

# **Rules of High Court at Calcutta relating to Applications under Article 226 of The Constitution of India**

WEST BENGAL

India

## **Rules of High Court at Calcutta relating to Applications under Article 226 of The Constitution of India**

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Rules of High Court at Calcutta relating to Applications under Article 226 of The Constitution of India The following Rules framed by the High Court at Calcutta will come into force with effect from the 23rd day of May, 1986.

### **Chapter 1**

#### **1.**

- Except as otherwise provided, all applications made under Article 226 of the Constitution shall be governed by these rules.

#### **2.**

- Rule 8, second paragraph, Part-I, Chapter-II, Rule 15A, Part-II, Chapter-V and Rule 28A, Part-II, Chapter-XI of the Appellate Side Rules shall stand repealed.

#### **3.**

- All such applications shall be expressed to be made in the "Constitutional Writ Jurisdiction" of this Court except that applications for a Writ in the nature of Habeas Corpus shall be expressed to be made in the "Constitutional Writ Jurisdiction (Habeas Corpus)".

**4.**

- All applications for Writs in the nature of Mandamus, Prohibition and Quo Warranto, in which all the respondents reside or carry on business or have their offices situate within the Ordinary Original Civil Jurisdiction of this High Court, whether they relate to a person or Court, or Authority, whether exercising civil, criminal or other jurisdictions, shall be dealt with by the Original Side and shall be marked as "Original Side" application.

**5.**

- All applications for Writ in the nature of Certiorari, wherein the records are located or are available within the Ordinary Original Civil Jurisdiction of this High Court, whether they relate to an authority or Court exercising civil or criminal or other jurisdiction, shall be dealt with by the Original Side and shall likewise be marked as "Original Side" applications, where such authority or court and any other person, having custody of the records, have their offices situate within the aforesaid Ordinary Original Civil Jurisdiction of this High Court.

**6. [ [Rule 6 substituted vide Notification No. 7103-G dated 18.11.1999. Earlier rule 6 stood as under:**

'6. All applications for a Writ to the nature of Habeas Corpus shall be heard and disposed of at the Appellate Side and governed by Rules 29 to 42 of Chapter XI, Part-II of the Appellate Side Rules.']]- All applications for a Writ in the nature of Habeas Corpus shall be made before the Division Bench taking the criminal business of the Appellate Jurisdiction of the High Court and shall be governed by the following procedure:(i)Such application shall be made by Advocates and Attorneys may instruct such Advocates;(ii)Applications shall be made on petition duly verified by affidavit setting forth the circumstances under which the order is sought;(iii)Where the application is for an order that a prisoner detained in any jail situate within such limits be brought before the Court to be there examined as a witness in any matter pending or to be inquired into such Court, it shall be stated where the prisoner is detained and for what purpose his evidence is required;(iv)Where an order under clause (3) of Section 475 of the Criminal Procedure Code, 1973 is required the Court martial or the Commissioners may send an application to this Court in writing and in such case an affidavit shall Not be required. The application shall be in the Form of a letter addressed to the Registrar stating the purpose for which the said Court martial has been assembled or the authority under which the Commissioners are acting, and also, stating where the prisoner is detained in custody and when, where, and for what purpose he is required to be produced. It shall be the duty of the Registrar to submit the letter, as soon as possible after receipt thereof, to, and to obtain the order thereon of the Judges presiding over the Criminal Appellate Bench of this Court;(v)Where the application is for an order that a prisoner within the limits of its Appellate Criminal Jurisdiction be removed from one custody to another for the purpose of trial, Notice of the application shall be served on the prisoner and it shall be stated in the affidavit where the prisoner is detained in custody to what other custody it is proposed to remove him and the reason for such change of custody;(vi)Where an application is for an order that the body of a defendant within such limits is

brought in or the Sheriffs' return of cepi corpus to a writ of attachment, or the Sheriffs' return of cepi corpus to the warrant of arrest shall be produced. The officer having the custody of the Sheriffs' return shall cause the same to be produced before the Court on a requisition to him in writing; (vii) In any case in which the Court shall order a person in custody to be brought either before it, or before a Court martial, or before Commissioners, or to be removed from one custody to another, a warrant shall be prepared and signed by the Registrar, Appellate Side, and sealed with the seal of the Court; (viii) Such warrant where issued under Rule 33, shall be forwarded by the Registrar of the Appellate Side to the Officer in charge of the jail in which the prisoner is confined; in every other case the warrant shall be served personally upon the person to whom it is directed or otherwise as the Court shall direct; (ix) Where the application is to bring up before the Court a person in custody under a warrant to detain such person, a copy of the warrant under which he is detained, obtained from an authenticated by the signature of the person in whose custody the applicant is, shall be produced to the Court, or it shall be shown by affidavit that it has been asked for and denied; (x) Where the Court is of opinion that a prima facie case for granting the application is made out, a rule nisi may be issued calling upon the person against whom the order is sought to appear on a day to be named therein to show cause why such order should not be made and at the same time to produce in Court the body of the person or persons alleged to be illegally or improperly detained then and there is to be dealt with according to law; (xi) On the returnable day of such rule or on any day to which the hearing thereof may be adjourned where no cause is shown, or where cause is shown or where cause shown and disallowed, the Court shall pass an order that the person or persons improperly detained shall be set at liberty or delivered to the person entitled to his or their custody. Where cause is allowed the Rule shall be discharged; (xii) In disposing of any such rule the Court may in its discretion make an order for the payment by one side or the other of the costs of the rule; (xiii) The Forms of warrants No. 57 to 61 (Criminal) of Appendix II shall be followed.]

## 7.

- All other applications whether they relate to a person or authority or Court exercising Civil or Criminal or other jurisdiction shall be dealt with by the Appellate Side of the High Court and marked as "Appellate Side" applications.

## 8. [ [Rule 8 substituted vide Notification No. 7103-G dated 18.11.1999. Earlier rule 8 stood as under:

'8. All such applications which are marked 'Original Side' applications shall be numbered as 'Matter No. .... of ..... (state year)' and all applications which are 'Appellate Side' applications shall be numbered as 'Civil Revision No. .... (W) of ..... (state year)' or 'Criminal Revision (W) No. .... of ..... (state year)' as the case may be: Provided that all applications under Article 226 of the Constitution filed in Andaman and Nicobar Islands shall be numbered as 'Civil Revision No. (W) .... of (state year) and filed at Andaman and Nicobar Islands', and should be separately and serially numbered other than the number of Civil Revisions filed at the High Court at Calcutta itself.']- All such applications which are marked "Original Side" applications shall be numbered as "W.P. No. .... of ..... (state year)" and all applications which are "Appellate Side" applications shall be numbered as "W.P. No.

..... (W) of ..... (state year)": Provided that all applications under Article 226 of the Constitution filed in Andaman & Nicobar Islands shall be numbered as "W .P. (AN) No. .... of ..... (state year)."]

**8A. [ [Rule 8A substituted vide Notification No. 7103-G dated 18.11.1999. Earlier rule 8A stood as under:**

'8A. All petitions for the issuance of high prerogative writs under Article 226 of the Constitution shall contain the particulars as detailed in the proForma being Schedule-A to these Rules mentioning the B Group and Head according to the classification list of different types of writ proceedings as specified in Schedule-B to these Rules.']] - All petitions under Article 226 of the Constitution shall contain the particulars as detailed in the proforma as specified in the Rules relating to computerised listing on the Appellate/Original Side as applicable. A petition which does Not contain the necessary details as prescribed shall Not be accepted by the department.]

**8B. [ [Rule 8B inserted vide Notification No. 936-G, dated 28.02.2005, (w e.f. 14.06.2005).]**

- All petitions for the issuance of high prerogative writs under Article 226 of Constitution shall also contain the particulars as detailed in the proForma being Schedule A to these Rules mentioning the Group and Head according to the classification list of different types of writ proceedings as specified in Schedule B to these Rules.]

**9. [ [Rule 9 substituted vide Notification No. 7103-G dated 18.11.1999. Earlier rule 9 stood as under:**

'9. All petitions and affidavits with suitable modification shall be instituted In the matter of: An application under Article 226 of the Constitution And In the matter of: (state the particulars of Court concerned) And In the matter of: (state the particulars of the order or enactment complained of) And In the matter of: (state the name and other particulars required, as in a plaint, of the petitioner or each of the petitioner) Petitioner Versus (State the name and other particulars required as in a plaint of the respondent or each of the respondents) respondents'.']] - All petitions and affidavits with suitable modification shall be instituted. In the Matter of : An application under Article 226 of the Constitution. And In the Matter of : (state the name and other particulars required, as in a plaint, of the petitioner or each of the petitioners).... Petitioner. Versus (State the name and other particulars required as in a plaint of the respondent or each one of the respondents).... Respondent.]

**10.**

- All petitions shall consist of paragraphs numbered consecutively and shall be fairly and legibly type-written on standard petition paper, demi-foolscap size or on paper ordinarily used in the High Court for transcribing petitions, with quarter margin.

**11. [ [Rule 11 substituted vide Notification No. 7103-G dated 18.11.1999.  
Earlier rule 11 stood as under:**

'11. All petitions shall contain a paragraph containing the 'grounds' upon which the petition is moved, each separate ground being serially numbered. In every application under Article 226 of the Constitution, there should be appended a paragraph containing a statement, that on the self same facts or cause of action, No application was moved earlier, or at all, before any Court and if so moved, the result thereof, must be indicated and further that the concerned application was Not moved before any other court.'.]- All petitions shall contain a paragraph containing the "grounds" upon which the petition is moved, each separate ground being serially numbered. In every application under Article 226 of the Constitution, there should be appended a paragraph containing a statement, that on the self same facts or cause of action, No application was moved earlier or at all, before any Court and if so moved, the result thereof, must be indicated and further that the concerned application was Not moved before any Court. A writ petition challenging an investigation or criminal proceeding with a prayer for stay of arrest during the pendency thereof or for grant of anticipatory bail or bail, shall also state whether the petitioners or any of them previously moved this Court or any other Court for anticipatory bail or bail and if so, state the number of the case, date of disposal and the results thereof.]

**12.**

- The prayers to the petition shall distinctly state the particular Writ or orders or directions which the petitioner requires to be issued. Where leave is asked for making an application in a representative capacity, there must be a distinct prayer to that effect.

**13.**

- In an application for a Writ in the nature of Certiorari, there should be a statement as to the location of the records of the proceedings impugned.

**14.**

- Every petition must be signed and dated by the petitioner or his duly authorised agent. Explanation. - An endorsement in the petition signed by the advocate representing the petitioner, to the effect that he is satisfied that the petition has been signed by an agent of the petitioner duly authorised in that behalf, shall be accepted as prima facie evidence of the fact that the provision of the Rule has been complied with.

**15. [ [Rule 15 substituted vide Notification No. 7103-G dated 18.11.1999.  
Earlier rule 15 stood as under:**

'15. Every petition shall be verified by the solemn affirmation made by the petitioner or a person or persons having cognizance of the facts stated and shall state clearly by reference to the paragraphs

of the petition whether the statements are based on knowledge, information and belief, or on records and where statements are based on information, the source of information should be disclosed and where the statements are based on records, sufficient particulars should be given to identify the records.'].]- Every petition shall be verified by the solemn affirmation made by the petitioner or a person or persons duly authorised in this behalf and proof to the satisfaction of the Court to be acquainted with the facts of the case in the manner as specified under sub-rules (ii) and (iii) Rule 15 Order VI of the First Schedule of the Code of Civil Procedure and who having cognizance of the facts stated and shall clearly by reference to the paragraphs of the petition whether the statements are based on knowledge, information and belief, or on records and where statements are based on information, the source of information should be disclosed and where the statements are based on records, sufficient particulars be given to identify the records.]

## 16.

- Where the petitioner is a Company or a Corporation, there should be appended an affidavit of competency, where the petitioner or a respondent is a Corporation, the provisions of the Civil Procedure Code in so far as they are applicable shall apply.

## 17.

- Unless the Court otherwise directs, every application for a Writ in the nature of Habeas Corpus, shall be accompanied by an affidavit of a competent person setting out all material facts including the place of the detention, if it is known to him.

## 18.

- It will Not be necessary to set out in the application or in the affidavit any document, which is part of a record present in the High Court, but the application shall state shortly all facts upon which it is intended to rely, and shall give the number, letter, title or other description of all documents on the record present in the High Court, to which it is intended to refer.

## 19. [ [Rule 19 substituted vide Notification No. 7103-G dated 18.11.1999. Earlier rule 19 stood as under:

'19. In the case of an application relating to a matter which is or has been before the High Court, the High Court file, together with the application, shall be placed before the Court or the Registrar at the time of the hearing of the application. When the applicant desires that any document in a record present in the High Court shall be produced at the hearing. In order that it may be referred to by the Court, he shall at the time of filing the application, give Notice to produce the same to the proper officer of the Court. Note. - This rule will Not apply to applications filed in Andaman and Nicobar Islands if the document is Not available there.'].]- In the case of an application relating to a matter which is or has been before the High Court, the High Court file, together with the application shall be placed before the Court or the Registrar at the time of hearing of the application. When an

applicant desires that any document in a record present in the High Court shall be produced at the hearing, in order that it may be referred to by the Court, he shall at the time of filing the application, give Notice to produce the same to the proper officer of the Court. Provided that No production shall be made in a pending case without the approval of the Judge, before whom the case is pending.]

## **20.**

- All petitions for a Writ in the nature of Mandamus shall contain a statement as to whether a demand for justice has been made and specify the particulars of such demand, including the date and service thereof. A copy of such demand, where the demand is in writing, shall be set out in the annexure to the petition.

## **21. [ [Rule 21 substituted vide Notification No. 7103-G dated 18.11.1999. Earlier rule 21 stood as under:**

'21. All annexures to a petition shall be type-written, printed or cyclostyled or Xeroxed in a legible manner (except where they are in the vernacular, when they may be typed or handwritten, cyclostyled or Xeroxed) and transcribed on the same kind of paper as is used for the body thereof. The annexures shall be separately paginated and marked with exhibit marks (e.g. 'A', 'B', 'C' etc.) and shall bear the certificate of the Commissioner before whom the affidavit is made.' ]](a) All petitions must be filed in paper book Form with index along with a short list of dates and a statement of the point of law involved. (b) [ \* \* \* ] (c) [ Documents in vernacular may be supplied with an official translation as and when directed by the Court. ] [Substituted by Notification No. 6531-G dated 29th September, 2000. Earlier it stood as under:] (c) All documents in the vernacular must be accompanied by an official translation thereof. ] (d) The annexures of all pleadings shall be separately paginated and distinctively marked as follows: (i) Annexure to the petition must be marked P/1, P/2, P/3, etc. (ii) Annexure to the affidavit-in-opposition must be marked R/1, R/2, R/3, etc. (iii) When there are annexures to the affidavit-in-reply it shall be marked P/4, P/5, P/6, etc. (iv) Where there are more than one affidavit-in-opposition the numbering must indicate the particular respondent to whose affidavit the particular document is annexed. For example, an annexure to the affidavit of Respondent No. 1 will be marked as R-1 /1, R-1 /2, R-1 /3, etc. Annexure to the affidavit of Respondent No. 2 will be marked as R-2/1, R-2/2, R-2/3, etc. and so on. (e) Papers in' connection with interlocutory applications, applications for substitution, amendment etc. must be maintained in separate files in the same manner. All pleadings in interlocutory matters must indicate the nature of the interlocutory proceeding at the top of each pleading and at the top of the file in which papers relating to the matters are maintained.]

## **22.**

- Original documents, or certified copies may Not be annexed as such, but copies thereof as indicated in Rule 21 above may be annexed.

**23.**

- Where a document is Not in the English language, the Court may direct that the party filing the same as an annexure, should get it officially translated. The procedure for such translation of any document annexed to an application moved in the Original Side or in the Appellate Side and the fees to be paid therefor, shall be as provided in the Rules of the Original Side or the Appellate Side as the case may be.

**24.**

- Where the respondent is the Central Government, the Government of West Bengal or any other State or Corporate body, the cause-title shall mention the person upon whom the Writ is to be served, e.g. - "The State of West Bengal through

**24A. [ [Rule 24A inserted vide Notification No. 7103-G dated 18.11.1999.]**

- Before any matter is listed for hearing the officer before whom the petitions are filed shall certify that all the Formalities prescribed under the Rules including the classification, sub-classification, etc. have been complied with. No defective filing shall be entertained except when the same is dispensed with with the express leave of the Court.]

**25. [ [Rule 25 substituted vide Notification No 7103-G dated 18.11.1999.  
Earlier rule 25 stood as under:**

'25. All applications under Article 226 of the Constitution shall, subject to any direction of the Chief Justice, be made before a Judge or Judges as the Chief Justice may appoint: Provided that an application under Article 226 of the Constitution may be moved before the Judges in circuits at Andaman and Nicobar Islands.]]- All applications under Article 226 of the Constitution shall be filed centrally, as per the Rules relating to computerised listing on the Appellate/Original Side, as applicable: Provided that an application under Article 226 of the Constitution may be moved before the Judge on Circuit at the Andaman and Nicobar Islands: Provided further that No application shall be moved at the residence of a learned Judge or elsewhere outside the Court premises, without an assignment in writing from the Chief Justice or any Judge authorised by the Chief Justice in that behalf.]

**26. [ [Rule 26 substituted vide Notification No. 7103-G dated 18.11.1999.  
Earlier rule 26 stood as under:**

'26. Save and except as provided in these Rules, all applications for a Rule Nisi shall be made in the first instance before the Court on such day or days and at such time or times as may be fixed by the Court: Provided that No application shall be moved at the residence of a learned Judge or elsewhere outside the Court premises, without an assignment in writing from the learned Chief Justice or any learned Judge authorised by the learned Chief Justice in that behalf: Provided further that an



application for a Rule nisi involving revenue shall Not be moved, unless the Judge otherwise directs, without serving a forty-eight hours prior Notice along with a copy of the application under Article 226 of the Constitution, proposed to be moved on the Administrative Head of the department concerned with the administration of the Revenue law: Provided further that No application for Rule nisi shall be moved at the Andaman and Nicobar Islands before the Judges in Circuit, unless the Judges otherwise direct, without serving ten days' prior Notice, along with a copy of the application proposed to be moved on the Administrative Head of the Department concerned, if the office of the Head of the Administration concerned is situated in Andaman and Nicobar Islands, otherwise fourteen days Notice. The Court hearing such an application may issue a rule nisi or summarily reject the application or make such order therein as it thinks fit. A Judge issuing a rule nisi may make it returnable before a Division Bench or may while hearing the Rule, refer the same to the Division Bench for hearing.]]- Save and except as provided in these rules, all applications for a Rule Nisi shall be made in the first instance before the Court on such day or days and at such time or times as may be fixed by the Court. An application under Article 226 shall Not be moved and No prayer for interim order shall be entertained in a writ petition under Article 226 of the Constitution without serving copy of such petition alongwith all annexures upon the respondents to be bound by or affected by such interim order and without giving such party a reasonable opportunity to contest the same, without serving 48 hours' prior Notice alongwith a copy of the application under Article 226 of the Constitution, proposed to be moved, on the concerned respondent. Provided where the State Government is a party, service on the Legal Remembrancer /Government Pleader, as appropriate, will be sufficient; where the Central Government/Local Authority/ Body/Corporation or any of its officers is a party service may also be made on the Standing Counsel for the Central Government/Local Authority or Body or Corporation Notified to the Registrar in this behalf: Provided that the Court may for reasons recorded allow the moving of the application and entertain the prayer for such interim order without such Notice, in which case, a copy of the application alongwith all annexures in support thereof, shall forthwith be served by the petitioner, upon the respondents against whom the interim order has been obtained:[\* \* \*] Provided further that an affidavit of service shall be filed showing compliance with these rules before the matter is taken up for hearing. The Court hearing such an application may issue a Rule Nisi or summarily reject the application or issue Notice or give direction/ directions or make such order thereon as it thinks fit. A Judge, for the reasons recorded, at the hearing or at any subsequent stage of the proceeding may make it returnable before a Division Bench or may while hearing the Rule, refer the same to the Division Bench for hearing.] Explanation. - The Judge hearing such application may dispose of the same by issuing Notice and without issuing Formal Rule.[\* \* \*] [[Rule 27 deleted vide Notification No. 7103-G dated 18.11.1999. Earlier Rule 27 stood as under: '27. No prayer for interim order shall be entertained in a petition under Article 226 of the Constitution without serving a copy of such petition along with all the annexures upon the Respondents to be bound by or affected by such interim order and without giving such party a reasonable opportunity to contest the same. Provided that if the respondent sought to be bound or affected by the interim order is the Andaman and Nicobar Administration or any person or authority ordinarily residing or having its office in the islands, unless ten days' prior Notice has been served upon such a respondent or any one authorised by him to receive such Notice along with a copy of such application or petition as the case may be, together with all documents in support thereof. Provided further that the Court may for reasons recorded, entertain the prayer for such interim order without such Notice, in which case, a

copy of the application along with all annexures in support thereof, shall forthwith be served by the petitioner, upon the Respondents against whom the interim order has been obtained.'])]

**27. [Renumbered as rule 27 and thereafter aNother paragraph added vide Notification No. 7103-G dated 18.11.1999.]**

- In all cases where service is effected by the party, an affidavit of service be filed within such time as the court may direct.[In all cases where service is affected by the party on the Legal Remembrancer /Government Pleader, the office of the Legal Remembrancer /Government Pleader must specify the name of the Advocate concerned to deal with the matter in respect of which Notice is served.] [Renumbered as rule 27 and thereafter aNother paragraph added vide Notification No. 7103-G dated 18.11.1991]

**28. [Inserted by vide Notification No. 7103-G dated 18.11.1999.]**

- Every such application filed shall ordinarily be listed before the appropriate bench under the heading "For Admission" after 48 hours. The said period of 48 hours shall be deemed to be sufficient Notice to the respondent-opposite party covered by Rule 26 of these rules to seek instruction. Except in special circumstances No adjournment shall be granted by the Court in such cases for seeking instructions once the case has been so listed for admission.]

**29.**

- A party who has been served with Notice as aforesaid [. . . .] [The words 'or a party who has lodged a caveat in the Form or manner as may be prescribed' deleted vide Notification No. 480-G dated 15.1.2009. ] or any of the respondents having kNowledge of such a petition or application, shall be entitled to appear at the hearing thereof and shall have opportunity of being heard.

**30. [ [Rule 30 substituted vide Notification No. 7103-G dated 18.11.1999. Earlier rule 30 stood as under:**

'30. Every application for vacating and/or modifying any ex parte interim order shall, unless the Court otherwise directs, be filed only upon previous Notice to the petitioner in the Writ petition and as and when an application is filed, it should forthwith be listed for hearing in the daily list under a special heading 'Application for vacating ex parte interim order' and all endeavours should be made to dispose of such application at the earliest possible opportunity.'])]- Every application for vacating and/or modifying any ex parte interim order shall, unless the Court otherwise directs be filed only upon previous Notice to the petitioner in the writ petition and as and when application is filed, it should forthwith be listed for hearing at the top in the daily list under a special heading "Application for vacating ex parte interim order" and all endeavours should be made to dispose of such application at the earliest possible opportunity.]

**31.**

- Every application for vacating and/or modifying any other interim order shall, unless the Court otherwise directs, be filed only upon previous Notice to other parties.

**32.**

- A Rule nisi issued on an application moved in the Original Side shall be drawn up as far as may be in the model Form set out in Appendix I while the Rule nisi issued on an application in the Appellate Side shall be drawn up in the manner as in respect of an application under section 115 of the Code of Civil Procedure.

**33. [ [Rule 33 substituted vide Notification No. 7103-G dated 18.11.1999.  
Earlier rule 33 stood as under:**

'33. In application marked 'Original Side', minutes shall be maintained as in applications made in the Original Side of the High Court. In application marked 'Appellate Side' an order Book shall be maintained in as Civil Revision cases in the Appellate Side.']] - In applications marked "Original Side", an order book and minutes shall be maintained as in applications made in the Original Side of the High Court. In applications marked "Appellate Side", an order book shall be maintained as in Civil Revision Cases in the Appellate Side.]

**34.**

- So far as appearance of Advocates and Advocates on record are concerned, the Rules applicable in the Original Side will apply to applications marked "Original Side" and the Rules applicable in the Appellate Side will apply to applications marked "Appellate Side": Provided that in the matter of applications marked "Original Side" as aforesaid, but relating to Industrial Tribunals or the Corporation of Calcutta or Income Tax or Agricultural Income Tax or other Tax Authorities or Tribunals, Advocates Not entitled to practise on the Original Side and Advocates so entitled under Chapter I, Rule 2 of the Original Side Rules, shall be entitled to appear and act.

**35. [ [Rule 35 substituted vide Notification No. 7103-G dated 18.11.1999.  
Earlier rule 35 stood as under:**

'35. (1) Upon admission of his petition, in respect of petitions marked 'Appellate Side', the petitioner shall, within a week of the making of the order, file with his petition as many copies as there are respondents, together with an extra copy for each serving Court, to be retained by such Court for the purpose of drawing up of the return of service or Non-service as the case may be. Where, the State Government is a party Respondent, an additional copy will be filed for serving upon the Legal Remembrancer. While where the Central Government or the Andaman and Nicobar Administration is a party Respondent, an additional copy will be filed for service upon the officer-in-charge of the Branch Secretariat of the Ministry of Law, Justice and Company and Legal Affairs, Calcutta or the

Principal Officer of the Andaman and Nicobar Administration in Calcutta.(2)In applications marked 'Appellate Side', where fresh service is to be effected, Notice of that fact shall be given to the petitioner, who shall, within a week of the service of such Notice, file the requisite number of copy or copies of the petition, for such fresh service. In case of default in filing such copies, the matter will be placed before the appropriate Court for further directions.(3)Unless the Court otherwise directs, such of the respondents, who have already been served with a copy of the petition under Article 226 of the Constitution under Rules 26 and 27 as above need Not be served with a copy of such petition along with Notice of the Rule and No copies on that account need further be filed by the petitioner.(4)In application marked Appellate Side, where Notice on a particular respondent has been returned unserved and the copy of the petition has also been returned therewith, filing of fresh copies of such petition may be dispensed with by the Registrar.(5)This Rule will Not apply in respect of an application filed before the Judges in Circuit in the Andaman and Nicobar Islands and the matters covered by this Rule shall abide by the directions of the Judges at the time of the admission of the application:Provided that the Registrar of Andaman and Nicobar Islands is authorised to give all directions to make the application ready for hearing and to report to the Court forthwith in case of default.'](1)Upon admission of his petition in respect of petitions marked "Appellate Side", the petitioner shall, within a week of the making of the order, file as many copies of his petition as there are respondents who have Not been served together with an extra copy for each serving Court, to be retained by such Court for the purpose of drawing up of the return of service or Non service as the case may be. Where the State Government is a party respondent copies will be filed for serving upon the concerned officer. Where the Central Government or the Andaman and Nicobar Administration is a party respondent, an additional copy will be filed for service upon the Officer-in-Charge of the Branch Secretariat of the Ministry of Law, Justice and Company and Legal Affairs, Calcutta or the Principal Officer of the Andaman and Nicobar Administration in Calcutta.(2)In applications marked "Appellate Side", where fresh service is effected, Notice of that fact shall be given to the petitioner, who shall within a week of the service of such Notice, file the requisite number of copies of the petition for such fresh service. In case of default in filing such copies, the matter will be placed before the appropriate Court for further directions.(3)Unless the Court otherwise directs, such of the respondents, who have already been served with a copy of the petition under Article 226 of the Constitution under Rules 26 and 27 as above need Not be served with a copy of such petition along with Notice of the Rule and No copies on that account need further be filed by the petitioner.(4)In applications marked "Appellate Side", where Notice on a particular respondent has been returned unserved and the copy of the petition has also been returned therewith, filing of fresh copies of such petition may be dispensed with by the Registrar.(5)[ Deleted.]]

### **36. [ [Rule 36 substituted vide Notification No. 8104-G dated 8th December, 2000. Earlier rule 36 stood as under:**

'36. Except as otherwise specified in these Rules,-In respect of 'Original Side' application, the Rules of the Original Side relating to interlocutory application, and in respect of 'Appellate Side' applications, the Rules of the Appellate Side relating to Civil Revision cases shall apply mutatis mutandis, in respect of the following matters:(1)The drawing up of all interlocutory orders and the Rule nisi.(2)The service of all orders and the Rule nisi upon the respondent or respondents. Provided, however, that in applications marked 'Appellate Side', the cost of serving interlocutory

orders by post upon the respondent or respondents shall be borne by the petitioner.(3)The appointment of Next-friend for a petitioner or a guardian ad litem of the respondents, where the petitioner or the respondent, as the case may be, is a minor or a person under disability.(4)The entering of appearance of the respondent or respondents, including the filing of Vakalatnamas and Powers of Attorney.(5)The making of interlocutory applications.(6)Affirmation of affidavits.(7)Filing of petitions and affidavits.(8)Payment of Court-fees.(9)Payment of Process-fees.(10)The drawing up of orders generally.(11)Assessment or Taxation of costs.(12)Any matter, Not expressly covered by these Rules.'](1)Except as otherwise specified in these Rules:In respect of "Original Side" applications, the Rules of the Original Side relating to Interlocutory applications, and in respect of "Appellate Side" applications, the Rules of the Appellate Side relating to Civil Revision Cases shall apply mutatis mutandis, in respect of the following matters:(a)The drawing up of the Rule nisi.(b)The service of all Orders and the Rule nisi upon the respondent or respondents. Provided, however, that in applications marked "Appellate Side", the cost of serving interlocutory orders by post upon the respondent or respondents shall be borne by the petitioner.(c)The appointment of Next-friend for a petitioner or a guardian-ad-litem of the respondents, where the petitioner or the respondent, as the case may be, is a minor or a person under disability.(d)The entering of appearance of the respondent or respondents, including the filing of Vakalatnamas and Powers of Attorney.(e)The making of interlocutory applications.(f)Affirmation of affidavits.(g)Filing of petitions and affidavits.(h)Payment of Court-fees.(i)Payment of Process-Fees.(j)The recording of orders generally.(k)Assessment or Taxation of costs.(l)Any matter, Not expressly covered by these Rules.(2)On all applications whenever an order shall be passed, the same shall become effective upon pronouncement thereof by a Judge or by the Judges, as the case may be dealing with the applications.]

### 37.

- Unless otherwise ordered, a Rule nisi in an application marked "Original Side" shall be returnable within three weeks from the date of the making of the order. A Rule nisi in an application marked "Appellate Side" shall be likewise returnable eight weeks from the date of the making of the order:Provided that an application filed before the Judges in Circuit in Andaman and Nicobar Islands shall be made returnable within such time as the Judges direct.

### 38.

- Unless the Court otherwise directs, the respondent/ respondents shall file his/their affidavit-in-opposition/s within four weeks from the date of service of the Rule Nisi. The said affidavit-in-opposition/s shall be accompanied by a receipt showing service of a copy of the same upon the petitioner or his advocate-on-record. Within three weeks from the date of service of the affidavit-in-opposition / s upon the petitioner or his Advocate-on-record, as the case may be, the petitioner shall file his affidavit-in-reply thereto together with a receipt showing service of the said reply upon the respondent or his advocate-on-record:Provided that the Judge issuing Rule nisi while in Circuit at Andaman and Nicobar Islands shall give directions at the time of the issue of the Rule nisi for counter-affidavit or other affidavits and affidavit-in-reply.

**39. [ [Rule 39 substituted vide Notification No. 7103-G dated 18.11.1999.  
Earlier rule 39 stood as under:**

'39. All affidavits shall be drawn up in paragraph numbered consecutively and shall be type-written, printed or cyclostyled, xeroxed and transcribed in the same manner as a petition and shall be verified in the same manner as a petition. The annexures shall be in the same Form as in a petition and paginated.]]- All affidavits shall be drawn up in paragraphs numbered consecutively and shall be type written, printed or cyclostyled, xeroxed and transcribed in the same manner as a petition and shall be verified in the same manner as a petition. The annexures shall be paginated and numbered in the manner prescribed in Rule 21 hereof.]

**40.**

- Unless otherwise ordered, all affidavits shall be filed before the proper officer of the Court and in compliance with directions given by the Court. No affidavit shall be used unless filed at least 24 hours before the sitting of the Court on the date fixed for the hearing and No affidavit shall ordinarily be read at the hearing unless a copy thereof has been served upon the respondent or his Advocate at least 24 hours prior to such hearing.

**41.**

- Unless otherwise ordered, a Rule nisi in the case of a Writ of Certiorari shall contain a direction upon the inferior Court, Tribunal or Authority concerned, to cause the relevant records to be produced at the time of hearing.

**42.**

- Upon a final order being made, or a Rule being made absolute, the petitioner, through his Advocate or Advocate-on-record, as the case may be, shall within a week thereof, make a requisition in writing to the Registrar, for drawing up of the said order or the Rule. The Registrar shall then proceed to draw up the Order or Rule, upon Notice to the contesting parties or the Advocate or Advocates-on-record appearing on their behalf.

**43.**

- Writs shall be drawn up as far as may be, in accordance with the model Forms set out in Appendix II.

**44.**

- In applications marked "Original Side", copies of all Writs or final orders shall be made over to the petitioner or his Advocate on-record, for service upon the respondent or the parties concerned and shall be served according to the rules for serving orders in the Original Side.

**45.**

- In applications marked "Appellate Side", copies of all Writs or final orders shall be handed over to the petitioner or his Advocate or served through Court, upon payment of process fees.

**46.**

- All Writs of Mandamus, issued upon Companies incorporated under the Indian Companies Act or any order or direction which calls upon the Company, to do or abstain from doing anything, shall be served upon the Company, but the petitioner may furnish a list of Directors residing within the jurisdiction of the Court and obtain a direction from Court that each such Director shall be served with a copy of such order, direction or Writ, and thereupon such Directors shall be served with such order, direction or Writ as if they were parties to the application.

**47.**

- Any such person served with an order, direction or Writ may appear and object to such service upon him.

**48. [ [Rule 48 substituted vide Notification No. 8014-G dated 8.12.2000.  
Earlier rule 48 stood as under:**

'48. Appeals from orders in this jurisdiction shall be made in the same manner as appeals from orders in the Original Side and appeals from orders in the Appellate Side according as they arise out of 'Original Side' and 'Appellate Side' applications and all Rules applicable thereto in the Rules of the Original and Appellate Side, respectively, shall apply thereto mutatis mutandis. Provided that unless the Court otherwise directs, No prayer for any interim order shall be entertained unless a copy of an application for such an interim order has been served upon a party, who has lodged a caveat in the Form and manner as may be prescribed, and given an opportunity of being heard.'.] (1) Appeals from orders in this jurisdiction shall be made in the Original Side if the original order is passed in the Original Side and in the Appellate Side if the original order is passed in the Appellate Side by presenting a Memorandum of Appeal drawn up in accordance with the Original Side Rules or the Appellate Side Rules as the case may be together with a certified copy of the order appealed from: Provided, however, leave may be granted by the Appeal Court to present the Memorandum of Appeal without the certified copy of the order, if an application has been made by the appellant for a certified copy of the order, but the certified copy of the order has Not been made available to the appellant by the department. (2) All other Rules applicable to Original Side Appeals and Appellate Side Appeals in terms of the Rules of the Original Side and Appellate Side shall apply mutatis mutandis to the appeals preferred in the Original Side and appeals preferred in the Appellate Side respectively: Provided that unless the Court otherwise directs No prayer for any interim order shall be entertained unless a copy of an application for such an interim order has been served upon a party, who has lodged a caveat in the Form and manner as may be prescribed, and given an opportunity of being heard.]

**49.**

- The Court may direct any party to an application to furnish security, either to the satisfaction of the Registrar or in any other manner. Such matters will be dealt with by the Registrar, Original Side and the provisions of the Rules of the Original Side in so far as they are applicable, shall apply.

**50.**

- In matters marked "Appellate Side", deposit and withdrawal of costs shall, in the absence of special directions, be effected in the Accounts Department of the Appellate Side in the same manner as Paper-Book costs.

**51.**

- In all applications involving Revenue, where an assessment has already been made or upheld, No order shall be made staying the realisation thereof, unless the assessee making the application, gives security as may be deemed adequate by the Court, for the due payment of the amount assessed to tax. The amount of security, the time within which it shall be furnished and the manner of furnishing, shall be at the discretion of the Court making the order. Where such security has been ordered ex parte, any party to the application upon being served with the Writ, may apply to the Court for enhancing or reducing the same.

**52.**

- Except when otherwise directed, the records of the lower Courts, Tribunals or Authorities, if received by the Court, shall be sent down as soon as possible after the case has been disposed of.

**53. [ [Rule 53 substituted vide Notification No. 7103-G dated 18.11.1999.  
Earlier rule 53 stood as under:**

'53. Save and except as provided by these rules and subject thereto, the procedure provided in the Code of Civil Procedure (Act V of 1908) in regard to suits shall be followed, as far as it can be made applicable, in all proceedings for issue of a writ.']]- Save and except as provided by these Rules and subject thereto, the provisions of the Code of Civil Procedure (Act V of 1908) in regard to suits shall be followed, as far as it can be made applicable, in all proceedings under Article 226 and Nothing in these Rules shall be deemed to limit or otherwise affect the inherent power of this Court to make such orders as may be necessary for the ends of justice or to prevent abuse of the process of the Courts.]

**53A. [ [Rule 53A inserted vide Notification No. 7103-G dated 18.11.1999.]**

- The Court may in proceedings under this Chapter impose such terms as to costs and as to giving of security as it may deem fit. Where costs have been awarded by the Court in a writ petition or in an



appeal from an order passed on a writ petition, any party entitled thereto may apply to the Court for execution of the order. The application shall be accompanied by an affidavit stating the amount of costs awarded. The Court may direct the order to be sent to the District Court of the District in which the order is to be executed. The order may be executed by such Court or be transferred for execution to any subordinate court. Explanation. - This Rule is in addition to the Rules of recovery prescribed under Article 15 to Schedule I to the Bengal Public Demands Recovery Act and under section 36 of the Code of Civil Procedure 1908.]

## **54.**

- All earlier rules framed by the High Court in this regard are hereby repealed and these Rules shall apply to all pending proceedings.[Chapter 2] Public Interest Litigation.

## **55. Application of this Chapter.**

- The Rules incorporated in this Chapter will be applicable only to Public Interest Litigation as defined in Rule 56 hereof in addition to those contained in Chapter I.

## **56. Definition of Public Interest Litigation.**

- Public Interest Litigation shall include a litigation the subject-matter of which is a legal wrong or a legal injury caused to a person or to a determinate class of persons by reason of violation of any constitutional or legal right or any burden imposed in contravention of any constitutional or legal provision or without authority of law or any such legal wrong or legal injury or illegal burden is threatened and such person or determinate class of persons is, by reason of poverty, helplessness or disability or socially or economically disadvantaged position, unable to approach the Court, for relief, and for redressal of which any member of the public Not having any personal interest in the subject-matter presents an application for an appropriate direction, order or writ in this Court under Article 226. Notwithstanding anything contained above, in any appropriate case, though the petitioner might have moved a Court in his private interest and for redressal of personal grievances, the Court in furtherance of the public interest involved therein may treat the subject of litigation in the interest of justice as a public interest litigation.

## **57. Modes of entertainment of Public Interest Litigation.**

- A Public Interest Litigation may be initiated in any of the following ways: (a) By presenting a petition of motion complying with the Formalities required for filing an ordinary writ-application under Group-IX (Residuary) of the Classification List being Schedule B hereof. Such petition should be placed before the Division Bench constituted by the Hon'ble the Chief Justice for entertaining Public Interest Litigation: Provided that a letter addressed to the Hon'ble the Chief Justice pointing out the violation of the constitutional or legal right or the instances of the legal injury to any person or class of persons, which can form the subject-matter of a Public Interest Litigation, may also be entertained: Provided further that a letter addressed to the Hon'ble the Chief Justice shall be an

exception to the Normal rule of presenting petitions in accordance with these rules.(b)Suo motu reference by any of the Judges of this Court including the Hon'ble the Chief Justice calling for appropriate action in a situation, which Forms the subject-matter of a Public Interest Litigation.

## **58. Procedure for initiation of proceedings by way of letter addressed to the Hon'ble the Chief Justice.**

(a)All letters addressed to the Hon'ble the Chief Justice as provided in the proviso to Rule 57(a) of these rules shall be considered by the Hon'ble the Chief Justice in chamber and listed for consideration if the Hon'ble the Chief Justice so directs.(b)In the event the Hon'ble the Chief Justice is of the considered view that the subject matter of the letter does Not constitute public interest litigation as defined in this Chapter or that the sender of the letter is Not sufficiently disabled to present a Formal petition in terms of Rule 57(a) of these rules, an intimation shall be sent by the Registry to the sender of the letter whereupon the sender of the letter shall be entitled to present a Formal petition before the Court.(c)Once the contents of a letter are treated as constituting ground for initiation of a public interest litigation, it shall be registered like any other writ petition by giving a number and then listed before the Division Bench vested with determination to take up Public Interest Litigation for necessary orders being passed thereon.(d)The sender of the letter upon registration thereof as a regular writ petition shall Not be entitled to engage a member of the Bar of his choice in support of his claim but may withdraw the petition and present a Formal petition in terms of Rule 57(a) of these Rules.

## **59. Procedure for initiation of suo motu proceedings at the instance of the Judges.**

- If any of the judges of this Court is of the opinion, whether in course of hearing of any judicial business or otherwise, that there has been violation of fundamental or legal right of any person or class of persons or there exists any instance of legal injury, which constitutes the subject-matter of a Public Interest Litigation justifying immediate intervention of this Court, he may, by giving a report in detail, draw the attention of the Division Bench taking up Public Interest Litigation by directing the Registrar General to register such report as a Public Interest Litigation and to place the same before the said Division Bench. The report so placed before the Division Bench shall be treated as a Public Interest Litigation and the Division Bench shall decide the matter in accordance with law. Neither any court fees shall be payable on such suo motu proceedings Nor any supporting affidavit need be affirmed.

## **60. Engagement of Advocates for assisting Court.**

- In the matter of Public Interest Litigation mentioned in Rules 58 and 59 above, the Division Bench taking up Public Interest Litigation may, in its discretion, engage any member of the Bar for rendering pro-boNo service in support of the contents of the letter Forming subject-matter of Public Interest Litigation.Nothing in these Rules shall preclude the Division Bench to direct payment of hoNorarium to such an advocate if it considers fit and proper in the circumstances by directing the

parties before it to bear the same.

## **61. Power of court to take appropriate action in case a Public Interest Litigation is found to be frivolous.**

- If a Division Bench while disposing of a Public Interest Litigation initiated in terms of Rules 57(a) and 57(b) of these Rules finds that the same is a frivolous one or made with mala fide intention or both, it may Not only impose exemplary costs against the petitioner but also debar him from presenting any Public Interest Litigation in future before this Court for such a period as it thinks fit.

## **62. Costs.**

- The costs that may be awarded by the Division Bench while dismissing a frivolous Public Interest Litigation may, if directed, be deposited in a fund to be operated by the Registrar General and the money so realised should be deposited with State Legal Services Authority. Appendix I Form of Rule Nisi Matter No. or C. R. No. Original Side or Appellate Side Cause Title as in Petition Upon reading a petition of ..... and his affidavit of verification thereof, dated ..... and the exhibits or annexures to the said petition, and upon hearing ..... Advocate for the said petitioner. It is ordered that a Rule do issue calling upon the respondent or opposite parties to show cause why a Writ in the nature of Mandamus should Not be issued directing the said respondents or opposite parties to do (state the things that should be done) or forbear from doing (state the things that should be forborne) or why a Writ in the nature of Certiorari should Not be issued setting aside, cancelling, or quashing the following: [State the documents, orders or proceedings to be set aside, cancelled or quashed] and they are further commanded at the hearing of the application to produce in Court or cause to be forwarded to the Registrar of this Court, for being so produced, all the said documents, orders or proceedings, and the following other documents, records or proceedings. [Set out a list] so that conscionable justice may be administered by setting aside, cancelling or quashing the same or making such other directions as to the Court seem fit and proper. or why a Writ in the nature of Prohibition should Not issue commanding the respondents or opposite parties (or if only one or more of them, then state their numbers in the cause-title) Not to proceed with [give particulars of proceedings] or exercise jurisdiction in any manner in respect thereof or why a Writ in the nature of Quo Warrantos should Not be issued upon the respondents or opposite parties (or if only upon one or more of them then state their numbers in the cause-title) directing him or them to show to the satisfaction of this Court as to the right and authority under which he or they are holding the office of [state particulars of office] or acting as [state particulars] and to show cause why he or they should Not cease to hold the office and vacate the same forthwith and/or cease to exercise any power or authority in connection therewith and/or cease to act in the capacity mentioned above. And it is further ordered that pending the disposal of this application the respondents or opposite parties are restrained from doing the following acts: [State particulars] and/or that the following proceedings are stayed: [State particulars] In witness whereof, etc. Rule Nisi in case of a Writ of Habeas Corpus. To ..... Greetings Whereas you have in your custody the body of ..... we command you upon the receipt of this our Writ to produce the body ..... before the Court or Judges [give particulars] on the to undergo and receive all and singular such matter or things as our Court or Judge shall then and there consider of

concerning him in this behalf. And in default, take Notice that you shall be answerable for contempt in Not obeying the orders of this Court.

**Appendix II Form of Writs**

**Form I Writ in the nature of Mandamus** Upon reading on the part ..... (hereinafter referred to as the "Petitioner") his petition, affirmed by an affidavit of ..... And upon reading an affidavit of ..... and ..... and being the returns made to the rule nisi issued herein dated ..... And upon hearing ..... appearing on behalf of the petitioner, and ..... appearing on behalf of the respondent. It is ordered that the said order nisi is hereby made absolute, and it is further ordered that a Writ in the nature of Mandamus is issued upon the respondent [here state which respondent or respondents] commanding the said respondent (or respondents) to do or forbear from doing the following acts, that is to say- And it is further ordered that (State any other directions given or order made) Witness, etc.

**Form II Writ in the nature of Certiorari** Upon hearing on the part of ..... (hereinafter referred to as the "Petitioner") his petition, affirmed by an affidavit of ..... And upon reading an Affidavit ..... of ..... and ..... and being the returns made to the rule nisi issued herein, dated ..... and upon hearing appearing on behalf of the petitioner, and appearing on behalf of the respondent. It is ordered that the said rule Nisi is hereby made absolute, and it is further ordered that a Writ in the nature of Certiorari is issued and that the following orders, and judgments, and/or proceedings are set aside/cancelled/quashed: (a) (Here state the particulars of the order, judgment or proceedings to be quashed, including a clear description of the Court, tribunal or authority whose order, etc. is being affected) (b) (c) And it is further ordered that the said ..... upon being served with this Writ do hear and decided the said cause in accordance with law. Witness, etc.

**Form III Writ in the nature of Prohibition** Upon hearing on the part of ..... (hereinafter referred to as the "Petitioner") his petition, affirmed by an affidavit of ..... And upon reading an affidavit of ..... and ..... and being the returns made to the rule Nisi issued herein, dated ..... and upon hearing appearing on behalf of the petitioner, and appearing on behalf of the respondent. It is ordered that the said rule Nisi is hereby made absolute, and it is further ordered that a Writ in the nature of Prohibition is issued upon the respondent prohibiting the said respondent ..... from further hearing or determining the following suit, matter, application, cause or proceeding pending before the said respondent. (a) (State the particulars of the suit, matter, application, cause or proceeding affected.) Witness etc.

**Form IV Writ in the nature of Quo Warranto** Upon reading on the part ..... of (hereinafter referred to as the "Petitioner") his petition, affirmed by an affidavit of ..... And upon reading an affidavit of ..... and ..... and being the returns made to the rule Nisi issued herein, dated ..... and upon hearing ..... appearing on behalf of the petitioner, and appearing on behalf of the respondent. It is ordered that the said rule Nisi is hereby made absolute and it is further ordered that a Writ in the nature of Quo Warranto is issued upon, the respondent quashing and/or setting aside the warrant of appointment, dated ..... and commanding the said respondent Not to act, or purport to hold the office of ..... [state particulars] ..... or to exercise any jurisdiction in respect thereto. Witness, etc.

**Form V Writ in the nature of Habeas Corpus** Upon reading on the part of ..... (hereinafter referred to as the "Petitioner") his petition affirmed by an affidavit of ..... And upon reading an affidavit ..... of ..... and ..... and upon hearing ..... in person. It is ordered that this rule hereby made absolute and that ..... whose body has been produced from custody by the ..... be forthwith set at liberty, or that he be returned to custody or that

the following orders or directions be given and obeyed.[State particulars]Witness, etc.

## A

ProForma[Vide Rule 8B promulgated under Notification No.936-G, dated 28.02.2005 (w.e.f. 14.06.2005).]In The High Court At Calcutta..... SideC.C./C.R. No. (W)/Matter No. .... of 20.....Subject Matter in relation to.....Under ..... Act.Group ..... Head ..... of the Classification list.Cause Title:.....  
Petitionerv..... RespondentAdvocate on  
Record:Name:AddressPhone No.:

## B

Classification list of different types of writ proceedings[Vide Rule 8B promulgated under Notification No.936-G, dated 28.02.2005 (w.e.f. 14.06.2005).]Group I. - Matters relating to land laws and orders and direction relating to land (including land revenue) may be classified under the following sub-heads:(a)Dispute about ceiling,(b)Dispute about recording of barga,(c)Dispute about preparation of record of rights in general,(d)Grant and cancellation of pattas,(e)Requisition and acquisition proceedings,(f)Dispute relating to tenancy laws and eviction proceedings,(g)Mines and minerals including minor minerals,(h)Land development and planning,(i)Tank improvement and settlement of ferries and fisheries,(j)Restoration of alienated land,(k)Dispute as to land revenue,(l)Miscellaneous.Group II. - Matters relating to educational institutions including service matters relating to such institutions may be divided under the following heads:(a)Recognition and derecognition of Schools and Colleges,(b)Supersession/Suspension/Extension of Managing Committee/ Governing Body,(c)Approval and disapproval of teaching and Non-teaching staff,(d)Orders of Appeal Committee,(e)Dispute concerning admission,(f)Managing Committee and its constitution,(g)Powers of different authorities,(h)Miscellaneous.Group II. - Matters concerning labour and industrial legislation may be classified under the following sub-heads:(a)Compensation,(b)Reference to Industrial Court or Tribunal,(c)Orders of Awards of Industrial Tribunal,(d)Wage dispute,(e)Bonus and gratuity,(f)Provident Fund,(g)Trade Union,(h)Insurance,(i)Lockout and Strike(j)Miscellaneous.Group IV. - Matters relating to Revenue and Tax Laws (excluding land revenues):(a)Assessment/Re-opening of Assessment,(b)Stay of recovery,(c)Refund,(d)Declaration Forms,(e)Appeal/Revision,(f)Liability to pay tax/registration and cancellation thereof,(g)Exemptions/deductions,(h)Classification of Tariff items and entries of the Schedule-I,(i)Search and seizure,(j)Adjudication proceedings,(k)Levy and short levy of duties,(l)Miscellaneous.Group V. - Matters relating to Municipalities, Co-operative Societies and Panchayats may be classified under following heads:(a)Election,(b)Inclusion/Exclusion of Municipal limit,(c)Assessment and Revision of Municipal Tax,(d)Grant and refusal and renewal of licences/Building plans,(e)Demolition,(f)Supersession,(g)Appointment of Administrator,(h)Removal from Office,(i)Appointment and dismissal of employees,(j)Settlement of hat, market, ferries and fisheries,(k)Miscellaneous.Group VI. - Matters relating to service regulations may be divided under the following sub-heads:(a)Transfer,(b)Seniority,(c)Promotion,(d)Suspension,(e)Reversion,(f)Dismissal/Removal,(g)Dep

proceedings/ 2nd show cause,(h)Confirmation,(i)Age dispute,(j)Compulsory retirement,(k)Leave and condition of service,(l)Post-retirement benefit,(m)Miscellaneous.Group VII. - Matters relating to transport and communication may be divided under the following sub-heads:(A)Railway:(1)Booking and dispute with regard to rates/tariffs,(2)Allotment of Wagons/rakes and cancellation thereof (Service matters regarding Railway Servants are included under Service Matters in general).(B)Post and Telegraph and Telephone:(1)Connection and disconnection and shifting of telephone,(2)Dispute regarding telephone/telex bills.(C)Motor Vehicles Act:(1)Grant or refusal to grant permits/registration of vehicles,(2)Cancellation or suspension of permits,(3)Dispute with regard to routes,(4)Terms and conditions of permits.Group VIII. - Matters relating to Regulation of Industries and Essential Commodities and various Central Orders may be divided under the following sub-heads:(a)Grant/Cancellation/Suspension of Licence,(b)Grant Renewal of Ration shop,(c)M.R. Dealership,(d)Confiscation proceeding,(e)Restraint on movement/trade,(f)Taking over Management,(g)Extension of Management/administration,(h)Shift of Rice/Husking Mills,(i)Rationalisation/Modification of Rice Milling Unit,(j)Miscellaneous.Group IX. - Residuary matters.[Inserted by Notification No. 7613-RG, dated 23.8.2010.]