
**GUJARAT CIVIL SERVICES TRIBUNAL OF PAYMENT OF FEES
(INSPECTION OF RECORDS AND CERTIFIED COPIES
THEREOF) RULES, 1988**

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**GUJARAT CIVIL SERVICES TRIBUNAL OF PAYMENT OF FEES
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Whereas draft Gujarat Civil Services Tribunal Payment of Fees (Inspection of Records and Certified Copies thereof) Rule, 1988, were published as required by sub-section (1) of Section 20 of the Gujarat Civil Services Tribunal Act, 1972 (Gujarat Act 2 of 1973) at pages 1 to 7 of the Gujarat Government Gazette, Part IV-B dated the 5th January, 1989 under the Government Notification General Administration Department No. GHS-88-61-CST- 1181-5131-G dated the 24th November, 1988, inviting objections and suggestions from all persons likely to be affected thereby; AND WHEREAS no objections and suggestions were received from the public on the said draft; NOW THEREFORE, in exercise of the powers conferred by Section 20 read with Section 18-A of the Gujarat Civil Services Tribunal Act, 1972 (Gujarat Act No. 2 of 1973), the Government of Gujarat, hereby makes the following rules, namely :

1. Short title and commencement :-

(1) These rules may be called the Gujarat Civil Services Tribunal Payment of Fees (Inspection of Records and Certified Copies thereof) Rules, 1988.

(2) They shall come into force at once.

2. Definitions :-

In these rules, unless the context otherwise requires

3. Records to be kept open for Inspection :-

The Records of the Tribunal shall be open to the inspection of the public at the hours corresponding with the Court hours of the Tribunal prescribed under Regulation 5 of the Gujarat Civil Services Tribunal Regulations, 1977.

4. Application and procedure for obtaining certified copies :-

(1) A party to any proceeding before the Tribunal may make an application to the Secretary of the Tribunal to obtain a certified copy of any judgment order, depositions, memorandum of evidence, or any other document filed in the said proceeding. The application shall state whether the copy applied for is required for private use or otherwise.

(2) Applications for copies by persons other than the parties to the proceeding shall be supported by adequate reasons.

(3) On receipt of the application as provided in sub-rule (1) or (2), the office shall immediately scrutinize the application with a view to ascertaining the correct number of the proceedings, names of the parties, description of the document, copy of which is applied for and whether the document is available for copying.

5. Estimation of the costs of the copies :-

The office shall estimate the costs of the copies before copying work is undertaken. The estimate should be as far as possible, cover all probable costs of the copies.

6. Deposits of the estimated costs :-

The applicant shall be called upon to deposit the estimated costs of the copies applied for, and also comply with other deficiencies, if any, in the application requesting for the copies of documents. Copying charges so estimated shall be paid in cash in advance subject to the final adjustment when copies are supplied. If the copies are to be sent by post, postal charges shall be paid thereon,

in addition to copying charges.

7. Fees for incorrect or deficient description of application

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When the description of the document given in the application is incorrect or deficient, and it is in the consequence, necessary for the office to search the records in order to find it, a fee at the rate of one rupee for each year of which the records are searched, shall be payable by the applicant for such search, irrespective of whether the document be found or not, and whether the copy for which the applied, on examination of the said document be granted or not.

8. Dealing with the application :-

As soon as the office finds the application is complete in all respects, it shall be dealt with by the Secretary, who may either grant or refuse it for reasons to be recorded thereon, or pass such other orders as he may deem just. In case of refusal, such refusal and the grounds of the refusal shall be communicated to the applicant in writing.

9. Furnishing copies of the application :-

(1) Copies shall be furnished within fifteen days of the presentation or receipt of the application, if the application is complete on that date, unless further delay is unavoidable in which case the cause shall be endorsed on the copy. In other cases the period of fifteen days shall be computed from the date on which the application is completed in all respects.

(2) A certified copy of a part of any document on record whether exhibited or not, may in the discretion of the Secretary be given. No copy, however, shall be given of a part of judgment or of an order recorded on the application without a copy of the application itself.

10. Endorsement on the copy :-

The following endorsement shall be made on every copy :

- (i) The date on which the copy was applied for;
- (ii) The date on which the application was completed;
- (iii) The date on which the copy was ready for delivery;
- (iv) The date on which it was delivered or posted.

To prevent unauthorised alterations being made, the date shall be

written in words in distinct handwriting and the endorsement should be signed by some authorised officer of the Tribunal on the date on which it was made.

11. Fees for copying and comparing of documents to be supplied :-

(3) The applicant shall be charged 5 paise or more upto 10 paise for each sheet at the discretion of the Secretary having regard to the cost of papers.

12. Charges to different persons :-

Where different persons apply for a single copy of the same document or documents, each should be supplied it at the full rates mentioned in Rule 1 as far as an original and not a carbon copy.

13. Recovery of deficit amount of estimated deposit :-

In case the estimated deposit falls short of the charges which have to be recovered in respect of copies, the balance shall be recovered from the parties or lawyer concerned before the copies are delivered personally to them. In case the applicant applies for such copies by post or where copies are required to be sent through the agency of the post, such balance may be recovered by sending copies by value payable by post (V.P.P.) or the Secretary may, in his discretion, inform the applicant to pay the deficit amount before sending the copies.

14. Maintenance of Register :-

(b) The register of applications for copies to be maintained under these rules shall daily be inspected by the Secretary and he shall see that the amounts received by way of deposits are credited by challan in the Treasury under the appropriate receipt and on the same day as far as practicable or on the next day.