

Debts Recovery Tribunals and Debts Recovery Appellate Tribunals Electronic Filing Rules, 2020

UNION OF INDIA

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Rule

DEBTS-RECOVERY-TRIBUNALS-AND-DEBTS-RECOVERY-APPELLATE TRIBUNALS ELECTRONIC FILING RULES, 2020

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Debts Recovery Tribunals and Debts Recovery Appellate Tribunals Electronic Filing Rules, 2020 Published vide Notification No. G.S.R. 43(E), dated 22.1.2020 Last Updated 24th January, 2020 G.S.R. 43(E). - In exercise of the powers conferred by clause (cc) of Section 36 of the Recovery of Debts and Bankruptcy Act, 1993, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.

(1) These rules may be called "The Debts Recovery Tribunals and Debts Recovery Appellate Tribunals Electronic Filing Rules, 2020". (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires-(a)"e-DRT System" means the system employing web browser, deployed for electronic filing of pleadings in the Tribunals, which includes a common website for all Tribunals, a universally accessible repository of electronic information, and a facility for electronic service or issuance of intimations and display of orders and directions issued by the Tribunals, with provision for digital signature;(b)"electronic form" in the e-DRT System means an information or a document in electronic form as defined under clause (r) of the Sub Section (1) of Section 2 of Information Technology Act;(c)"e-filing" means electronic filing of a pleadings before the Tribunal by an applicant through the e-DRT system;(d)"electronic issuance of

intimations" means issuance of an intimation electronically, via the e-DRT system,(e)"e-Service" means the service of an intimation to the applicant or any other party or legal practitioner electronically via the e-DRT system, which shall be considered complete at the conclusion of transmission which shall be as valid as any intimation issued on paper by the Registrar or other authorised officer of a Tribunal;(f)"intimation" means any summons, notice or communication as may be required to be served or delivered by the Tribunal ;(g)"pleading" means an application, or written statement or any other submission in written form addressed to a Tribunal, and the related documents thereto, under the Recovery of Debts and Bankruptcy Act, 1993 or the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002;(2)Words and expressions used herein and not defined shall have the meanings respectively assigned to them under the Recovery of Debts and Bankruptcy Act, 1993, the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, or the Information Technology Act, 2000 or rules thereunder.

3. Applicability.

(1)These rules shall apply to e filing, display of interim or final orders or directions passed by the Tribunals on the common website in the e-DRT system and to the electronic issuance and e-service of intimations.(2)The e filing of pleadings by applicants shall be optional.

4. Procedure for e-filing.

(1)Pleadings as prescribed for specific purposes under the Recovery of Debts and Bankruptcy Act, 1993, the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, may be filed by an applicant in electronic form, through the e-DRT system;(2)After e-filing, the applicant shall file a hard copy of the said pleading, along with a copy of the acknowledgment for e filing within seven working days of the day of e-filing in person or by his agent or by a duly authorized legal practitioner before the Registry of the Tribunal;(3)Where the pleading is filed in electronic form and in paper form by the applicant, before the Registry, the date of filing of the pleadings in the Tribunal shall be the date of submission of the last page of a pleading through the e-DRT system;(4)The Tribunal may exercise its discretion to allow certain related documents to be filed only in the conventional manner, even when the applicant has made the pleading by e-filing.

5. Uploading of the information on the common website by the Tribunals.

- The Tribunals shall upload cause lists, daily orders, final orders and carry out electronic issuance and e-service of directions and intimations through the e-DRT system on a regular basis, as per the procedure adopted by the Tribunals under Section 22 of the Recovery of Debts and Bankruptcy Act, 1993.