)]  
IN THE SUPREME COURT OF INDIA  
Criminal Appellate Jurisdiction

Petition for Special leave to Appeal (Criminal) No.....of.....19.....  
Criminal Appeal No..... of 19.....

Petitioner(s)  
Appellant(s)

Vs.

The State of

Respondent(s)

CERTIFICATE

Certified that Shri ..... Advocate was engaged at the cost of the State in above Petition / Appeal which was heard on ..... and that Rs..... only [Rupees (in words)..... only] are payable to him as his fees by the State of .....

.....  
Registrar/  
Deputy Registrar

Note : - Strike out whichever is not applicable.]

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1. Ins. by G.S.R. 2746, dated 6th December, 1969 (w.e.f. 13-12-1969).

THE SUPREME COURT RULES, 1966

NO. 10

Notice to Respondent of Lodging of Appeal  
(S.C.R., Order XXI, rule 15)  
IN THE SUPREME COURT OF INDIA

(Appellate Jurisdiction)

Criminal Appeal No..... of ..... 19.....

Appeal from the judgment (order sentence or decision) of the High Court  
of Judicature at ..... Court or Tribunal.

[A.B.]

[Appellant]

Vs.

[The State]

[Respondent]

To

The Attorney-General for India and /or

.....

The Advocate-General concerned

Take notice that an appeal from the judgment (order, sentence or decision)  
of the High Court of judicature at .....dated the .....of the Court 19  
....., in case No.....(here give number of Case in High Court, or Judicial  
Commissioner's Court)

was presented by the above-named appellant on the ..... day of  
..... 19..... and has been registered in this Court as Criminal Appeal  
No..... of ..... 19.....

Dated this the ..... day of .....19.....

.....

Registrar

THE SUPREME COURT RULES, 1966

NO. 11

Summons for disposal of Suit  
(S.C.R., Order XXIV, rule 1)  
IN THE SUPREME COURT OF INDIA

(Original Jurisdiction)

Case No. \_\_\_\_\_ of 19 \_\_\_\_\_  
[State of A.B.] [Plaintiff]  
Vs.  
[C.D.] [Defendant]

To

WHEREAS the above-named plaintiff has instituted a suit in the Court against you claiming..... you are hereby required to cause an appearance to be entered for you in the Registry of the Court within twenty-eight days from the service upon you of this summons, exclusive of the day of such service; and you are summoned to appear before this Court by an Advocate on record of the Court to answer the plaintiff's claim on the day the case is set down for hearing upon which date you must be prepared to produce all your witnesses and all documents in your possession or power upon which you intend to rely in support of your case.

And you are hereby required to take notice that in default of your causing an appearance to be so entered, the suit will be liable to be heard and determined in your absence.

Witness ..... Chief Justice of India,\*.  
the..... day of..... in the year one thousand nine hundred  
and.....

Advocate or record

\* At the Supreme Court, New Delhi

Address :.....

.....

Registrar



THE SUPREME COURT RULES, 1966

NO. 12

Notice of Appearance  
(S.C.R., Order XXIV, rule 7)  
IN THE SUPREME COURT OF INDIA

(Original Jurisdiction)

Case No.....of 19.....

[State of A.B.]

[Plaintiff]

Vs.

[State of C.D.]

[Defendant]

To

(The plaintiff or his Advocate on record)

Take notice that appearance has been entered for the above-named defendant in this case.

Dated this the..... day of.....19.....

(Signed).....

Advocate on record for the defendant

NO. 13

Summons for Directions  
(S.C.R., Order XXIV, rule 8)  
IN THE SUPREME COURT OF INDIA

(Original Jurisdiction)

Case No.....of 19.....

[State of A.B.]

[Plaintiff]

Vs.

[State of C.D.]

[Defendant]

Let all parties concerned attend,..... in Chambers at the Court House (New Delhi) on the ..... day of .....19....., at ....o'clock in the forenoon on the hearing of an application by the plaintiff for directions in this action as follows :- (The applicant should specifically state what he applies for, and strike out what he does not apply for.)

THE SUPREME COURT RULES, 1966

Pleadings	(Here state the direction required, as thus:
Particulars	That the plaintiff may be at liberty to amend
Admission of document and facts	his statement of claim by (State amendments
Discovery	proposed); and generally as he may be
Interrogatories	advised)
Inspection and production of documents	
Inspection of real or personal property	
Commissions	
Examination of witnesses	
Place of trial	
Mode of trial	

Dated this the.....day of .....19.....

.....  
Registrar

This summons was taken out by

Advocate-on-record for the plaintiff.

To

.....  
Advocate-on-record for the defendant.

NO.14

Notice of payment of money into Court

(S.C.R., Order XXXIII, rule 1)

IN THE SUPREME COURT OF INDIA

[Original Jurisdiction]

Case No.....of 19.....

[State of A.B.]

[Plaintiff]

Vs.

[State of C.D.]

[Defendant]

Take notice that the defendant has paid into Court Rs.....and say that (Rs.....part of) that sum is enough to satisfy the plaintiff's claim (for .....and Rs.....the other part of that sum is enough to satisfy the plaintiff's

THE SUPREME COURT RULES, 1966

claim for.....) and admits (but denies) liability therefor.

Dated this the.....day of.....19.....

(Signed) .....  
Advocate-on-record for the defendant  
Address

To  
.....  
Advocate-on-record for the plaintiff,  
Address.

NO. 15  
Acceptance of sum paid into Court  
(S.C.R., Order XXXIII, rule 1)  
IN THE SUPREME COURT OF INDIA

[Original Jurisdiction]

Case No.....of 19.....

[State of A.B.] [Plaintiff]  
Vs.  
[State of C.D.] [Defendant]

The Plaintiff accepts the sum or Rs.....paid by the defendant into Court in satisfaction of the claim in respect of which it was paid in (and abandons his other claims in this action).

Dated this the .....day of .....19.....

(Signed) .....  
Advocate-on-record for the Plaintiff  
Address

To  
.....  
Advocate-on-record for the defendant,  
Address.

THE SUPREME COURT RULES, 1966

NO. 16

Notice to the Attorney-General for India of Reference under Article 143  
of the Constitution of India  
(S.C.R., Order XXXVII)  
IN THE SUPREME COURT OF INDIA

Reference No.....of 19.....

In the matter of a Reference under article 143 of the Constitution of India.

To

The Attorney-General for India.

WHEREAS under article 143 of the Constitution of India, the President has referred the following question(s) of law (or fact) for consideration and report to this Court:-

(Here set out the question or questions referred.)

Take notice that you are hereby required to appear before this Court on the.....day of.....19....., at ..... o'clock in the forenoon to take the directions of the Court in the matter.

Witness....., Chief Justice of India, the.....day of.....in the year one thousand nine hundred and .....

.....  
Registrar

THE SUPREME COURT RULES, 1966

NO. 17

Notice to parties of Reference under Article 143 of the  
Constitution of India

(S.C.R., Order XXXVII)

IN THE SUPREME COURT OF INDIA

Reference No. ....of 19.....

In the matter of (here state the subject matter under reference)  
and

In the matter of a Reference under article 143 of the Constitution of India.

To

.....  
(Name of parties)

WHEREAS under article 143 of the Constitution of India, the President has referred the following question(s) of law (or fact) for consideration and report to this Court:-

(Here set out the question or questions referred.)

Take notice that you are hereby required if you desire to be heard to cause an appearance to be entered for you in the Registry of this Court on or before the.....day of.....19....., and to attend on the said day at ..... o'clock in the forenoon before the Court by an advocate of the Court to take the directions of the Court with respect to the statements of facts and arguments and with respect to the date of the hearing.

Witness....., Chief Justice of India, the.....day of.....in the year one thousand nine hundred and .....

.....  
Registrar

THE SUPREME COURT RULES, 1966

NO. 18

Summons to attend Taxation  
(S.C.R., Order XLII, rule 11)  
IN THE SUPREME COURT OF INDIA

[Appellate Jurisdiction]

-----  
[Original Jurisdiction]

Appeal No.....of 19.....  
Case

(A.B.)

(Appellant)

-----  
(State of A.B.)

-----  
(Plaintiff)

Vs.

(C.D.)

(Respondent)

-----  
(State of C.D.)

-----  
(Defendant)

Bill No. ....of 19..... (Here state the names of the parties to the bill.)

WHEREAS Mr. E.F., advocate-on-record for the appellant (or as the case may be) has lodged a bill of costs (copy appended hereto) for taxation as between [party and party and also as between] advocate-on-record and client, notice is hereby given that the Taxing Officer of the Court will proceed to tax the said bill on the .....day of.....19..... at .....o'clock in the forenoon (afternoon) when you may attend the Taxing Officer in his Chambers at the Court House and contest the said bill or any items therein.

Dated this the.....day of.....19.....

Taxing Officer

THE SUPREME COURT RULES, 1966

NO. 19

Affidavit of Service of Summons  
(S.C.R. Order XLII, rule 14)  
IN THE SUPREME COURT OF INDIA

[Original Jurisdiction]

Appeal No.....of 19.....

-----

Case

(A.B.)

(Appellant)

-----

-----

(State of A.B.)

(Plaintiff)

Vs.

(C.D.)

(Respondent)

-----

-----

(State of C.D.)

(Defendant)

I, .....of.....Advocate-on-record for the above-named....., make oath/solemnly affirm and say as follows :-

I, did on the.....day of.....19....., serve Mr..... advocate-on-record for the above named.....in this action [or appeal] with a true copy of the summons now produced and shown to me marked A, by leaving it before four o'clock in the afternoon at the [office or dwelling house] of the said.....situate.....being the address for service in this action [or appeal] [with his clerk or his servant or as may be there] or by post-envelope addressed to the said.....at .....,being the address for service in this action [or appeal].

Sworn at.....this .....day of.....19.....

Before me.

This affidavit is filed on behalf of the

THE SUPREME COURT RULES, 1966

NO. 20

Affidavit of Service by Post  
(S.C.R., Order XLII, Rule 14)  
IN THE SUPREME COURT OF INDIA

[Appellate Jurisdiction]

\_\_\_\_\_  
[Original Jurisdiction]

Appeal No.....of 19.....

-----  
Case

(A.B.)

(Appellant)

-----  
(State of A.B.)

-----  
(Plaintiff)

Vs.

(C.D.)

(Respondent)

-----  
(State of C.D.)

-----  
(Defendant)

I,....., Advocate-on-record for the above-named, ..... make oath/solemnly affirm and say as follows :-

I did serve the advocate-on-record for the above-named..... in this action [or appeal] [or the above-named.....if he has appeared in person] with the summons [or notice or other documents] now produced and shown to me marked A, by posting it on the .....day of .....19.....at (name of post office) a true copy of the said summons (or as may be) in a pre-paid envelope registered for acknowledgement addressed to the said advocate on record [or respondent or as may be] at ....., which is his address for service.

The postal acknowledgement is attached hereto.

Sworn at.....this..... day of.....19.....

Before me.

This affidavit is filed on behalf of the



THE SUPREME COURT RULES, 1966

NO. 21  
Certificate of Taxation  
(S.C.R., Order XLII)  
IN THE SUPREME COURT OF INDIA

[Appellate Jurisdiction]  
[Original Jurisdiction]

Appeal No.....of 19.....

-----  
Case

(A.B.)

(Appellant)

-----  
(State of A.B.)

-----  
(Plaintiff)

Vs.

(C.D.)

(Respondent)

-----  
(State of C.D.)

-----  
(Defendant)

Bill No. ....of 19.....(Here state the names of  
the parties to the bill)

I do hereby certify that I have taxed the above bill of costs, lodged in this  
Court by Mr. E.F. Advocate on record for appellant [or as the case may be] and  
do allow, as between party and party the sum of [amount in figures and words].

Dated this the.....day of.....19.....

Taxing Officer

THE SUPREME COURT RULES, 1966

NO. 22

Notice of Proceedings to Attorney-General for India or  
Advocate-General of a State  
(S.C.R., Order XLIII, rule 1)  
IN THE SUPREME COURT OF INDIA

[Appellate Jurisdiction]

-----  
[Original Jurisdiction]

Appeal No.....of 19.....

-----  
Case  
[A.B.]

[Appellant]

-----  
[State of A.B.]

-----  
[Plaintiff]

Vs.

[C.D.]

[Respondent]

-----  
[State of C.D.]

-----  
[Defendant]

To

The Attorney-General for India  
or  
Advocate-General of a State.

Take notice that the above-named appeal/case has been filed in this Court [and is fixed for hearing on the.....day of.....19....., and shall be taken up for hearing by the Court on that day, at ..... o'clock in the forenoon or so soon thereafter as may be convenient to the Court] [and shall be fixed for hearing on a suitable date of which due notice will be given to you.]

As the appeal/case raises [an] important question[s] [here state briefly the question(s) involved] notice is hereby given to you so that you may appear and take such part in the proceedings before this Court as you may be advised.

Dated this the.....day of.....19.....

.....  
Registrar

THE SUPREME COURT RULES, 1966

NO. 23

Writ of Commission  
(S.C.R., Order XLVI)

IN THE SUPREME COURT OF INDIA

[Original Jurisdiction]

Case No.....of 19.....

[State of A.B.]

[Plaintiff]

Vs.

[State of C.D.]

[Defendant]

To

The Commissioner appointed to examine the undermentioned witnesses on behalf of

I,....., hereby appoint you and give you full power and authority to swear or affirm and diligently to examine on.....interrogatories and viva voce.....as shall be produced before you as .....witness(es)..... on behalf of the said.....in a certain Case No.....of..... now pending in the Supreme Court (wherein ) and I further command you that you do at certain days and places to be appointed by you for that purpose of which reasonable notice shall be given to all parties cause the said witness(es) to come before you and then and there examine and cross-examine such witness(es) either upon oath or solemn affirmation which we hereby give you full power and authority to administer to such witness(es) in the form firstly specified at the foot hereof, and that you do take such examination and reduce the same into writing on paper; and when you shall have so taken the same you are to send the same before the (returnable date as given in the order for the issue of this commission) to the Registrar of the said Supreme Court closed up under your Seal together with such documents as shall be spoken to and marked exhibits and this writ.

And I further empower you to appoint if necessary, a competent interpreter to interpret such of the proceedings under this commission as you may deem necessary to have interpreted from or into the English language. And I further command you that the interpreter employed in interpreting the depositions of the said witness(es) to be examined by virtue of this writ shall, before he be permitted to act as such interpreter as aforesaid, take the oath or affirmation lastly specified at the foot hereof which I hereby give you power and authority to administer to such interpreter. And I do lastly order that parties to this suit do appear before you in person or by their pleaders.

THE SUPREME COURT RULES, 1966

Witness....., Chief Justice of India at the Supreme Court, New Delhi, the .....day of ..... in the year one thousand nine hundred and ..... Advocate-on-record for .....  
[Names of witnesses to be examined]

.....  
Registrar

NOTE 1- The Commissioner shall not be bound to execute this commission unless such a sum as he thinks reasonable be deposited with him for the expenses of executing the same and also of summoning the witnesses and defraying their travelling and other expenses.

NOTE 2- After the deposition of any witness has been taken down and before it is signed by him, it shall be distinctly read over, and, where necessary, translated to the witness in order that mistakes or omissions may be rectified or supplied. The deposition shall be signed by the witness and left with the Commissioner who shall subscribe his name and date of the examination.

Form of the oath or affirmation to be administered to the witness

I swear in the presence of Almighty God [or solemnly affirm] that the evidence which I shall give in this case shall be true, that I will conceal nothing, and that no part of my evidence shall be false.

So help me God.

Form of the oath or affirmation to be administered to the interpreter

I swear in the presence of Almighty God [or solemnly affirm] that I understand and speak the ..... and English language, and that I will well and truly and faithfully interpret, translate and explain to the witness to be produced before the Commissioner, all questions and answers and all such matters as the Commissioner may require me to interpret and explain.

So help me God.

N.B. The Words "so help me God" are to be omitted when an affirmation is administered.

The execution of this commission appears by the Schedule hereunto annexed.

THE SUPREME COURT RULES, 1966

NO. 24

Form of Lodgment Schedule  
IN THE SUPREME COURT OF INDIA

Suit/Appeal/Petition No.....of.....Plaintiff(s)/Appellant(s) Petitioner(s)  
Versus  
.....Defendant(s)/Respondents(s)

Date of Order	Amount	Party on whose behalf and the purpose for which the payment is made	Remarks

Dated.....

..... (Signature) Advocate for party making the Payment	Issue Challan Time for payment till..... ..... (Signature) Registrar
--	--

<sup>1</sup>[NO.25  
SUPREME COURT OF INDIA  
REVENUE DEPOSITS FORM T.R.61  
Deposit Repayment order and Voucher  
(See rule 629 of the Treasury Rules)  
To  
The Pay & Accounts Officer  
Supreme Court of India  
NEW DELHI - 110001.

K-Deposits-and-Advances-(B) Deposits-not-bearing-interest-843-Civil  
Deposits-Civil Courts-Deposits-Criminal Courts-Deposits-Supreme Court

1. Subs. by G.S.R. 466, dated 22nd June, 1983 (w.e.f 2-7-1983).

THE SUPREME COURT RULES, 1966

Original Number of the Challan : Name of Depositor: Registrar, Supreme Court of India, New Delhi on behalf of the appellant in

Date of Deposit : Amount originally deposited: Rs.....  
(Rupees.....  
.....)

Examined & Entered Received this ..... day of ..... 199.....  
the sum of Rupees ..... (Rupees .....  
.....  
.....)  
Dated .....  
(Pay & Accounts Officer ) being the amount payable on account of .....  
..... out of the said deposit as per orders of  
the Supreme Court dated..... made  
in Civil Misc. Petition No..... of  
199..... in .....

Pay Rupees.....

CLAIMANT'S SIGNATURE

Pay & Accounts Officer Passed for payment to .....  
.....

Dated..... for Rupees.....(Rupees.....) as per  
order of the Supreme Court dated..... in Civil  
Misc.Petition No..... of 199.... in New Delhi,

Dated : DEPUTY REGISTRAR  
(ADMN.)

Encl : Original SUPREME COURT OF  
Challan INDIA

(Under Rupees .....)]

THE SUPREME COURT RULES, 1966

NO. 26

Form of Bank Guarantee

In the matter of : .....

CIVIL APPEAL /PETITION /C.M.P. .... (here give the number of Cause/matter/appeal).

And

In the matter of : .....

..... (Give the name of the parties).

Whereas ..... (Here give the name of the party obtaining the order).....above-named has filed an Appeal in the Supreme Court against the Judgment and decree/order of the ..... (here describe the Court and the number of the cause ).....

And whereas on a motion made for the purpose on the ..... (here give the date) the Supreme Court of India has in the aforesaid proceedings been pleased to order inter alia as follows :

(Here quote the relevant terms of the order ).

And whereas (here give the name of the party concerned )..... the respondent (or appellant, as the case may be )..... has requested us ..... (here give the name of the Bank) having its registered office at ..... (here give the registered address of the place of business of the Bank) to guarantee the due payment of the said sum of Rs..... (here give the amount) by the said ..... (here give the name of the Party) in the event of the Supreme Court allowing / modifying / dismissing the said appeal and setting aside the decree or such other lesser amount as the Court may order. We..... (here give the name of the Bank) are hereby held firmly bound unto the Supreme Court of India through the Registrar of the said Court for the payment to it or to the ..... (here give the name of the party concerned) .....on demand and without demur of the said sum ..... (here give the amount) or such other lesser amount as may be ordered by the Supreme Court and require to be paid or refunded by the ..... (here give the name of the party concerned, to the ..... (here give the name of the party to whom the amount is to be paid) as a result of the final disposal of the said ..... (here indicate the appeal, cause or matter) and the guarantee herein contained shall not be affected by any change in the constitution of the Bank and it is HEREBY agreed by and between the parties that this guarantee shall remain in full force and virtue till the disposal of the ..... (here give the number of the case, appeal, cause or matter) to which the aforesaid order of the Court relates and until an order of the Supreme Court is

THE SUPREME COURT RULES, 1966

made discharging this guarantee.

IN WITNESS WHEREOF we the .....(here give the name of the Bank) has executed this.

This the ..... day of ..... 19.....

Signed

For the ..... (here give the name of the Agent of the Bank)

Witness :.....

<sup>1</sup>[NO. 27

Form of Petition of Appeal

(S.C.R., Order XXA, rule 1)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil appeal No..... of 19.....

[Appeal under section 55 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969)]

A.B.

Appellant (s)

Vs.

1. The Union of India

2. C.D.

Respondent(s)

(Note - The Union of India would be one of the parties in every appeal).

Petition of appeal under rule 1 of Order XXA of the Supreme Court Rules, 1966

To

The Hon'ble the Chief Justice and his Companion Justices of the Supreme Court.

The petition of Appeal of the appellant(s) above-named most respectfully sheweth : (Here state all the facts leading up to the order appealed from, the objections to the order appealed from and the grounds relied on in support of the appeal; also state the date of the order appealed from and the date on which it was received by the appellant, etc.)

Prayer.]

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1. Ins. by G.S.R. 73, dated 7th January, 1971 (w.e.f. 16-1-1971).



THE SUPREME COURT RULES, 1966  
<sup>1</sup>[NO. 28  
 IN THE SUPREME COURT OF INDIA  
 [Order XVI, rule 4(1)(a)]  
 CIVIL APPELLATE JURISDICTION  
 SPECIAL LEAVE PETITION  
 (Under Article 136 of the Constitution of India)

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

BETWEEN	Position of parties		
	In the Court / Tribunal from whose Order the petition arises	In this Court	
(A) (Here insert the name /names of the Petitioner	Petitioner / Respondent/ Appellant	Petitioner	
(B)			
(C)			
AND			
(D) (Here insert the name/names of Respondent	Petitioner/ Respondent/ Appellant	Respondent	
(E)			
(F)			
To			

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

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1. Ins. by G.S.R. 272, dated 17th June, 1997 (w.e.f. 28-6-1997).

THE SUPREME COURT RULES, 1966

The Special Leave Petition of the Petitioner most respectfully showeth:

1. The petitioner / petitioners above named respectfully submits this petition seeking special leave to appeal against the judgment/order of  
(Here specify the Court / Tribunal against whose order the leave to appeal is sought for together with number of the case, date of the order and nature of the order such as allowing or dismissing the matter or granting or refusing the interim order, etc.)
2. QUESTIONS OF LAW :  
The following questions of the law arise for consideration by this Hon'ble Court :  
(Here set out the questions of law arising for consideration precisely)
3. DECLARATION IN TERMS OF RULE 4(2) :  
The petitioner states that no other petition seeking leave to appeal has been filed by him against the impugned judgment and order.
4. DECLARATION IN TERMS OF RULE 6:  
The petitioner states that no other petition SLP are true copies of the pleadings/documents which formed part of the records of the case in the Court / Tribunal below against whose order the leave to appeal is sought for in this petition.
5. GROUNDS :  
Leave to appeal is sought for on the following grounds.  
(Here specify the grounds precisely and clearly)
6. GROUNDS FOR INTERIM RELIEF :  
(Here specify briefly the grounds on which interim relief is sought for)
7. MAIN PRAYER :  
(Here set out the main prayer)
8. INTERIM RELIEF :  
(Here set out the interim prayer)

Place :

Advocate for the petitioner

Date:

Settled by :

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

THE SUPREME COURT RULES, 1966

<sup>1</sup>REGULATIONS REGARDING  
ADVOCATES-ON-RECORD EXAMINATION

In pursuance of the provisions contained in sub-rule (i) of rule 5 of Order IV, Supreme Court Rules, 1966, the following Regulations are published for general information.

- (1) The examination shall be held under the general supervision of a Committee of three Judges of the Court to be appointed by the Chief Justice of India and to be designated as the Examination Committee; unless otherwise specifically ordered by the said Committee the examination will be held twice a year preferably in May and December.
- (2) The examination will be held in the Court Building in New Delhi or at such other place as the Committee may direct on a date to be appointed by the Committee and notified in the Gazette of India.
- (3) The examination shall be conducted by a Board of Examiners to be nominated by the Committee, of which Board the Registrar or the Deputy Registrar (Judicial), of the Court will be ex officio Secretary.
- (4) The examination shall be held in the following subjects:

Subject	Syllabus	Books Recommended
1	2	3
(1) Practice & Procedure of the Supreme Court.	(i) Relevant provisions in the Constitution of India relating to the jurisdiction of the Court. (ii) Supreme Court Rules and relevant provisions of Civil Procedure Code, Limitation Act and the General Principles of Court Fees Act.	Constitution of India by D. Basu  <sup>2</sup> [Practice and procedure of the Supreme Court of India by Guru Datta and B.R. Agarwala.]

1. Vide G.S.R. 308, dated 1st March, 1966.

2. Ins. by G.S.R. 100, dated 18th January, 1969.

THE SUPREME COURT RULES, 1966

- |  |   |   |
|--|---|---|
| (II) Drafting in two parts   | (i) Petitions for special leave and statements of case etc.<br>(ii) Decrees & Orders and Writs etc. | (1) Pleadings; by Gilbert Stone and Ramaswami<br>(2) Odgers on Pleadings.   |
| <sup>1</sup> [(III) Elementary Knowledge of Book Keeping & Accounts and Professional Ethics] |   | <sup>1</sup> (1) Elementary Book Keeping by Dalal & Dalal<br><sup>1</sup> (2) Book-Keeping & Accounts by Spicer & Pegler<br><sup>1</sup> (3) Rights, Duties and Obligations of Attorneys in India by H.A.H. Payne<br><sup>1</sup> (4) Cordery's Law Relating to Solicitors<br><sup>1</sup> (5) Profession, Conduct and Advocacy-by K.V. Krishnaswami Aiyar<br><sup>1</sup> (6) Conduct and Etiquette at the Bar-by W.W. Boulton.] |
| <sup>1</sup> [(IV) Leading Cases   |   | A list of leading cases shall be made available to the candidates at least one month before the date of commencement of the Advocates-on-Record Examination.]   |

(5) (a) Each paper shall carry 100 marks and in order to pass the examination a candidate must obtain a minimum of 50 per cent of the marks in each paper and 60 per cent in the aggregate.

(b) If the Committee on the recommendation of the Board of Examiners is of

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1. Amended, added and renumbered by G.S.R. 607, dated 5th May, 1988 (w.e.f. 30-7-1988).

THE SUPREME COURT RULES, 1966

the opinion that a candidate has not sufficiently prepared himself for the examination they may prescribe a time within which he shall not present himself again for examination.

- (6) (i) No advocate shall be eligible to appear at the examination unless he has received training from an Advocate on Record <sup>1</sup>[of not less than ten years standing] for a continuous period of one year <sup>2</sup>[commencing from the end of the fourth year of date of his enrolment] 'ending with the 30<sup>th</sup> April or 30<sup>th</sup> November, of the year of the examination, as the case may be'. <sup>2</sup>[This will however not prevent the concerned Advocate from receiving training for the entire period of 5 years commencing from the date of his enrolment].

<sup>3</sup>{Provided that the Committee may, in appropriate cases, extend the period beyond the aforesaid dates viz. 30th April and 30th November, and admit an Advocate to an examination subject to the condition that one year's training is completed and the certificate of completion of training <sup>2</sup>[along with a detailed report on his/her work by the concerned Advocate-on-Record] is produced before the commencement of the examination.}

<sup>4</sup>[Explanation.- If an Advocate has undergone the training for a continuous period of one year and furnished the necessary certificate about the completion of his training but fails to appear at the next examination for sufficient cause or fails to pass the examination he need not undergo fresh training.]

(ii) Every candidate receiving training from an Advocate-on-Record shall send to the Registrar of the Supreme Court an intimation in writing of the name of the Advocate on Record from whom he is receiving training together with the consent in writing of the Advocate concerned. This intimation shall be sent to the Registrar by the candidate concerned within seven days of the commencement of the training.

(iii) The Registrar shall maintain a separate register in which shall be entered the name of the candidate undergoing training, the name and address of the Advocate-on-Record, the date of intimation and the date of actual commencement of training.

- 
1. Subs. by G.S.R. 580, dated 17th November, 1993 (w.e.f. 27-11-1993)
  2. Ins. by G.S.R. 580, dated 17th November, 1993 (w.e.f. 27-11-1993)
  3. Ins. by G.S.R. 325 dated 19th February, 1979 (w.e.f. 3.3.1979)
  4. Ins. by G.S.R. 1719, dated 7th November, 1967

THE SUPREME COURT RULES, 1966

<sup>1</sup>[(7)] Every Advocate who desires to appear at the examination shall present an application in the prescribed form at least 30 days before the date of such examination. The application shall be accompanied by an examination fee of Rs. 75/- in cash. The fee so paid shall be credited to Government Account as receipts of the Supreme Court.

<sup>2</sup>[\*\*\*]

(8) The Board of Examiners shall from among its members appoint paper setters and examiners for each paper. After the papers have been set the Board shall submit the same to the Committee. The Committee may moderate or revise the papers in any manner it thinks fit.

(9) The Board of Examiners shall at the conclusion of the examination and after scrutiny of the answer papers submit the results along with the answer papers for approval to the Committee and the Committee may in its discretion moderate the said results in any manner it thinks fit.

(10) As soon as the Committee has scrutinized the results and approved the same the Secretary of the Board shall notify the results on the Court's Notice Board. Every candidate who is declared to have passed the said Examination shall be given a certificate to that effect under the hand of the Secretary.

(11) (i) A candidate, who fails to obtain 50 per cent in one paper only but obtains 40 per cent in that paper and also obtains 60 per cent in the aggregate in the remaining papers, shall be allowed to appear in that paper <sup>3</sup>[at any one subsequent examination] on payment of the full examination fee and he shall be declared to have passed the Advocates-on-Record Examination if the marks obtained by him at the subsequent examination taken with the marks obtained in the remaining papers at the earlier examination are 60 per cent of the aggregate marks in all the papers.

(ii) A candidate who passes in all the papers at any single examination but fails to obtain 60 per cent of the marks in the aggregate may, with the previous permission of the Examination Committee and on payment of the full examination fee, appear <sup>3</sup>[at any one subsequent examination] in one of the

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1. Renumbered by G.S.R.50, dated 4th February, 2000.

2. Omitted by G.S.R. 50, dated 4th February, 2000.

3. Subs. by G.S.R.1482, dated 15th December, 1979.

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papers only in which he has obtained less than 60 per cent marks and shall be declared to have passed the Advocates-on-Records Examination if the marks obtained by him at the subsequent examination taken with the marks obtained in the remaining papers at the earlier examination are 60 per cent of the aggregate marks in all the papers.

- (12) All expenses on account of the examination shall be incurred by the Registrar as departmental expenditure.
- (13) The scale of remuneration of the Paper Setter and/or Examiner shall be as may be prescribed by the Committee from time to time.
- (14) The Secretary of the Board shall be in charge of the examinations, and he may, with the approval of the Committee appoint any other officer or officers of the Court to assist him in the supervision of the examination.
- (15) (a) Any candidate bringing into the examination room any book, document or printed or written paper whatsoever or communicating in any way with any other candidate in the examination room or using any unfair means whatsoever, or assisting any other candidate in so doing will be liable to be summarily ejected from the examination room, and shall automatically be disqualified from sitting in the said examination.  
  
(b) The Secretary shall forthwith report the name of the candidate found using unfair means and the circumstances pertaining thereto to the Committee. The Committee may disqualify the said candidate from appearing in any subsequent examinations and may direct that the matter be reported to the Court for such further action against the Advocate as the Court may deem proper.
- (16) At the conclusion of each examination the Secretary of the Board shall collect and forward the answer papers to the Examiner in a sealed cover; if the Examiner is residing outside Delhi, the answer papers shall be forwarded to him under registered cover acknowledgement due and insured for Rs. 100/-.

THE SUPREME COURT RULES, 1966  
1RULES TO REGULATE PROCEEDINGS  
FOR CONTEMPT OF THE SUPREME COURT, 1975

In exercise of the powers under section 23 of the Contempt of Courts Act, 1971, read with article 145 of the Constitution of India and all other powers enabling it in this behalf, the Supreme Court hereby makes, with the approval of the President, the following rules:

1. (1) These Rules may be called the Rules to Regulate Proceedings for Contempt of the Supreme Court, 1975.

(2) They shall come into force on the date of their publication in the Official Gazette.

PART I

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

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

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

PART II

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

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

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1. Vide G.S.R. 142, dated 24th January, 1975 (w.e.f. 1-2-1975).



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4. (a) Every petition under rule 3(b) or (c) shall contain: -(i) the name, description and place of residence of the petitioner or petitioners and of the persons charged;
- (ii) nature of the contempt alleged, and such material facts, including the date or dates of commission of the alleged contempt, as may be necessary for the proper determination of the case;
- (iii) if a petition has previously been made by him on the same facts, the petitioner shall give the details of the petition previously made and shall also indicate the result thereof;
- (b) The petition shall be supported by an affidavit.
- (c) Where the petitioner relies upon a document or documents in his possession or power, he shall file such document or documents or true copies thereof with the petition.
- (d) No Court-fee shall be payable on the petition, and on any documents filed in the proceedings.

5. Every petition under rule 3 (b) and (c) shall be posted before the Court for preliminary hearing and for orders as to issue of notice. Upon such hearing, the Court, if satisfied that no prima facie case has been made out for issue of notice, may dismiss the petition, and, if not so satisfied direct that notice of the petition be issued to the contemner.

6. (1) Notice to the person charged shall be in Form I. The person charged shall, unless otherwise ordered, appear in person before the Court as directed on the date fixed for hearing of the proceeding, and shall continue to remain present during hearing till the proceeding is finally disposed of by order of the Court.

(2) When action is instituted on a petition, a copy of the petition along with the annexures and affidavits shall be served upon the person charged.

7. The person charged may file his reply duly supported by an affidavit or affidavits.

8. No further affidavit or document shall be filed except with the leave of the Court.

9. Unless otherwise ordered by the Court, seven copies of the paper book

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shall be prepared in the Registry, one for the petitioner, one for the opposite party and the remaining for the use of the Court. The Paper Book in the case shall be prepared at the expense of the Central Government and shall consist of the following documents:-

- (i) Petition and affidavits filed by the petitioner,
- (ii) A copy of, or a statement relating to, the objectionable matter constituting the alleged contempt,
- (iii) Reply and affidavits of the opposite party,
- (iv) Documents filed by the parties,
- (v) Any other documents which the Registrar may deem fit to include.

10. The Court may direct the Attorney General or Solicitor General to appear and assist the Court.

11. (1) The Court may, if it has reason to believe, that the person charged is absconding or is otherwise evading service of notice, or if he fails to appear in person or to continue to remain present in person in pursuance of the notice, direct a warrant bailable or non-bailable for his arrest, addressed to one or more police officers or may order attachment of property. The warrant shall be issued under the signature of the Registrar. The warrant shall be in Form II and shall be executed, as far as may be, in the manner provided for execution of warrants under the Code of Criminal Procedure.

(2) The warrant shall be executed by the officer or officers to whom it is directed, and may also be executed by any other police officer whose name is endorsed upon the warrant by the officer to whom it is directed or endorsed.

(3) Where a warrant is to be executed outside the Union Territory of Delhi, the Court may instead of directing such warrant to police officer, forward it to the Magistrate of the District or the Superintendent of Police or Commissioner of Police of the district within which the person charged is believed to be residing. The Magistrate or the police officer to whom the warrant is forwarded shall endorse his name thereon, and cause it to be executed.

(4) Every person who is arrested and detained shall be produced before the nearest Magistrate within a period of twenty-four hours of such arrest excluding

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the time necessary for the journey from the place of arrest to the Court of the Magistrate, and no such person shall be detained in custody beyond the said period without the authority of a Magistrate.

12. The Court may, either suo motu, or on motion made for that purpose, order the attendance for cross-examination, of a person whose affidavit has been filed in the matter.

13. The Court may make orders for the purpose of securing the attendance of any person to be examined as a witness and for discovery or production of any document.

14. The Court may pass such orders as it thinks fit including orders as to costs which may be recovered as if the order were a decree of the Court.

15. Save as otherwise provided by the rules contained herein, the provisions of the Supreme Court Rules, 1966, shall, so far as may be, apply to proceedings in relation to proceedings in contempt under this Part.

### PART III

16. Where a person charged with contempt is adjudged guilty and is sentenced to suffer imprisonment, a warrant of commitment and detention shall be made out in Form IV under the signature of the Registrar. Every such warrant shall remain in force until it is cancelled by order of the Court or until it is executed. The Superintendent of the Jail shall in pursuance of the order receive the person so adjudged and detain him in custody for the period specified therein, or until further orders.

THE SUPREME COURT RULES, 1966

FORM I

Notice to a person charged with contempt of Court

(See rule 6)

IN THE SUPREME COURT OF INDIA

(Original Jurisdiction)

Whereas your attendance is necessary to answer a charge of Contempt of Court by (here briefly state nature of the Contempt).

You are hereby required to appear in person (or by Advocate if the Court has so ordered) before this Court at New Delhi on the .....day of....19..... .

You shall attend the Court in person \*on the .....day of....19...., and shall continue to attend the Court on all days thereafter to which the case against you stands adjourned and until final orders are passed on the charge against you.

Herein fail not.

Dated this .....day of .....19.....

(SEAL)

REGISTRAR

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\* to be omitted where the person charged is allowed or ordered to appear by Advocate.

THE SUPREME COURT RULES, 1966

FORM II

Warrant of Arrest

(See Rule 11)

IN THE SUPREME COURT OF INDIA

(Original Jurisdiction)

To

(Name and designation of the person or persons who is or are to execute the warrant).

Whereas ..... of ..... is charged with committing contempt of this Court, you are hereby directed to arrest the said..... and to produce him before this Court.

Herein fail not.

(If the Court has issued a bailable warrant, the following endorsement shall be made on the warrant).

If the said..... shall give bail in the sum of Rs..... with one surety in the sum of Rs..... (or two sureties each in the sum of Rs. ....) to attend before this Court on the .....day of ....., 19....., and to continue so to attend until otherwise directed by this Court, he may be released.

Dated this ..... day of .....19....

(SEAL)

REGISTRAR

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FORM III

Bond and Bail-Bond After Arrest Under a Warrant

IN THE SUPREME COURT OF INDIA

(Original Jurisdiction)

I,..... (name) of ..... being brought before the District Magistrate of ..... (or as the case may be) under a warrant issued to compel my appearance to answer to the charge of contempt of the Supreme Court do hereby bind myself to attend the Supreme Court on the .....day of.....next, to answer to the said charge, and to continue so to attend, until otherwise directed by the Supreme Court; and, in case of my making default herein, I bind myself to forfeit to Union of India, the sum of rupees.....

Dated this.....day of .....19.....

(SIGNATURE)

I do hereby declare myself surety for the above-named..... of.....that he shall attend before .....in the Supreme Court on the ..... day of .....next, to answer to the charge on which he has been arrested, and shall continue so to attend until otherwise directed by the Supreme Court; and, in case of his making default therein, I bind myself to forfeit to Union of India, the sum of rupees.....

Dated this.....day of.....19.....

THE SUPREME COURT RULES, 1966

FORM IV

Warrant of commitment for contempt

(See rule 16)

IN THE SUPREME COURT OF INDIA

[Original Jurisdiction]

To the Superintendent (or Keeper) of the jail at.....

Whereas at the Court holden on this day (name and description of the contemner) has been adjudged by the Court guilty of wilful contempt of Court, and he has been sentenced to suffer imprisonment for the period..... (here specify the term) and/or to pay a fine of rupees.....

This is to authorise and require you, the Superintendent (or Keeper) of the said Jail, to receive the said (name of the contemner) into your custody, together with this warrant, and him safely to keep in the said Jail for the said period of (term of imprisonment) or for such shorter period as may hereafter be fixed by order of this Court and intimated to you. You are directed to return this warrant with an endorsement certifying the manner of its execution.

You are further directed that while the said .....is in your custody, produce the said ..... before the Court, at all times when the Court shall so direct.

Given under my hand and the seal of the Court, this ..... day of ..... 19.....

(SEAL)

REGISTRAR