

CHAPTER XV.

Inspection and Information.

1. No record of any case shall be removed from the Court building, except under an order in writing of a Judge, the Registrar, or the Deputy Registrar, or an Assistant Registrar:

Provided that if any Judge, the Registrar, or other Gazetted Officer requires a record at his private residence, he may take charge of it.

2. Inspection of records shall only be allowed upon an application being made in the form prescribed for the purpose (*see* Form No. 28 (Civil), Appendix I) which will be obtainable from the Forms Clerk at 6 pies per copy or Rs.2 for 100 forms.

3. Every application for inspection shall specify the record or paper of which inspection is desired and the name of the person or persons by whom the inspection will be made, and shall be accompanied, where necessary, by the fee prescribed in Chapter XII of these rules.

4. No record or paper of any department shall be inspected by any person other than a Judge or an Officer of the Court, except upon an order in writing of a Judge, the Registrar, or other Gazetted Officer: Provided that a party appearing in person in an appeal or other proceeding, or an Advocate duly authorised by a party to a case, may, upon filing an application in the prescribed form, inspect a record in the space set apart for inspection, without a formal order in writing obtained under this rule.

5. A stranger to an appeal or other proceeding shall not be entitled as of right to inspect any record or document. He may, however, apply for an order to inspect such record or document, provided that he shall not be allowed to inspect exhibits put in evidence, except with the consent of the person by whom they were produced or his successor-in-interest. Every such application shall be in writing in the prescribed form (*see* rule 2 above), shall specify the paper or papers which it is desired to inspect, shall clearly state the reason for the inspection and shall be accompanied by the fee prescribed in Chapter XII of these rules.

6. Every application for inspection shall be made between the hours of 10-45 a.m. and 4 p.m. on a Court day and between the hours of 11 a.m. and 1 p. m. on Saturdays; and inspection shall be allowed only in the Inspection Room or in the space allotted for the purpose, between the hours of 10-45 a.m. and 430 p. m. on Court days and between the hours of 11 a.m. and 1 p.m. on Saturdays and such inspection may be made on any working day or days but must be completed within 10 days from the date of receipt of the record by the Clerk-in-Charge of Inspection; and such inspection may be made only by person or persons whose names are mentioned in the order allowing inspection.

Note (1).- Requisition for the record shall be made by the Clerk-in-Charge of Inspection on the day the application is filed and the record shall, except for special reasons to be stated in writing, be made available for inspection by the day following and in any case not later than the third day from the date of application. If the requisition is not complied with within three days the matter shall be submitted with an explanation to the Gazetted Officer-in-Charge for orders.

Note (2)---This rule shall not apply to pending Criminal cases inspection of which will be allowed in the Criminal Section.

Note (3)-In no case should the Clerk-in-Charge of Inspection retain any records in the room or space for inspection for more than 10 days from the date of receipt of the record in that room or space.

7. Immediately upon receipt of an application for inspection the Clerk in-Charge of Inspection shall send a requisition to the Superintendent of the Section in which the record or paper mentioned in the application is, and the latter upon being satisfied that the application is in order and that the person named therein is entitled to inspect under rule 4 above, or has been allowed inspection under rule 5 above, shall make over such record or paper to the Clerk-in-Charge of Inspection by 10-45 a.m. on the date noted in the application.

8. (i) No person inspecting a record or paper shall make any mark on, or in any respect mutilate any record or paper which is being inspected.

(ii) He may make short notes but shall on no account be allowed to make a copy or translation of any paper on the record or to compare a copy or translation already made.

Note (1).-The words "short notes" in this rule mean such brief notes or memoranda with respect to the date and nature of the documents, names of parties, etc., as may be necessary to identify the document or record, in case a copy is required or a list of papers for inclusion in the paper-book of an appeal is to be filed.

Note (2).-A notice in terms of this rule and Note (1) shall be hung up in a prominent place near the space set apart for inspection and a breach of the rule should be forthwith reported to the Gazetted Officer-in-Charge.

9. Only officers of the Court and persons authorised to inspect either under rule 4 or rule 5 above shall be allowed into the room or space set apart for inspection:

Provided that parties or their agents as mentioned in the order for inspection may accompany the Advocate, but the number of such persons shall not exceed two.

10. No one other than a Judge, the Registrar, the Deputy Registrar, or an Assistant Registrar, shall be allowed to inspect any register of the Court or of the office, except on an order in writing of the Registrar or other Gazetted Officer and in presence of the officer whose duty it is to keep such register.

11. Applications for information shall be made in the prescribed form [*see* Form No. 29 (Civil), Appendix I], copies of which will be supplied at 6 paise per sheet or 100 sheets for Rs.2, to the Deputy Registrar or such other officer of the Court as the Registrar may depute for the purpose, on any Court day between the hours of 11 a.m. and 4 p.m. and between the hours of 11 a.m. and 1 p.m. on Saturdays.

12. An applicant for information will submit his application with the necessary particulars as shown in Form No. 29 (Civil), Appendix 1. The officer receiving the application shall, if the information is available, fill in the information both in the upper and lower halves of the form in

their proper places. If the information is not immediately available he shall state in the appropriate place the date on which the applicant should call for the information and shall make over the lower portion of the form to the applicant. Upon the applicant calling for the information on the date stated he shall supply the information in the appropriate place, an acknowledgment for the same being obtained on the upper portion of the form which shall be preserved in the office for the period prescribed from time to time.

Note-Searching-fee shall be levied on application for information as in the case of application for copies (see Chapter XII): An application will not be considered as complete till the searching-fee, as necessary under the rules, has been paid.

13. Information shall ordinarily be supplied on the next open day after application.

Note (1).-Any delay in complying with the provisions, of these rules should be brought to the immediate notice of the Registrar.

Note (2).-Information requiring anything but short answers shall not be given. If any extract from the record or the substance of any order or decree or other document is desired, the proper course is to apply for a copy.

Note (3).-Defective applications and applications in which the information asked for cannot for any reason be given shall be rejected subject to the orders of the Registrar.