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PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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SUPREME COURT OF INDIA

NOTIFICATION

New Delhi, the 17th September, 2019

G.S.R. 670(E).— In exercise of the powers conferred by article 145 of the Constitution and with the approval of the President, the Supreme Court hereby makes the following Rules further to amend the Supreme Court Rules, 2013, namely:—

- (1) These Rules may be called the Supreme Court (Amendment) Rules, 2019.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
- In the Supreme Court Rules, 2013, hereinafter referred to as the said rules in Order IV, in rule 1 in clause (c) after the proviso, the following proviso shall be inserted, namely:-**

“Provided further that whenever an advocate whose name is entered on the rolls of any State Bar Council maintained under the Advocates Act, 1961 (25 of 1961) wants to appear and argue the case in person, he shall be exempted from the requirement of interaction by the concerned Registrar.”
- In the said rules, in Order VI in rule 1, the following proviso shall be inserted, namely:**

“Provided that the following categories of matters may be heard and disposed of finally by a Judge sitting singly nominated by the Chief Justice:

 - (i) Special leave petitions arising out of grant, dismissal or rejection of Bail Application or Anticipatory Bail Application in the matters filed against the order passed under section 437, section 438 or section 439 of the Code of Criminal Procedure, 1973 (2 of 1974) involving the offences punishable with sentence up to seven years imprisonment;
 - (ii) Applications for transfer of cases under section 406 of the Code of Criminal Procedure, 1973 (2 of 1974);
 - (iii) Application of an urgent nature for transfer of cases under section 25 of the Code of Civil Procedure, 1908 (5 of 1908);
 - (iv) Any other category of cases notified by the Chief Justice from time to time, which may be heard and disposed of finally by a Judge sitting singly nominated by him.”

4. **In the said rules, in Order XIII in rule 3, after the words “an advocate-on-record”, the words “or an advocate who argued the matter or an advocate authorized by the Advocates-On-Records in the case” shall be substituted.**
5. **In the said rules, in Order XIX,-**
- (a) **in rule 8, in clause (ii)**, for the words “transmit to the Court”, the words, “if specifically ordered by the Court, transmit to the Court” shall be substituted;
- (b) **in rule 11, in sub-rule (1)**, for the words “The record,,” the words “The record, if specifically ordered by the Court,,” shall be substituted;
- (c) **in rule 12, in sub-rule (1)**, for the words “The original record of the case in the Court”, the words “Upon receipt of the original record of the case in the Court, if requisitioned by the Court,,” shall be substituted;
- (d) **in rule 32, in sub-rule (1)**, after the words “authenticaton of the record,,” the words “if requisitioned by the Court,,” shall be inserted.
- (e) **in rule 36, the following proviso shall be inserted, namely:-**
- “Provided that where original record has not been requisitioned, appeal shall be set down for hearing after the expiry of the time prescribed for entering appearance by the respondent and subject to the provision of rule 1(30) of Order V of the rules.”
6. **In the said rules, in Order XX in rule 5, after sub-rule (2) the following sub-rule shall be inserted, namely:-**
- “(3) The Registrar shall call the original record of the case, including the record of the Courts below, in the criminal appeals involving sentence of life imprisonment of death penalty:
- Provided that such records shall not be requisitioned in other cases, unless specifically ordered by the Court.”
7. **In the said rules, in Order XXI,-**
- (a) **in rule 3, in sub-rule (1), in clause (d), in sub-clause (iii)**, for the words “the relevant provisions of the State or Local Statutes, Ordinances”, the words “relevant provisions of the State Acts, and Ordinances” shall be substituted;
- (b) **for rule 6, the following rule shall be substituted, namely:-**
- “6. The petitioner shall initially file only one spare set of the petition and of the accompanying papers and when the matter is re-filed after removing the defects, the Advocates-On-Record or Parties appearing-in-person shall submit at least three sets of paper books along with set of original papers, with the declaration that the paper books are complete in all respects.”
- (c) **in rule 12**, after the words “original record will be called for,,” the words, “if specifically ordered by the Court,,” shall be inserted.
8. **In the said rules, in Order XXIII, in rule 5, for clause (ii), the following clause shall be substituted, namely:-**
- “(ii) one spare set of the petition and of the accompanying papers at the time of filing and when the matter is re-filed after removing the defects the Advocates-On-Record or Parties appearing-in-person shall submit at least three sets of paper books along with set of original papers, with the declaration that the paper books are complete in all respects.”
- (b) **in rule 8, the following proviso shall be inserted, namely:-**
- “Provided that original record shall not be transmitted to this Court, unless specifically requisitioned by the Court.”
9. **In the said rules, in Order XXIV, in rule 3, for clause (ii), the following clause shall be substituted,namely:-**
- “(ii) one spare set of the petition and of the accompanying papers at the time of filing and when the matter is re-filed after removing the defects the Advocates-On-Record or Parties appearing-in-person shall submit at least three sets of paper books along with set of original papers, with the declaration that the paper books are complete in all respects.”

10. In the said rules, in Order XXXVIII, in rule 7,-

(a) after the words “verifying the facts relied on and”, the words “initially only the spare set of the petition and of the accompanying papers” shall be inserted;

(b) after the words “if so, with what result”, the words “and when the matter is re-filed after removing the defects, the Advocates-on-Record or Parties appearing-in-person shall submit at least three sets of paper books along with set of original papers, with the declaration that the paper books are complete in all respects” shall be inserted.

11. In the said rules, in Third Schedule, in Part II, Explanatory Note 1 shall be omitted.

[F. No. 1/2019/Record Room]

By Order of the Court,

DEEPAK JAIN, Registrar (J-II)

Foot Note: The principal rules were published in the Gazette of India vide number 368(E) dated 27th May, 2014.