

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of of notification No.A-179/7-Nyaya-8-ST/97-26/32/95 dated April 15, 1998

GOVERNMENT OF UTTAR PRADESH

Nyaya Anubhag-8

In exercise of the powers under section 3 of the Destruction of the Records Act, 1917 (Act. No.5 of 1917) and in supersession of all existing rules and orders on the subject, the Governor is pleased to make the following rules regulating Destruction of Records of the Uttar Pradesh State Public Service Tribunal;

NOTIFICATION

Miscellaneous

No: A-179/7-Nyaya-8-ST/97-26/32/95

Dated: Lucknow: 15 April 1998

THE UTTAR PRADESH STATE PUBLIC SERVICES TRIBUNAL  
(DESTRUCTION OF RECORDS) RULES 1997.

PART-I

**Short title and commencement**

1. (1) These rules may be called the Uttar Pradesh State Public Services Tribunal (Destruction of Records) Rules, 1997.
- (2) They shall come into force at once.

PART-II

**Definitions**

2. (a) The expressions "Chairman", "Vice-Chairman" and "Tribunal" shall have the meanings respectively assigned to them in the Uttar Pradesh Public Services (Tribunal) Act, 1976.
- (b) The expression Registrar shall have the meaning assigned to it in the Uttar Pradesh Public Services Tribunal (Procedure) Rules, 1992.

PART-III

**Receipt, Retention and Scrutiny of the Records**

3. (1) The Record-Keeper shall be the custodian and responsible for all the records lodged in the record room. He shall scrutinise the record within three days from the date of receipt of the records. If, on scrutiny any defect or missing of any document is found in the records, the record keeper shall intimate the same, and return the records, to the section from which the records were received. There upon, the Office Superintendent of the concerned section shall cause to take steps to rectify the defects pointed out by the Record Keeper and after such rectifications re-transmit the records to the record room within three days of the receipt of the record.
- (2) The record-keeper shall maintain a register of records lodged in the record room in Appendix 'A' appended to these rules.

**Preparation of Index and Separation of parts**

4. (1) After receipt of a Judicial record, a fresh index in Appendix "D" appended to these rules shall be prepared and the papers shall be entered in the appropriate part to which it belongs.
- (2) The Judicial Record shall be classified in the following three parts, namely

**PART-I**

- (a) General Index
- (b) Judgment and orders passed by the Tribunal including the order sheets of the main petition and the miscellaneous application arising therefrom.
- (c) Judgment and orders of the Supreme Court and High Court.

**PART-II**

- (a) Various petitions including miscellaneous applications alongwith Annexures and other original document and their copies.
- (b) Written Statement, Counter-Affidavit, Rejoinder-Affidavit, and supplementary affidavit.
- (c) Deposition of the witness.
- (d) Document filed and exhibited including their certified copies.

**PART-III**

- (a) Notices and other processes filed by parties or their advocates including Vakalatnama, letters of authority and other correspondence.
- (b) Such other documents which have not been classified elsewhere in these rules.

**Preservation of record requiring permanent Retention**

5. Records required to be preserved permanently shall be stacked in bundles arranging them in Chronological order and shall be arranged serially and kept at a safe place in the record room;

Provided that, the Registrar for reasons to be recorded in writing, may with the prior approval of the Chairman permit the record of any petition to be kept beyond the period of retention provided in these rules.

**Period of Retention of**

6. (1) The period of retention of the Judicial Records shall commence

## Records

on the date of the final order of the Tribunal or in the event of the writ petition to the High Court or appeal to the Supreme Court, if filed, on the date of the Final order of the Supreme Court or the High Court, as the case may be.

- (2) The Judicial records specified in Part-I of rule-4 shall be retained permanently and judicial records specified in Part-II and Part-III of the said rule shall be destroyed after the period of five years and three years, respectively.
- (3) In the case of the registers of the Judicial, administrative and accounts branches, the period of retention shall commence from the date when the concerned register is closed and in the case of other files and papers when the last order is passed. The period of retention of registers, other files and papers of the judicial, administrative and accounts branches shall be such as provided in Appendix 'B' appended to these rules.
- (4) All the records shall be retained in the record room during period of their retention as provided in these rules and on expiry of the period of their retention the record shall be destroyed:

Provided that the documents filed or produced by or on behalf the Government shall not be destroyed and shall be returned to the office to which they belong.

Retention or Destruction  
of records of the  
Administrative and  
Accounts branches

7.

The various records of the administrative and accounts branches of the Tribunal shall be retained or destroyed in accordance with such orders as may be issued by the Government from time to time.

Supervision of Destruction

8.

The destruction of the records shall be carried out in the month of January every year, and from time to time as the necessity so arises by the Registrar or under his supervision by an officer authorised by him behalf. In this connection a separate register of destruction of records shall be maintained.

Manner of Destruction of  
Records

9.

- (1) The destruction of records shall be affected in the following manner, namely:-
  - (a) by tearing of document so as to render it unlikely that the document may be used again.
  - (b) by tearing and burning of records.
- (2) On receipt of the certificate of the supervising Officer before whom destruction is carried out that the records have been

rendered unlikely to be used again, and if the documents have not been burnt, then the waste of such record shall be sold by auction under the orders of the Registrar, subject to the rules, if any, made by the Government in this behalf and the proceeds of such sale shall be deposited in the Government Treasury.

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| Period of retention of unspecified record | 10. | The period of retention of any record of Judicial, administrative and accounts branches not specifically mentioned in these rules shall be such as may be specified by the Registrar with the previous approval of the Chairman.   |
| Notice before Destruction of Records      | 11. | In every year in the month of December, a notice specifying the documents filed by the parties which are proposed to be destroyed during the next year will be displayed on the notice board with clear warning that if, the document is not claimed by the party before the date of destruction, the document will be destroyed on the date fixed therefor. |
| Entry of the Destruction of Records       | 12. | On the destruction of records an entry to this effect shall be made by red ink in the relevant column of the register of records.  |
| Removal of difficulty and doubt           | 13. | If, any doubt or difficulty arises in giving effect to the provisions of these rules the same shall be placed before the chairman whose decision thereon shall be final.   |



**Appendix 'B'**  
(See Rule 6 (3))  
**JUDICIAL RECORDS OF THE TRIBUNAL**

S.No.	Name of Records	Period of Retention and Weeding	Remarks
1	2	3	4
1.	Cause List Register	3 years	
2.	Writ Petition Register	Permanent	
3.	Contempt Petition Register	Permanent	
4.	Register of Miscellaneous Application	5 years	
5.	Register of Review applications	5 years	
6.	Register of Caveat Applications	3 years	
7.	Register of Inspection of Records	3 years	
8.	Court Fee Register	5 years	
9.	Receipt and Dispatch Register	3 years	
10.	Register of Return of document	10 years	
11.	Diposal Register	10 years	
12.	Consignment Register	10 years	
13.	Register for free copies	3 years	
14.	Register of Application for certified copies	10 years	
15.	Register of Receipt and Return of Document (Copying Section)	3 years	
16.	Register of Records (Record Section)	Permanent	

Appendix 'C' 'D'  
(See rule 4 (1))  
FORM OF INDEX

Claim Petition No..... Year.....

Serial number of the paper as per records	Date of filing of paper	Description of paper	Remarks
1	2	3	4