

PART B- THE GRANT OF COPIES AND TRANSLATION OF RECORDS**A – Persons entitled to copies****1. Copy to be granted to person entitled.-**

- (i) A copy or translation of a judicial record may be granted in the manner prescribed by these rules to any person who is legally entitled to receive it.
- (ii) ^[1][A party to a case may apply for attested copy of Judgment/Order passed by High Court in a decided case with the copying agency in any District Court in the States of Punjab, Haryana and Chandigarh in the manner prescribed in Rule 7 (ii) of Chapter 17 of the Rules and Orders of Punjab and Haryana High Court, Volume-IV and Sr. No. 9 of the Schedule appended thereto.
- (iii) A party to a case can also apply online for attested copy Judgment/Order passed by High Court in a decided case through Common Service Centres (CSCs) of the concerned area and the attested copy shall be dispatched to the applicant from the High Court through post, on payment.]

2. Party entitled to copies of records and exhibits.-

- (i) A party to a suit or appeal is entitled, at any stage of the suit or appeal, to obtain on payment copies of the record of the suit or appeal, including exhibits which have been put in and finally accepted by the Court in evidence.

Note. A party who has been ordered to file a written statement is not entitled to inspect or take a copy of a written statement filed by another party, until he has first filed his own.

- (ii) **Grant of certain copies to strangers.-** A stranger to the suit or appeal may, after decree, obtain as of right on payment copies of the plaint, memorandum of appeal, written statements, affidavits and petitions filed in the suit or appeal; and may, for sufficient reason shown to the satisfaction of the court, obtain copies of any such documents before decree.
- (iii) **Grant of certain copies to stranger.-** A stranger to the suit or appeal may also obtain as of right, on payment copies of judgments, decrees or orders, at any time after they have been passed or made.

^[2][Provided that in clause (ii) and (iii), a stranger has no right to obtain copies of any judgments/orders or proceedings/documents in cases pertaining to matrimonial matters, The protection of Children from Sexual Offences Act (POCSO Act), sexual offences against women, rape cases and contempt matters.]

1. Inserted vide correction slip no. 179 Rules/II.D4. dated 27.11.2018.

2. proviso inserted vide correction slip no. 177 Rules/II.D4. dated 16.11.2018.

- (iv) **Grant copies of exhibits to strangers.-** A stranger to the suit or appeal has no right to obtain copies of exhibits put in evidence, except with the consent of the person by whom they were produced or under the orders of the Court.
- (v) **Grant of translation.-** Any person entitled to obtain a copy of a judicial record may apply for a translation thereof.

¹[B – Applications for copies and translation of record

3. Mode of application.-

- (i) Copies of the orders of the Court, documents filed in court and for translation of judicial record of the High Court will be supplied on application made to the Court.

Note.- Every such application shall bear a Court-fee label of two rupees,-vide Schedule-II, Article I, Court-fees Act, 1870 (as amended by Punjab Act no. 145 of 1958).

- (ii) Every such application accompanied by requisite fee in terms of Rule 7 shall be either-
 - (i) presented in the Copy Branch of this Court in the ordinary course ; or
 - (ii) transmitted through post addressed to the Registrar(Judicial).

Note1.- The application for obtaining “Express Copy” of the order in Motion Cases, after its submission in the copy branch and deposit of necessary fee, shall be submitted by the applicant or his agent to the Court Secretary/Reader of the Court, when the file is still in the Court.

Note 2.- The amount of fee in terms of Rule 7 can be paid either by cash or through demand draft drawn in favour of Registrar, Punjab and Haryana High Court payable at Chandigarh.

Note 3.- The applications filed by the Office of Advocate General Punjab and Advocate General, Haryana Shall be governed by these Rules.

4. Contents of application:- Every application for a copy of order/document shall contain the following particulars, namely:-

- (a) Case number with category;
- (b) if the case is pending, the date fixed for hearing;
- (c) if the case has been decided, the date of decision;
- (d) where the information referred to in clause (b) and (c) is not available to the applicant, such other information as may be sufficient, to enable the case to be identified;
- (e) the nature of the document, a copy of which is applied for;
- (f) applicant to specify whether order applied for is regarding stay, bail, interim order in Urgent, Motion case or the case decided at motion hearing;
- (g) the name, signature and full postal address of applicant.

5. Procedure for dealing with the application:-

- (i) Upon the presentation or receipt by post of an application for a copy, the official shall-
- (i) allot petition number with date of presentation ;
 - (ii) initial the endorsement ;
 - (iii) cause the application to be registered as hereinafter provided ; and
 - (iv) enter the particulars of the application in the concerned register and/or in the software for the supply of the copies of the High Court; and
 - (v) issue a receipt to the applicant;
 - (vi) cause the Court-fee thereon to be cancelled according to law.
- (ii) Order if the application is in order.-If the application is in proper form with particulars and copy can be granted under the rules, the same shall be forwarded to the branch concerned, for preparation of copy.
- (iii) Order if the application is not in order.-If the application is not in proper form or is the one which may not properly be granted under the rules, an objection will be recorded thereon specifying the requirements to be complied with and directing its return to the applicant or refusing the application forfeiting the charges deposited.

C – Description of Copies**6. Kinds of copies and scale of fees and Court fee.-** Copies supplied are of three kinds, namely—

- (i) Attested copies (supplied in either English or Vernacular), for private use on payment of prescribed Court Fee.
- (ii) Attested copies (supplied in either English or vernacular), for general use on payment of prescribed Court Fee.
- (iii) Unattested copies of depositions prepared by the Court stenographer under the orders of the Presiding Judge when application is made before hand @ Rs.2/- per page, to be deposited with the Copying Agency.

Note.—(1) All applications shall be treated to be one applied for private use falling under head(i) unless specified by the applicant to be under head (ii).

Note.—(2) The application under head (i) and (ii) shall be submitted to the office of Registrar(Judicial) or any other officer authorized by him.

7. Consolidated fees shall be charged for attested copies according to the following scales:-

- (a) (i) **Express Copy:-** An Application for Express Copy shall be filed in Copy Branch on the day the order is passed or on the next working day for obtaining copy of an Interim order, stay, bail, direction and order deciding the case in motion hearing. The charges for such copy shall be at the rate of Rs. 100/- up to 10 pages and Rs. 10/- per page thereafter.

(ii) **Urgent copy:-** Copies of all other orders or documents can be applied as urgent. The charges for Urgent Copy shall be Rs. 100/- up to 20 pages and Rs. 5/- per page thereafter.

(iii) **Ordinary Copy:-** The charges for Ordinary Copy shall be Rs. 50/- up to 10 pages and Rs. 2/- per page thereafter.

(b) Copies of judgment supplied for purpose of reporting to the reporters of Private Law Journals which undertake to publish only judgments approved for reporting Rs.50.00 per copy for the each judgment

(c) Copies of judgments supplied for purpose of reporting to the authorized representatives of news papers which give an undertaking that copies so supplied will be only for, reporting such copies to be stamped "for reporting only" Rs.25/- per copy for the each judgment.

(d) Copies of judgment supplied to an individual or organization for display in electronic media. (i) The fee shall be Rs. 20,000/- per annum for reportable judgments of all categories of cases.

(ii) The fee shall be Rs. 7,500/- per year for all reportable judgments of a particular category, if the same are required for the purpose of display in electronic media/website only.

(e) Copies of judgment supplied to an individual or organization for commercial purpose for selling through electronic media ¹[(i) The fee shall be Rs. 40,000/- per annum for reportable judgments of all categories of cases;

(ii) The fee shall be Rs. 15,000/- per annum for reportable judgments of a particular category, for commercial use thereof on website and compact disc.]

Note.- Copies of reportable judgments may be supplied to an individual or organization under express permission in writing of the Registrar (Judicial) to be applied in the following proforma as per Annexure 'A', on payment of prescribed fee and on such terms and Conditions as may be laid down.

²[**Note (ii).**- The copies of reportable judgments available on website of the High Court may be downloaded and printed by the licensed publishers free of cost as condition of license. If any reportable judgment is not available on website of this Court, the same shall be supplied through e-mail from the Library Section of the High Court on the request of publisher.]

1. Amended vide correction slip no. 162 Rules/IL.D4. dated 31.03.2015.
2. Added vide correction slip no. 162 Rules/IL.D4. dated 31.03.2015.

Annexure 'A'Application for permission to get copies of Reportable Judgments

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|--|---|--------------------------------|
| 1. Name of the Journal / website / Organisation / Publisher | — | |
| 2. Name of the Owner / Authorised Person of Journal / website / organization / Publisher | — | — |
| 3. Complete Address (Registered Office / Head Office) & Telephone Number | — | — |
| 4. Address for correspondence & Telephone Number | — | — |
| 5. Purpose | Display on website only | |
| | Display on website as well as commercial use on compact discs | |
| 6. Category of cases of which Judgments are required | All / or | — |
| 7. Mode of payment of fee (cash or bank draft) | No. _____ Dated _____ | (or cash receipt / bank draft) |

I/We undertake that:-

1. I/We will publish/display only reportable judgments of the High Court.
2. I/We will make our own arrangements to collect copies of the judgments.
3. I/We will give free access to such judgments to all the sitting Hon'ble Judges, Library as well as Officers of this Court (number of such Officers shall not exceed 10).
4. I/We will put up a disclaimer on the website or the compact disc that the same is not owned by the Punjab and Haryana High Court and the High Court is not connected in any way with such display or publication and shall not be liable for any inaccuracy therein or any incorrect information.
5. The Judgments of the High Court will be used for the purpose for which the same are being procured.

Name and Address of the
Owner/Authorised Agent/
Person of the organization

Dated: _____

(f) Copying fee for maps etc.- For field maps, boundary maps, tabular work and similar work, copy shall be supplied at a consolidated fee of Rs. 300/- per map as Urgent Copy.

Note:- The above fee shall include the cost of the paper.

(g) Credit of copying fees.- The entire proceeds from sale of copies shall be credited to the Treasury under a separate detailed head "XXI-Administration of Justice-General Fees, Fines and Forfeiture."

(h) Search Fee.-

(i) A search fee of Rs. 50/- will be charged under the orders of the Registrar (Judicial) or any other authorized officer by him in cases in which an unreasonable amount of trouble has been caused in finding the original records.

(ii) In such cases the search fee payable shall be certified by the Judicial Record Keeper to the Copying Agent, who will receive it from the applicant and pay into the Treasury to the credit of head "XXI- Administration of Justice- General Fees, Fines and Forfeiture."

8. Copies of translations.- Copies of translation of records which have already been translated, or of records originally translated free of charge, will be supplied under the rules applicable to ordinary copies. Copies of translation of records which have not been translated already or of records not ordinarily translated free of charge, will be supplied under the rules applicable to translations.

9. Time of delivery of copies:-

(i) Express copy shall be ordinarily delivered to the applicant next working day after the records of the case is received in the copying sections of respective branches though every effort shall be made to deliver the copy on the same day if it is applied before 12.00 hours.

(ii) Urgent Copy shall be ordinarily delivered to the applicant within five days after the records of the case is received in the copying section of the respective branch.

(iii) Ordinary copy shall be delivered to the applicant in the order in which the fee required under these rules is deposited.

Note:- A copy shall be kept by the Copying Agency for a period of one year from the date of its preparation. If copies are not collected within one year, the information shall be displayed on the website of the High Court. If within fifteen days of such notice, the copy is not collected, the copy prepared shall be liable to destruction and the amount deposited forfeited. The balance charges in terms of the Rules shall be liable to be recovered as well.

10. Recovery of balance:- If the actual amount of the charge to be made in respect of a copy of order/document exceeds the amount deposited, the balance will be recovered before the copy is delivered.

11. Copies required by public officers.- Copies of records required for public purposes by the public officers as defined in Section 2(17) of the Code of Civil Procedure, 1908, of the Central or State Government in India, shall be supplied free of charge, provided the application for copy is endorsed by the Head of the Department concerned.

Note.- For the purpose of this rule the District Attorney will be deemed to be the Head of Department when copies of orders passed by Civil, Criminal and Revenue Courts are required by the Prosecuting Agency for the purpose of Appeals and Revisions etc. or submission to the Legal Remembrancer to Government, Punjab, under the Law Departmental Manual.

"Provided that for purposes of copies of orders, Judgments and decrees of Civil and Criminal Courts, other than copies of orders and Judgments of Executive Magistrates, the Assistant District Attorney will also be deemed to be the Head of the Department."

12. Copies required by Legal Aid Committees.- Copies of records required by the Supreme Court Legal Aid Committee, High Court Legal Aid Committees and other Legal Aid Committees constituted by the State Governments/Union Territories, shall be supplied free of charge, provided the application for copy is received from the Chairman or Secretary of such Committee.

13. Copies to the accused persons.- Copies of judgments of the High Court in criminal cases shall, on application made in this behalf by the accused person, be supplied free of cost: -

- (a) in every case in which a sentence of death or life has been passed or confirmed by the High Court;
- (b) in every case where the accused person wishes to file an application for special leave to appeal to the Supreme Court in *forma-pauperis*; and
- (c) In any other case if the High Court so directs.]