

(Corrected as per Corrigendum No. 369/Rules/DHC dated 01.10.2010)

**HIGH COURT OF DELHI: NEW DELHI**

**NOTIFICATION**

No. 294/Rules/DHC

Dated: 26.08.2010

In exercise of the powers conferred by Section 7 of the Delhi High Court Act, 1966 (Act 26 of 1966) read with Section 3 of the Destruction of Records Act, 1917 (4 of 1917) & Article 227 of the Constitution of India and all other powers enabling it in this behalf, the High Court of Delhi, with the prior approval of the Lt. Governor of the Government of National Capital Territory of Delhi, hereby makes the following amendments in Part E (B-Records) and Part F(b) of Chapter 16 of High Court Rules & Orders, Volume IV:-

**Amendments in Chapter 16, Part E (B-Records):-**

- I. In the existing sub-rule (11) of Rule 3, the words, **“including an award passed by an Industrial Tribunal or Labour Court or Motor Accident Claim Tribunal”** shall be added after the words “the Judgment or final order”.
- II. In the existing sub-rule (15) of Rule 3, the words **“or superior”** shall be added in between the words “of appellate” and “Courts if any”.
- III. The following note shall be added after sub-rule (19) of Rule 3:-

**“Note: In the cases before Industrial Tribunal or Labour Court, letter of authority or authorized representative of workman/management shall take the place of power of attorney of counsel.”**

- IV. In the existing Sub-rule (a) of Rule 5, the words **“including the disputes referred for adjudication under Industrial Disputes Act, 1947 and the applications filed thereunder and claims filed before the Motor Accident Claims Tribunal”** shall be added between the words “In original cases” and “other than those”.
- V. New Rules 11-A and 11-B shall be added after the existing Rule 11, in the following way:-

**“11-A Records to be preserved for 10 years – The following record shall be preserved for a period of 10 years and shall then be destroyed:**

**Part ‘A’ of all proceedings under Industrial Disputes Act, 1947 including orders, judgments and exhibited documents of Industrial Tribunal and**

**Labour Courts, provided the award or order passed in such proceedings has not been fully implemented or become incapable of being implemented as prescribed under Rule 70-A of the Industrial Disputes (Central) Rules, 1957 (as amended from time to time)."**

**"11-B Records to be preserved for 7 years – The following record shall be preserved for a period of 7 years and shall then be destroyed:**

**(a) Part 'B' of all proceedings under the Industrial Tribunal Act, 1947, as prescribed under Rule 70-A of the Industrial Disputes (Central) Rules, 1957 (as amended from time to time)**

**(b) Part 'A' of all proceedings before Motor Accident Claim Tribunal not covered by sub-rule (5) of Rule 13."**

VI Following sub-rule (5) shall be added at the end of Rule 13(4):-

**"(5) Part 'A' of all proceedings before Motor Accident Claims Tribunal where an award has been passed on the basis of a settlement arrived at between the parties and compensation paid to the claimants/victims or where case relates to damage to a vehicle and compensation has been paid to the claimant and no appeal or revision has been preferred against such an award."**

VII In the existing Rule 15, the words **"or challenge"** shall be added after the words **"in the event of an appeal"** and before the words **"from that of decision"** and the words **"or such challenge"** shall be added after the words **"decision of the appeal"**.

#### **Amendments in Chapter 16, Part F(b):-**

VIII Sub-rule (6) of Rule 10 is deleted.

IX Sub-rule (4) of Rule 12 is deleted.

X Following sub-rule (5) shall be added after Rule 12(4):-

**"(5) Part A of all proceedings under Delhi Rent Control Act, 1958 seeking possession including Sections 14, 14A, 14B, 14C, 14D, Sections 21, 22, 24 of the Act and all proceedings for fixation of standard rent under Section 6 and Section 9(4) of the Delhi Rent Control Act."**

XI In Sub-rule (2) of Rule 13, after the words **"referred to in sub-rule (1)"** and before the words **"of Rule 14, the following words, brackets and figures **"and sub-rule (1A)"**** shall be added.

XII Following sub-rule (5) shall be added after Rule 13(4):-

**“(5) Part A proceedings under Delhi Rent Control Act, 1958 other than proceedings mentioned under Rule 10(6) including proceedings under Sections 13, 23, 26, 27, 31, 34, 44 and 45 of Delhi Rent Control Act, 1958.”**

XIII Following Sub-rule (1A) shall be added after existing Rule 14(1):-

**“(1A) Records of all criminal cases inquired into or tried by the Magistrate, where an accused has pleaded guilty or compounded the offence.”**

**NOTE: THESE AMENDMENTS SHALL COME INTO FORCE FROM THE DATE OF THEIR PUBLICATION IN THE GAZETTE.**

BY ORDER OF THE COURT

Sd/-

**(RAKESH KAPOOR)  
REGISTRAR GENERAL**