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13/04/2022



THE HIGH COURT OF KERALA

Ernakulam-682031
Email: dsec.hc-ker@gov.in
Phone: 0484-2562985
Fax: 0484-2562451

No: DI-1/20613/2018

Date: 05-04-2022

From
The Registrar General

To
The Secretary,
Kerala High Court Advocates' Association.

Sir,
Sub.: Amendments to the Rules of the High Court of Kerala, 1971-
notification published in the Kerala Gazette-communicating
copy thereof-reg.
Ref: High Court O.M of even number dated 05/04/2022.

A copy of the reference cited is forwarded herewith for information.

Yours faithfully,

P. Krishna Kumar,
Registrar General

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5/4/22
A.S.O*

Encl.: as above



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OFFICIAL MEMORANDUM

Sub.: Amendments to the Rules of the High Court of Kerala, 1971-
notification published in the Kerala Gazette-communicating copy
thereof-reg.

Ref: Notification No. DI-1/20613/2018 dated 08/12/2021 amending the
Rules of the High Court of Kerala, 1971 published in the Kerala
Gazette Vol. XI, No. 2 dated 11/01/2022.

A copy of the notification mentioned under reference is communicated
for information and necessary action.

(By order)


P. Krishna Kumar,
Registrar General

Encl.: as above

To

All Joint Registrars, Deputy Registrars and Assistant Registrars
The Chief Librarian, High Court.
PS to Chief Justice.
PS to Judges.

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5/4/22
A.S.O

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കേരള സർക്കാർ
GOVERNMENT OF KERALA

കേരള ഗസറ്റ്
KERALA GAZETTE

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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നമ്പർ }
No. } 2

Part III

Judicial Services Department

(4) in in Chapter X,

(a) for rules 128 to 138 the following rules, shall be substituted, namely—

128. *Application for Certified Copies to be filed in person or online.*—

(1) Any application, for obtaining a certified copy of any proceeding or judgment or document filed in or in the custody of the Court, shall be filed in Form No.9, either in person or by online process after paying the requisite fees prescribed under Rule 137 by electronic payment (e-payment).

(2) An application not accompanied by the requisite fees shall be rejected.

129. *Power of Chief Justice to issue practice directions.*—The Chief Justice may from time to time issue practice directions regarding any of the matters contained under this Chapter.

130. *Defective Copy Applications.*— When copy applications are returned for rectification of defects, a time limit of seven days shall be fixed for their re-presentation. Defective applications which are not rectified within the period fixed shall be struck off by the Assistant Registrar (Judicial).

131. *Application for Copies by a Party to the Proceedings in the High Court.*—

(1) A party shall be entitled to obtain a copy of any proceeding or judgment or document filed in, or in the custody of the Court by presenting an application.

(2) Where the State Government or the Central Government is a party, a copy of the judgment may be issued to the State Government or the Central Government, as the case may be, by the Registry, free of cost without levying copying charges, on receipt of an online application.

(3) Copies of Judges' minutes or of correspondence and other papers, not strictly judicial, will be granted only under orders of the Court.

132. *Application for Copies by Persons not Party to the Proceedings.*—

(1) A person who is not a party to the proceedings is entitled to copies of judgments and decrees on presenting an application.

(2) A person who is not party to the proceedings is entitled to copies of other records of the proceedings of the case in the High Court, only on the orders of the Court. A person who requires such copies shall file an affidavit along with a duly verified petition in the Court stating the purpose for which the copy is required. On orders of the Court, certified copies shall be issued, on receipt of the application.

133. *Copies of documents filed in Subordinate Courts.*—

(1) A party to the proceedings in the Subordinate Courts, who requires copies of the documents including copies of maps, plans, genealogical trees etc. which form part of the records of the Subordinate Courts, shall file a duly verified petition before the Registrar (Judicial) setting forth the necessity and the reason as to why the copy was not obtained from the Subordinate Court. On orders of the Registrar (Judicial) the certified copies shall be issued:

Provided that when the copies applied for cannot be copied on ordinary paper, they shall be prepared with the help of skilled labour employed for the said purpose.

(2) The Registrar (Judicial) shall fix the balance copying charges including the amount to be paid for the skilled labour and the party who requires the copies shall pay the amount so fixed. The court shall prepare the copy only on payment by the party the balance amount so fixed.

134. *Application for more than one document in a particular case.*—A single application containing all the details need be filed, if a person requires more than one document in a particular case. But for each document, the copying charges shall be paid separately.

135. *Intimation of date of delivery of copy.*— The authorised officer shall intimate the date for appearance to receive the copy in the e-mail address of the applicant. The authorised officer shall also notify the date for the appearance to receive the copy, on the notice board in the section.



FORM No. 9

(Rule 128)

COPY APPLICATION FORM

Name and address of the Applicant:

Whether applied in person or online:

Whether for State/Central Government:
(mention the party array)

Number and year of the case:

Date and amount of copying charges paid:

Details including the number of the
e-payment receipt:

Date of Judgment/order:

*Description of the document required:

Number of copies required:

Whether party to the proceedings in the
High Court or not:

If party, then state the status of the
applicant in the case

If application filed under Rule 133, then
mention the Subordinate Court's name
and case number and status of the
applicant in the case:

Number of the application filed under
Rule 132 or Rule 133 and the date of the
order allowing the application for copy:

E-mail address of the applicant:
(to be mandatorily provided)

* The description of the document applied for should be clearly mentioned.

Date:

Signature of Advocate/Applicant

7. for Form No. 31 the following Form shall be substituted namely—

FORM No. 31

Daily Register of Court Fees

(1)	<i>Sl. No.</i>
(2)	<i>No. nature of the proceedings and name of the lower court</i>
(3)	<i>Name of party or pleader presenting documents</i>
(4)	<i>No. of enclosures</i>
(5)	<i>Institution fee</i>
(6)	<i>Stamps on vakalath</i>
(7)	<i>Stamps on documents etc.</i>
(8)	<i>Process fee</i>
(8A)	<i>E-payment Receipts</i>
(9)	<i>Total</i>
(10)	<i>No. of case on the file of the High Court</i>
(11)	<i>Initials of the Asst. of the section concerned who receives the paper</i>
(12)	<i>Remarks</i>

By order,

K. P. SUDHIR,
Registrar General.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The High Court of Kerala proposes to introduce facilities for e-filing of cases and e-payment of money into and out of court. E-filing when implemented will promote paperless filing and thus help in saving cost and time.

The High Court of Kerala, also proposes to introduce facility for online submission of application for certified copies. Payment of requisite fees by way of e-payment is also envisaged.

These amendments will empower the High Court to introduce the above facilities.

The notification is intended to achieve the above objectives.
