

SUPREME COURT OF INDIA

No. F.11/Judl.(I)/2018
1st February, 2019

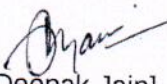
CIRCULAR

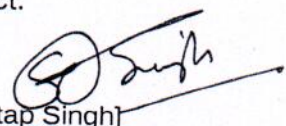
Presently on receipt of a fresh matter at the Filing Counter, it is scrutinized as per Modified Check List and the matter which is found defective is returned to the Advocate who is required to re-file the same within 28 days, after curing the defects. On re-filing, the matter is again scrutinized to ensure that all the defects notified to the Advocate have been removed and if found in order, the matter is registered. With a view to facilitate speedier verification of matters for their early listing before the Hon. Court, the Competent Authority has been pleased to direct that while scrutinizing fresh matters :

- (a) mandatory requirements (11 in numbers, as per 'Annexure X') shall be examined by the Scrutiny Officers/Officials of Filing Counter;
- (b) the requirements of Advocate's Check List (21 in numbers, whichever is applicable, as per 'Annexure Y') shall be ensured to be complied with by the Advocates-on-Record; and
- (c) the Advocate-on-Record shall certify on the Advocate's Check List that he has personally verified the petition & it is in conformity with the Supreme Court Rules, 2013; the requirements of Advocate's Check List have been complied with; and all the documents necessary for the purpose of hearing of the matter have been filed.

As a fresh matter shall be filed with the Certificate of Advocate-on-Record on the Advocate's Check List that all the documents necessary for the purpose of hearing of the matter have been filed, the practice of accepting incomplete matters i.e. matters without relevant documents / annexures, shall be discontinued.

The above procedure shall come into force with immediate effect.


[Deepak Jain]
Registrar (J-II)
01.02.2019


[Surya Pratap Singh]
Registrar(J-I)
01.02.2019

Copy to:

1. The Secretary, Supreme Court Bar Association with five spare copies of the Circular with a request that this may be displayed on the Notice Board of the Bar Association for the information of the Members of the Bar.
2. The Secretary, Supreme Court Advocates-on-Record Association with five spare copies of the Circular with a request that this may be displayed on the Notice Board of the Association for the information of the Members of the Association.
3. The Dy. Registrar (CC) with a request to upload this Circular on Supreme Court Website.
4. Filing and Re-filing Counters.
5. All concerned.

ANNEXURE 'X'

MANDATORY POINTS TO BE CHECKED BY THE REGISTRY

1. Whether the **prescribed court fee** has been filed?
2. Whether the original set of petition and the application bear the **signatures** of the counsel?
3. (i) Whether the **addresses of the parties and their representation** are complete and set out properly and whether detailed cause title has been mentioned in the impugned judgment and if not, whether the **memo of parties** has been filed, if required?

(ii) Whether the **cause title** of the petition corresponds to that of the impugned judgment and names of parties therein?

(iii) Whether the petitioner has specified the **proper department and address of the Union of India or the State Govt.** on whom the notice is required to be served?

(iv) If a party in the court below has died, whether application for bringing LRs on record, application for condonation of delay in seeking **substitution** and application involving setting aside abatement, indicating the date of death, relationship, age and addresses alongwith affidavit and court fee has been filed?
4. Whether an **affidavit** of the petitioner/authorized person and Paikar (in criminal matters) in support of the petition/appeal/application has been filed, properly attested and identified?
5. If there are any vernacular documents/portions/lines and translation of such documents are not filed, whether application for exemption from filing Official Translation, with affidavit and court fee, has been filed?
6. Whether the petition contains a **statement in terms of Order XXI/XXII** of Supreme Court Rules as to whether the petitioner has filed any petition against the impugned order/judgment earlier, and if so, the result thereof stated in the petition?
7. (i) Whether the **Vakalatnama** has been duly executed by the petitioner(s) and accepted by the Advocate and **Memo of Appearance** filed?

(ii) If a **petitioner is represented through power of attorney**, whether the power of attorney in English/translated copy has been filed and whether application for permission to appear before the court has also been filed?

(iii) Whether the writ petition is filed by a body registered under any Act or Rules? If yes, is copy of the **Registration Certificate** filed?

(iv) Whether the person filing writ petition for such incorporated body has authority to file the petition? If yes, is **proof of such authority** filed?

8. Whether the **petitioner in person** has filed an application for seeking permission to appear and argue in person indicating reasons why he /she cannot engage an advocate and if he/she is willing to accept advocate who can be appointed for him by the Court?

9. (i) In matters involving sentence to a term of imprisonment, whether the petitioner has stated that he has **surrendered** OR application for exemption from surrendering has been filed?

(ii) Whether as a **proof of surrender**, the certified copy of the **order** of the Court in which he has surrendered or a **certificate** of competent officer of the jail in which he is undergoing the sentence has been filed?

(iii) Whether, in undertrial cases where Vakalatnama attested by competent jail authority as proof of surrender has not been filed separately in respect of all the petitioners, an **application for exemption from filing separate such proof of surrender** has been filed?

10. Whether the petitioner has filed an affidavit stating that there is **no personal gain/private motive or oblique reason** in filing the Public Interest Litigation?

11. Whether **columns Nos. 6 and 7 of Listing Proforma** duly filled in?

Signature:

Name of the Scrutiny

Officer/Official:

Date:

ADVOCATE'S CHECK LIST (TO BE CERTIFIED BY ADVOCATE-ON-RECORD)

Indicate Yes or NA

1. SLP(C) has been filed in Form No. 28 with certificate. ☐
2. The Petition is as per the provisions of Order XV Rule 1. ☐
3. The papers of SLP have been arranged as per Order XXI, Rule (3)(1)(f). ☐
4. Brief list of dates/events has been filed. ☐
5. Paragraphs and pages of paper books have been numbered consecutively and correctly noted in Index. ☐
6. Proper and required number of paper books (1+1) have been filed. ☐
7. The contents of the petition, applications and accompanying documents are clear, legible and typed in double space on one side of the paper. ☐
8. The particulars of the impugned judgment passed by the court(s) below are uniformly written in all the documents. ☐
9. In case of appeal by certificate the appeal is accompanied by judgment and decree appealed from and order granting certificate. ☐
10. If the petition is time barred, application for condonation of delay mentioning the no. of days of delay, with affidavit and court fee has been filed. ☐
11. The Annexures referred to in the petition are true copies of the documents before the court(s) below and are filed in chronological order as per List of Dates. ☐
12. The annexures referred to in the petition are filed and indexed separately and not marked collectively. ☐
13. The relevant provisions of the Constitution, statutes, ordinances, rules, regulations, bye laws, orders etc. referred to in the impugned judgment / order has been filed as Appendix to the SLP. ☐
14. In SLP against the order passed in Second Appeal, copies of the orders passed by the Trial Court and First Appellate Court have been filed. ☐

✓

15. The complete listing proforma has been filled in, signed and included in the paper books. ☐
16. In a petition (PIL) filed under clause (d) of Rule 12(1) Order XXXVIII, the petitioner has disclosed: ☐
- (a) his full name, complete postal address, e-mail address, phone number, proof regarding personal identification, occupation and annual income, PAN number and National Unique Identity Card number, if any;
 - (b) the facts constituting the cause of action;
 - (c) the nature of injury caused or likely to be caused to the public;
 - (d) the nature and extent of personal interest, if any, of the petitioner(s);
 - (e) details regarding any civil, criminal or revenue litigation, involving the petitioner or any of the petitioners, which has or could have a legal nexus with the issue(s) involved in the Public Interest Litigation.
17. If any identical matter is pending/disposed of by the Hon. Supreme Court, the complete particulars of such matters have been given. ☐
18. The statement in terms of the Order XIX Rule 3(1) of Supreme Court Rules 2013 has been given in the Petition of appeal. ☐
19. Whether a Bank Draft of Rs. 50,000/- or 50% of the amount, whichever is less, has been deposited by the person intending to appeal, if required to be paid as per the order of the NCDRC, in terms of Section 23 of the Consumer Protection Act, 1986. ☐
20. In case of appeals under Armed Forces Tribunal Act, 2007, the petitioner / appellant has moved before the Armed Forces Tribunal for granting certificate for leave to appeal to the Supreme Court. ☐
21. All the paperbooks to be filed after curing the defects shall be in order. ☐



I hereby declare that I have personally verified the petition and its contents and it is in conformity with the Supreme Court Rules 2013. I certify that the above requirements of this Check List have been complied with. I further certify that all the documents necessary for the purpose of hearing of the matter have been filed.

Signature _____

AoR's Name _____

AoR Code _____

Contact No. _____

New Delhi;

Date : _____

