

**PART IV –Miscellaneous**  
**CHAPTER XIII.**  
**Copies.**

1. A plaintiff or a defendant who has appeared in the suit is entitled, at any stage of the suit, to obtain a copy of the record of the suit, including exhibits which have been put in and finally accepted by the Court as evidence.

2. A stranger to a suit may, after decree, obtain a copy of the plaint written statements, affidavits, and petitions filed in the suit, and may, for sufficient reasons shown to the satisfaction of the Registrar, obtain; a copy of any such document before decree.

3. A stranger to a suit may also obtain a copy of any judgment, decree, or order at any time after it has been passed or made.

4. A stranger to a suit has no right to obtain a copy of exhibits admitted in evidence, except with the consent of the person by whom they were produced, or his successor-in-interest. He may obtain copies of other documents in which he has an interest including depositions for *bona fide* use in Courts and case-maps, at any time after they have been proved.

5. Every Advocate engaged in any case shall be entitled to obtain from the Court's office a copy of the whole or any part of the proceedings and evidence in the case on depositing the estimated cost of such copy.

6. Every such copy shall be examined and certified as correct before it is issued from the office of the Court.

7. <sup>1</sup>[Copies, whether certified or uncertified, shall be prepared at the following rates:

| <b>English</b> | Taka |
|----------------|------|
|----------------|------|

|                         |      |
|-------------------------|------|
| Not exceeding 150 words | 2.00 |
|-------------------------|------|

|  |      |
|--|------|
| Exceeding 150 words but not exceeding 300 words. | 4.00 |
|--|------|

|  |      |
|--|------|
| For every additional 150 words or less | 2.00 |
|--|------|

| <b>Bengali</b> |  |
|----------------|--|
|----------------|--|

|                         |      |
|-------------------------|------|
| Not exceeding 200 words | 2.00 |
|-------------------------|------|

|   |      |
|---|------|
| Exceeding 200 words but not exceeding 400 words | 4.00 |
|---|------|

|  |      |
|--|------|
| For every additional 200 words or less | 2.00 |
|--|------|

This charge shall be levied as follows:

| <b>Bengali</b> |  |
|----------------|--|
|----------------|--|

|                         |  |
|-------------------------|--|
| Not exceeding 200 words | By means of an impressed stamp paper of Tk.2 |
|-------------------------|--|

|   |  |
|---|--|
| Exceeding 200 words but not exceeding 400 words | By means of two impressed stamp papers of Tk.2 |
|---|--|

|                                    |   |
|------------------------------------|---|
| Every Additional 200 words or less | By means of an impressed stamp paper of Tk. 2 |
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<sup>1</sup> Rule 7 was substituted by rule 7 by Notification No. 10259-G, The Bangladesh Gazette (Extraordinary), September 9, 1985.

### Typed Copies

|   |  |
|---|--|
| Not exceeding 150 words                         | By means of an impressed stamp paper of Tk.2   |
| Exceeding 150 words but not Exceeding 300 words | by means of an impressed stamp paper of Tk. 2 with an adhesive stamp of Tk. 2 affixed thereto.   |
| Exceeding 300 words but not exceeding 450 words | By means of an additional impressed stamp-paper or papers of Tk. 2 with an adhesive stamp of Tk. 2 or Tk. 4, as the case may be affixed thereto if necessary according to the number of words to be typed. |
| Exceeding 450 words                             | By means of an additional impressed stamp-paper or papers of Tk.2 with an adhesive stamp of Tk. 2 or Tk. 4 as the case may be, affixed hereto if necessary according to the number of word to by typed.]   |

8. A folio shall consist of 150 English words, or 200 Vernacular words, 3 figures counting as one word.

9. In addition to the foregoing charges a searching-fee of <sup>1</sup>[Tk. 5] shall be charged on each application for copy if the record of the case has been deposited in the record room.

Provided that one searching-fee shall be charged for any number of copies taken from the same record and included in the asme application.

10. Copies of decrees, judgments or other papers required for *bona fide* Government purposes will be supplied to Government officers on payment of the usual charges for copying, no searching-fee being levied and no charge being made for examination.

11. Copies of judgments convicting Government Officers of criminal offences, as well as copies of judgments of acquittal and orders of discharge, will be supplied on plain paper free of charge on the application of the Head of the Department concerned.

12. Copy of any judgments, civil or criminal, passed by the High Court, may be supplied to the Local Press on formal application being made, after payment of the usual searching-fee and copying charges and under the same conditions, and restrictiens as those under which copies of judgments in civil and criminal appeals are supplied to parties.

The Editors of the Dacca Law Reports, the Pakistan Legal Decisions, and such other Law Journals as may be approved by the Court from time to time, shall be allowed to take copies of judgments at a flat rate of <sup>2</sup>[Tk.10] per copy, provided that application for such copies are made with in 21 days of the disposal of the case.

<sup>1</sup> The word and figure "Tk. 5" were substituted by the word and figure "Rs.1" by Notification No. 10259-G, The Bangladesh Gazette (Extraordinary), September 9, 1985.

<sup>2</sup> The word and figure "Tk.10" were substituted by the word "Rs.4" by Notification No. 10259-G, The Bangladesh Gazette (Extraordinary), September 9, 1985.

On the requisition for the copy b; the Editor of the Pakistan Law Reporters (Dacca Series), the Superintendent of the Copying Section shall supply him with a copy of the judgment of any case already disposed of without levying any charge therefore:

Provided that nothing contained in the Rule, or in Note 1 to Rule 6 of Chapter XII hereof shall affect or limit the power of the Court to withdraw or modify, at any time, any privilege or concession, granted, under these Rules or otherwise, without any reason being given for such withdrawal or modification.

13. In the case of certified copies, the Court-fee chargeable under the Court-fees Act shall be paid by affixing the necessary stamp to the first folio of the copy.

14. Uncertified copies may be converted into certified copies after comparison with the originals upon the application of the person to whom they have been granted and upon filing with such application the necessary Court-fee stamps required by law.

15. When an applicant requires an expeditious copy, that is copies before the expiry of three days of his application, an extra fee of <sup>1</sup>[Tk. 8] or if the copies exceed 4 folios of <sup>2</sup>[Tk 4] for each folio shall be charged on all copies so furnished, to be levied from him by a Court-fee stamp which should be affixed to the application for the copy and be entered in the Register for Court-fee stamps.

(i) On receipt of an application for an expeditious copy, the Superintendent of the Copying Section shall, noting the time of the registration of the application, send the same to the Superintendent of the Section concerned or to the Bench Clerk concerned, as the case may be, for estimate of the stamp and folios and the Superintendent or the Bench Clerk concerned shall make the estimate of stamp and folios within 3 hours of receipt of the requisition from the Superintendent of the Copying Section noting therein the time when the same is sent to the Superintendent of the Copying Section:

Provided that where the Superintendent or the Bench Clerk concerned, who is required to make the estimate fails to furnish the estimate within three hours he shall state in writing the reasons for the delay when returning the requisition.

(ii) If the Superintendent of the Copying Section does not get the estimate as required by him he shall report the matter to the Assistant Registrar-in-Charge and the latter shall report the matter to the Deputy Registrar.

(iii) On receipt of the estimate, the Superintendent of the Copying Section shall forthwith notify the full estimated costs and if the applicant complies by filing the necessary stamps and folios, the Copying Section shall ordinarily, except in very exceptional cases, supply the copy within 72 hours of the deposit of such estimate.

(iv) It shall be the duty of the Assistant Registrar-in-Charge of the Copying Section to see from time to time to satisfy himself at short intervals that the rules about supply of expeditious copies are being strictly followed and to record a certificate to that effect in the Registrar of applications for copies.

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<sup>1</sup> The word and figure "Tk.8" and "Tk.4" were substituted for the word and figure "Tk. 3.20" and ".80 paisa" respectively by Notification No. 10259-G, The Bangladesh Gazette (Extraordinary), September 9, 1985.

16. <sup>1</sup>[\* \* \*]

17. In the case of maps and plans, the charge shall be fixed by the Assistant Registrar-in-Charge of the Copying Section with reference to the difficulty or intricacy of the work to be done. Two-thirds of the amount will be paid to the mappist and will include the cost of materials; and the remainder will be credited to Government on account of examination fees.

18. Ordinary applications for copies shall be made to the Superintendent of the Copying Section on any Court day between the hours of 11. a.m. and 3-30 p.m. and between the hours of 11 a.m. and 1 p.m. on Saturdays. Applications bearing the expeditious fee prescribed in rule 15 above may be made at any time during office hours.

19. Applications for copies shall be made in the prescribed Form [No. 24 (Civil) Appendix 1] copies of which will be supplied at <sup>2</sup>[30 paisa] per sheet and 100 sheets per <sup>2</sup>[Tk. 10]

20. On receipt of an application for a copy, the Superintendent of the Copying Section shall inform the applicant that his application will not be considered complete, and that the preparation of the copy will not be commenced until he has supplied in full the court-fee stamps and the necessary number of folios which will be notified in due course in the manner prescribed by these rules.

21. In the event of an application for a copy being refused an endorsement to that effect shall be made on the application form which shall then be returned to the applicant.

22. On orders being passed granting an application for a copy, the Superintendent of the Copying Section shall, at once, if possible, or during the same day, but not later than the following day, ascertain the amount of Court-fee stamps payable for the copy applied for and the number of folios required for its preparation.

23. The number of folios required should be carefully calculated so as to obviate the necessity for obtaining additional folios from the applicant.

24. If, owing to insufficient or incorrect description, the document cannot be traced, the application should be so endorsed and submitted at once to the Assistant Registrar-in-Charge of the Copying Section for orders.

25. On receipt of the estimate as to number of folios required, the Superintendent of the Copying Section shall enter the amount of Court-fee stamps and the other charges in the middle column of the application and shall notify the amount in the prescribed Register [Form No. 2.5 (Civil) Appendix I] not later than the next following day.

26. If the stamps and folios are not filed within seven days of the notification in the prescribed Register, the application shall be rejected by the proper officer of the Court.

27. If an application has been rejected under rule 26 above, and the copy is still required, fresh application must be filed and dealt with in the manner prescribed by these rules, as though the original application had not been made.

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<sup>1</sup> Rule 16 was omitted by Notification No. 10259-G, The Bangladesh Gazette (Extraordinary), September 9, 1985.

<sup>2</sup> The word and figure "30 paisa" and "Tk.10" were substituted for the word and figure "6 pies" and "two rupees" respectively by Notification No. 10259-G, The Bangladesh Gazette (Extraordinary), September 9, 1985.

28. When the stamps and folios are filed, a note to that effect, and the date, shall be entered in the place provided in the application for the purpose, and the applicant shall be required to sign this entry. The date on which the copy will be ready shall also be noted in the appropriate column of the application form and a corresponding entry shall be made by the Superintendent of the Copying Section in the counterfoil of the application. The applicant shall retain the counterfoil, and it shall be his duty to attend on the date fixed for the purpose of receiving the copy.

29. If and when it is ascertained that extra Court-fees or extra folios for copies are required, the amount of such Court-fees or folios should be immediately notified in the prescribed Register [Form No. 25 (Civil) Appendix I] and shall be put in within seven days of such notification.

30. When the applicant complies with rule 29 above, a note should be made on the reverse of the counterfoil showing the date and number of extra folios and the date and number and the value of the extra Court-fees filed. This note shall be signed both by the applicant and by the Superintendent of the Copying Section.

31. Every copy must bear the signature of the copyist making it and the date on which the copy was completed. It must also bear the signature of the clerk who examined the copy and the date on which such copy was examined.

*Note-* It shall be the duty of the Superintendent of the Copying Section to examine 10 per cent of the copies in order to ensure that the persons in charge of copying and comparing are doing their duties properly and the Assistant Registrar-in-Charge of the Section shall also examine 2 per cent of these copies to see that the copyist and the comparing clerks are doing their duties properly; and if there be any negligence and carelessness on the part of the copyists and comparing clerks, the matter should be referred to the authorities concerned for necessary action.

32. In ordinary circumstances a copy shall be furnished not later than 1 p.m. on the fifth day after the necessary Court-fee stamps and folios have been put in.

33. On receipt of the copies and unused folios, if any, from the copyists and the original application from the Section concerned, the Superintendent of the Copying Section shall keep them together. On the applicant's appearance with the counterfoil, the Superintendent of the Copying Section shall make over to him the copy and unused folios, taking his receipt in the counterfoil of the application which he will retain in his custody.

34. Should the applicant, in any case, fail to appear to claim either the copy or the unused folios before the last day of the month succeeding that on which the copy was ready for delivery or should he fail to put in the extra Court-fees or extra folios within the period prescribed in rule 29 above, such copy and unused folios shall be destroyed.

35. In any case in which a copy is refused, or cannot be granted, the folios supplied by the applicant shall be returned to him when he is so informed.

36. Certified copies shall bear the seal of the Court and shall be "Certified to be a true copy" and be signed in full by an officer authorised to do so by the Registrar. The Certifying Officer shall append to his signature the words "authorised under section 76, Act I of 1872".

*Note-* As regards uncertified copies they shall be marked only with the word "examined" and initiated by the Examiner.

37. When a copy of a decree, judgment or order is granted, the following particulars shall be recorded on the copy itself, and in the form given below:

- (i) Date of application for copy.
- (ii) Date of notifying the requisite number of folios and stamps.
- (iii) Date of delivery of the requisite- number of folios and stamps.
- (iv) Date on which the copy was ready for delivery.
- (v) Date of making over the copy to the applicant.

<sup>1</sup>[38. (1) Persons entitled to obtain copies of papers, records, Judgments, Decrees, Orders , exhibits and other documents: under rules 1, to 5 of this Chapter, may obtain photostat copies of the same subject to the fulfillment of the terms and conditions, and in the manner specified below,

(2) In the event of non-availability of photostat paper, folio paper and cartridge paper, a photostat copy may be made on plain paper. The applicant shall, within one week of the notification of the estimate by the office, supply the required; paper, and pay the fees: under sub-rule(5). The supply of the paper and the payment of the fees shall be entered, in the relevant Register.

(3) If the applicant fails to supply the estimated number of papers or to pay the requisite fees within the period of one week of the notification under sub-rule (2) the application shall be rejected by the proper officer of the court,

(4) An application for a photostat copy shall be made in Form No. 24A (civil), appended to these rules, which will be supplied on payment of Taka one per form in Court-fee stamp.

(5) The following fees, payable in Court

fee stamps, shall be chargeable for photostat copies:-

|  | Taka. |
|--|-------|
| ( I ) Application fee (Ordinary) ..  | 5.00  |
| (II ) Application fee ( urgent) . . . . .                                    | 10.00 |
| (III) Charges of copies per page...  | 3.00  |
| (IV) Authentication fee for judgment   | 2.00  |
| (V) Authentioati6n fee for decrees   | 5.00  |
| (VI) Authentication fee for other documents                                  | 2.00  |
| (VII) Searching fee, if the record is in deposit in the<br>Record department | 2.00  |

<sup>1</sup> Rule 38 was added by Notification No. 4735-G, The Bangladesh Gazette (Extraordinary), December 10, 1981.

(Note:- Court fee stamps realized as charge fee copies shall be affixed on each page of the copy.)

(6) A copy shall be supplied:-

(a) Against an ordinary application within on week; and

(b) against an urgent application, within three days, of the filling of the papers and the payment of the requisite fees.

(7) Other provisions of this Chapter shall if and where necessary, mutitis mutandis, for the purpose of preparation and supply copies under this rule.

(8) A photostat copy shall bear the seal of the Court and the expression “Certified to be a true copy” and shall be signed in full by an officer authorized to do so by the Registrar. The Certifying officer shall append to his signature the expression “Authorised under section 76 of the Evidence Act, 1872 (I of 1872)”.]