



WE MOST HUMBLY SUBMIT OUR PART SUGGESTIONS/VIEWS
REGARD TO SUPREME COURT RULES 2013

1) In Order VIII DOCUMENTS, Rule 1 talks about receiving only certified and true copies of a document. This is problematic for the following reasons:

- a. While there seems to be no specific mention of e-filing in the rules, the Supreme Court presently has progressed greatly by bringing e-filing as an alternative to filing at the filing counter.

However, when there is a defect which is primarily only a compliance to the rules expecting a set standard format for the petition, the petition is 'Rejected for defects' and returned to the petitioner or his/her AOR.

In matters of petitions under Article 32 or Public Interest Litigation or other writs having the nature of public interest and constitutional questions, the sworn affidavits are a challenge. When the affidavit is returned for compliance, the affidavit has to be notarized multiple times which can be *expensive* as notary advocates *charge for the service* and also the *printing costs* need covering since they have to be attested/signed by the AOR or the Party-in-Person each time the defect is fixed and e-filed.

Considering that it is only e-filing, *the notarization of sworn affidavits and even self-attestation/attestation by AORs could be delayed and sought for re-submission after the defects are fixed and the e-filing approves such affidavits.*

Even in filing at the filing counter such practice may help especially for beginners and budding (first generation) young advocates.



- b. The Supreme Court is the Apex Court for every citizen in the Country and to make it accessible is not an option but a mandate. The filing counters are a good go to place for beginners and hence e-Sewa (e-sevai) and *filing counters in district courts must begin helping file petitions under Article 32 at the Supreme Court and Petitions under Article 226 at the High Courts.*
- c. If the petitions are to be 'Rejected for defects' for failing to comply some drafting standards. Such standard templates made available for use from the e-filing portals will help. There seems to be a plan for it, but it requires decent progress
- d. Petitions under Article 32 and 226 must be a guaranteed right and hence these petitions must mandatorily be allowed to be submitted via e-filing as well in addition to filing in physical mode. The Madras High Court had rejected our e-filed writ petition last year end for want of compliance by filing at the counter in physical mode.
- e. AOR eligibility and criteria are not favourable for people from other geographies. It is a violation of Article 14.
- f. We seek most humbly further extension of time to receive suggestions to the SC Rules Amendment Committee so that we can submit further points we have missed with regard to the Supreme Court Rules 2013 and the Handbook.

Yours Faithfully,

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