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मध्यप्रदेश राजपत्र

प्राधिकार से प्रकाशित

क्रमांक 53]

भोपाल, शुक्रवार, दिनांक 31 दिसम्बर 2021-पौष 10, शक 1943

भाग ४

विषय-सूची

(क) (1) मध्यप्रदेश विधेयक,
(ख) (1) अध्यादेश
(ग) (1) प्रारूप नियम,

(2) प्रवर समिति के प्रतिवेदन
(2) मध्यप्रदेश अधिनियम,
(2) अन्तिम नियम.

(3) संसद् में पुरःस्थापित विधेयक.
(3) संसद् के अधिनियम.

भाग ४ (क)-कुछ नहीं

भाग ४ (ख)-कुछ नहीं

भाग ४ (ग)

अन्तिम नियम

उच्च न्यायालय, मध्यप्रदेश, जबलपुर

A-5374.-

Jabalpur, the 22nd December 2021

In exercise of the powers conferred by Articles 225 of the Constitution of India, section 54 of the States Reorganisation Act, 1956, clauses 27 and 28 of the Letters Patent, the High Court of Madhya Pradesh, hereby, makes the following amendments in the High Court of Madhya Pradesh Rules, 2008, which shall come into force from the date of their publication in the Madhya Pradesh Official Gazette.

AMENDMENTS

- (i) In sub-rule (1) of Rule 1 of Chapter VII, the figure "10.30" shall be substituted by the figure "10.15".
- (ii) In sub-rule (1) of Rule 1 of Chapter VII, the figure "2.30" shall be substituted by the figure "2.15".

RAJENDRAKUMAR VANI, Registrar General.

A-5374.-

Jabalpur, the 22nd December 2021

In exercise of the powers conferred by Articles 225 of the Constitution of India, section 54 of the States Reorganisation Act, 1956, clauses 27 and 28 of the Letters Patent, the High Court of Madhya Pradesh, hereby, makes the following amendments in the High Court of Madhya Pradesh Rules, 2008, which shall come into force from the date of their publication in the Madhya Pradesh Official Gazette.

AMENDMENTS

In the said Rules,

1. In Chapter II, in sub-rule (2) of Rule 2, the digit "37" shall be substituted by the digit "37(1)".
2. In Chapter X, in Rule 41, the following proviso shall be added, namely;

"Provided that after receiving a Tax reference from the Tribunal, the same shall be placed before the concerned Court for necessary orders."

In chapter XVII-

3. In the first proviso of Rule 2, in the last line, after the words "with date" the words "*which may be signed electronically*" shall be inserted.
4. In sub-rule (1) of Rule 6, between the words "sealed cover" and "to the place" the words "*or online in only readable format and password protected*" and between the words "an authorization" and "in favour of", the words and symbol "*and/or password*" shall be inserted.

5. In sub-rule (1) of Rule 7, between the words "sealed cover" and "to the place" the words "*or online in only readable format and password protected*" shall be inserted and between the words "an authorization" and "in favour of", the words and symbol "*and/or password*" shall be inserted.
6. In Rule 9, between the words "service post card," and "the result of the case" the words and comma "*through Official E-mail ID/Electronic Messenger/SMS, on registered E-mail/Mobile number,*" shall be inserted.
7. In Rule 12, between the words "Court record" and "shall be", the words "*along with copy of the order*" shall be inserted.
8. After Rule 12, the following Rule shall be added, namely;
"*12-A. However, where the record of Lower Court is available in soft copy, the same along with electronically signed copy of the order be forwarded at once.*"
9. In Rule 16, between the words "with date," and "specifying", the words and comma "*including electronically signed,*" shall be inserted.
10. (i) In sub-rule (1) of Rule 19, between the words "photocopy" and "of every judgment", the symbol and words "*/electronic copy*" shall be inserted and between the words "final order" and "to", the words "*through official website at registered E-mail*" shall be inserted.

(ii) In sub-rule (2) of the Rule 19, between the words "and sent" and "under the signature", the words and comma "*at the registered E-mail ID, if any,*" shall be inserted and between the words "signature" and "of the Section Officer" the symbol and words "*/electronic signature*" shall be inserted.

In chapter XVIII-

11. For sub-rule (1) of Rule 1, the following sub-rule shall be substituted, namely;
“(1) A party to a proceeding in the High Court shall be entitled to apply either in writing or through an online application disclosing his identity with an identity proof and E-mail ID, if any, alongwith online payment of the requisite fee, and receive certified copies of all pleadings, judgments, decrees, orders or writs and all original documents exhibited in the said proceeding and deposition of witnesses.”
12. In sub-rule (2) of Rule 2, between the words “in person” and “, by a recognized”, the words “or online” shall be inserted.
13. In Rule 3, between the words “The” and “applications for”, the words and symbol “physical/online” shall be inserted.
14. In Rule 5, after sub-rule (5), the following sub-rule shall be added, namely;
“(5a) details of the electronic document specifying the unique number, copy of which is applied for,”
15. In Rule 6-
 - (i) After sub-rule (3), the following sub-rule shall be added, namely;
“(3a) Where the certified copy of any electronic record is applied for, the application shall be accompanied by electronic device required for that purpose.”
 - (ii) After sub-rule (4), the following sub-rules shall be added, namely;
 - “(5) (a) Where an application for certified copy is applied online, the advance mentioned in sub-rule (1) shall be paid online.*
 - (b) An application, received online, shall be acted upon only after online payment is made in advance.*
 - (c) If the certified copy of the electronic record is made available at copying center or online through official website it shall be authenticated electronically after specifying the hash value of such electronic record.*
 - (d) The certified copy issued online can be used only once for the purpose of certified copy of original. Photocopy of such copy shall be treated as photocopy.*

(6) *If the certified copy is ready for delivery online, a SMS/E-mail message be forwarded to the person applying online on his registered Mobile number/ E-mail ID. Similarly, on delivery of certified copy, a message confirming the delivery will be sent.*”

16. In clause (c) of sub-rule (3) of Rule 7, at the end, the following shall be added, namely;

“In case of online application, the refund shall be made online in the account of the applicant from which it was paid.”

17. In sub-rule (1) of Rule 8, at the beginning, between the words “Every” and “application”, the word “physical” shall be inserted.

18. In Rule 9, after sub-rule (3), the following sub-rule shall be added, namely;

“(3a) The defects in an online application shall be displayed instantaneously on the screen of the applicant or its intimation shall be sent through SMS/E-mail, if available.”

19. In Rule 11-

(i) In sub-rule (1), between the words “copy of a digitally” and “signed”, the symbol and word “/electronically” shall be inserted.

(ii) In clause (a) of sub-rule (1), between the words “has been digitally” and “signed”, the symbol and word “/electronically” shall be inserted.

(iii) In sub-rule (1), after clause (b), the following clause shall be added, namely;

“(c) In case of online application and online delivery of certified copy, the Head Copyist or the person authorized by the Registrar General shall authenticate such certified copy and after completion of all formalities, issue the same.”

(iv) In sub-rule (2), after the words “in the server”, the words “of the Copying Section”, in second line, after the word “in”, the word “the” and after the words “portable document”, the word “file” shall be deleted.

- (v) In sub-rule (2), between the words “format” and “through”, the symbol and letters “(PDF)”, between the words “scanning” and “has been”, the words “or in any uneditable read only format” and between the words “thereof” and “and after”, the words and comma “in the case of a physical copy or shall authenticate online in the case of an online copy, as the case may be,” shall be inserted.
20. (i) In sub-rule (1) of Rule 15, between the words “Court-fee stamps” and “the copies”, the word “to” shall be deleted and in place of it, the symbol and words “/certificate of amount paid online with necessary particulars on” shall be inserted.
- (ii) In Rule 15, after sub-rule (1), the following sub-rule shall be added, namely;
- “(1a) Every certified copy issued shall specify whether it is for personal use or official use.”
21. For Rule 16, the following shall be substituted, namely;

“16. Following details shall be entered on every certified copy:

<i>Details of offline certified copy</i>	<i>Details of online certified copy</i>
(1) Application received on	(1) Applied by
(2) Applicant to appear on	(2) Application number
(3) Applicant appeared on	(3) Payment amount
(4) Application sent to Record Keeper/Dealing Assistant on	(4) Date of application
(5) Application received from	(5) Date of delivery
..... on	
(6) Applicant given notice for further or correct particulars on	(6) Mode of delivery
.....	
(7) Applicant given notice for further payment on	
(8) Notice in Sr. No. (6) or (7) complied with on	
(9) Copy ready on	
(10) Copy delivered on	
(11) Court fee realized	

22. In Rule 18, between the words “an application” and “, be entitled”, the symbol and words “/online application,” shall be inserted.
23. In Rule 19, after the words “contained in part”, the digit “3” shall be substituted by the digit “5”.
24. After Rule 20, the following rule shall be added, namely;
“21. *The Copying Section shall maintain a separate register of applications in accordance with the provisions contained in Part 5, Chapter XXIII of the Rules and Orders (Civil), made by the High Court under section 23 of the Madhya Pradesh Civil Courts Act, 1958 for online certified copies of records specifying the following details:*
- Particulars of the applicant*
 - case number*
 - unique ID number of electronic record*
 - date of application and date of issue of the certified copy of such electronic record*
 - details of the electronic device used for providing certified copy specifying the hash value of the electronic certified copy along with other requirements.”*

RAJENDRA KUMAR VANI, Registrar General.

A-5374.-

Jabalpur, the 22nd December 2021

In exercise of the powers, conferred by Article 225 of the Constitution of India, section 54 of the States Reorganisation Act 1956, clauses 27 and 28 of the Letters Patent, section 3 of the Madhya Pradesh Uchcha Nyayalaya (Khandpeeth ko Appeal) Adhiniyam, 2005, the High Court of Madhya Pradesh, hereby, makes the following amendment in the Electronic Filing (E-filing) in the High Court of Madhya Pradesh Rules, 2020, regulating practice and procedure pertaining to use of e-filing for Courts of the High Court:

AMENDMENT

1. In sub-rule (3) of Rule 5, the word “next” shall be deleted.

RAJENDRA KUMAR VANI, Registrar General.