

BEFORE THE HON'BLE HIGH COURT OF KARNATAKA AT
BENGALURU

ORIGINAL JURISDICTION

Writ Petition (Civil) No. / 2020 (PIL)

1. AKRITI AGARWAL

AND

2. THE REGISTRAR, HIGH COURT OF KARNATAKA
OPP. TO VIDHANA SOUDHA,
AMBEDKAR VEEDHI,
KARNATAKA 560001 RESPONDENT

**MEMORANDUM OF WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA**

1. Petitioners are responsible law students and they have no personal interest in the present case and that the petition is not guided by self-gain of any person/institution/body and that there is no motive other than public interest in filing this writ petition.

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2. That the Petitioners are a group of law students striving to secure transparent and easy access to justice for all. With regard to the underlying issue, it is noteworthy to mention that the Hon'ble Supreme Court of India has already accepted the plea of the Petitioners. It is for the benefit of all, that the Petitioners have approached this Hon'ble Court through the present petition.

3. It is an undeniable fact that currently in most judicial & quasi-judicial bodies functional in India, an exclusively designed size of paper namely the *Foolscap/Legal Size Paper* is being used for pleadings. However, in some high courts, district courts and quasi-judicial bodies, an indefinite combination of both foolscap/Legal Size Paper and A4 Size Paper is being used. This disorganized and unreasonable practice of using different papers at different places is not just creating hindrance for people in accessing justice both inside and outside the court, but it also renders the entire legal system non-uniform and arbitrary. This is making our legal system unfriendly and non-accessible.

4. It continues to be an undeniable fact that in today's times, A4 Size Paper is the most accessible and universally used unlike the Foolscap/ Legal Size Paper which is mostly available in and around court premises. Governments & Corporate, being major litigants, carry out all their functions using A4 Size Paper and it is only in the matter of pleadings that such exclusivity in terms of paper being used exists. It is acting as an unnecessary barrier and hurdle in the dispensation and administration of justice. The prime purpose of any legal system is for people to avail easy and speedy justice and not to

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remain stuck within the shackles of unjustified formality of using different size papers. Essentially, *courts are for people, people are not for courts.*

5. That Article 19(1)(a) of the Indian constitution ensures 'Freedom of Speech and Expression', the interpretation of which guarantees the citizens of India to reach this court without any hindrance. But the current practice of the compulsory usage of the 'Standard Legal size Paper/foolscap paper' makes it difficult for the citizens of the country to express their concerns in this court and in its all subordinate courts thus rendering the spirit of justice eclipsed.

6. It can be well understood by the interpretation of Article 14 of the Constitution of India that the vires of any subordinate legislation can be challenged that it is arbitrary, unreasonable and offends the principles of the Article 14 of the Constitution of India. The selective trading of the standard legal size paper/Foolscap Paper makes its availability limited only to selected stationary shops thereby to selected people. Not all the citizens have an equal access to the Standard Legal Size paper/Foolscap paper which not only speaks volumes about the arbitrariness of the practice but is also unreasonable and thus is contrary to the established principle of "*Equality before Law*" under Article 14 of the Constitution of India.

7. In view of uniformity, on 05.03.2020, the Supreme Court of India has passed a circular numbered F.No.01/Judl./2020 for mandatory usage of A4 size paper and printing on both sides for all purposes. This Circular mandates- '*With a view to bring uniformity about use of paper & printing thereon and to minimize consumption of paper & consequently to save the environment,*



superior quality A4 size paper (29.7 cm x 21 cm) having not less than 75 GSM with printing on both sides of the paper with Font - Times New Roman, Font size 14, in one and half line spacing (for quotations and indents – font size 12 in single line spacing), with margin of 4 cm on left & right and 2 cm on top & bottom, shall be used in the pleadings, petitions, affidavits or other documents to be filed in this Court'

8. Hence, it becomes necessary for uniformity and easy access to justice, this Hon'ble Court must also implement the usage of A4 Size Paper and printing on both sides, instead of continuing the arbitrary and costly practice of using legal size paper/Foolscap paper.
9. Rule 2 of Chapter XII of The High Court of Karnataka Rules, 1959 currently mandates the use of foolscap paper which in common parlance is known as 'Legal Sheet'. The rule further specifies that the paper should be printed/written on both sides.
10. Rule 7(1) of The Karnataka Civil Rules of Practice, 1967 mandates the use of white durable or A4 size sheet for all pleadings and related documents.
11. Stating aforesaid facts and circumstances, the Petitioners have also requested the Respondent to implement the usage of A4 Size paper in all subordinate courts in Karnataka via a letter dated 04/03/2020, but no action has been taken in this regard. The letter dated 04/03/2020 is herewith produced as

ANNEXURE-3

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12. The petitioners submit that this Hon'ble Court has valid jurisdiction to entertain this Writ Petition in the nature of a PIL petition and they have no other remedy than approaching this Hon'ble High Court to issue directions.

13. Hence, they have approached this Hon'ble Court seeking the same relief in the interest of the larger public and access to justice through the present public interest petition.

GROUNDS:-

- A. Because the Hon'ble Supreme Court of India has already implemented the usage of A4 Size Paper and printing on both sides for all purposes. For better uniformity and easy access to justice, it becomes necessary for this Hon'ble Court to mandate the usage of A4 Size Paper similarly in this Hon'ble Court and in its all subordinate courts.
- B. Because usage of A4 Size Paper gains considerable support & legal force from the Office of Public Information Officer, Supreme Court of India, who has furnished Petitioners one RTI Reply dated 02.05.2019 bearing Diary Number 28/RTI/19-20/SCI containing the information which emphasizes upon the *use of A4 Size Paper* as discussed by the *High Court Computer Committee's Chairpersons and Central Project Committee Members* in meeting dated August 2/3, 2014. The extract of such discussion by the *High Court Computer Committee's Chairpersons and Central Project Committee Members* in meeting dated August 2/3, 2014 is as follows: "*It was emphasized that for the sake of uniformity, PDF Format, Unicode and A4 paper should be used in preparing orders/judgments/depositions etc.*". The said RTI Reply dated 02.05.2019 is annexed herewith as ANNEXURE-4.

- C. Because the practice of using legal size paper/foolscap paper is a *British colonial practice* and has been making justice only *costly and inaccessible*. This is an arbitrary exercise and is in violation of Article 14 and Article 21 of the Constitution of India.
- D. Because A4 Size Paper is easy available and is being used by all Government Departments and Corporate Sector which are the major litigants. It is only in Courts where legal size paper/Foolscap paper is being used exclusively without any logic or reason. It is an undeniable fact that *Courts are for People, People are not for Courts*. Hence, the procedure and practice in Courts must be people friendly for easy access to justice.
- E. Because the usage of single side printing of legal size paper/Foolscap paper in comparison to double side printing of A4 Size Paper is detrimental to the health of our environment as there would be more cutting of trees, more wastage of paper and more degradation of the environment. To prevent such serious damage to the environment, it is *necessary and emergent* to mandate the usage of the A4 Size Paper in this Hon'ble Court and in all its subordinate courts.

PRAYER

In view of aforesaid facts and circumstances, this Hon'ble Court may be pleased to:

- A. Pass an order directing the respondent or competent authority to amend Rule 2 of Chapter XII of The High Court of Karnataka Rules, 1959 to mandate the use of A4 size paper, printed on both sides for the purposes of presentation of all pleadings and supporting documents in the High Court of Karnataka and in its all subordinate courts. **OR**

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B. Alternatively, Pass an order directing the Respondent to pass an "Administrative Order" to ensure the mandatory usage of standard A4 size paper and printing on both sides of paper, for all purposes in this Hon'ble Court and its subordinate courts.

C. Pass any other order or direction which this Hon'ble Court deems fit and proper in the interest of Justice, Equity and Conscience.

Bangalore

Date: 28/8/2020

Advocate for Petitioners

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