

SUPREME COURT OF INDIA

F.No. 9/Judl./2024

New Delhi, dated 03 April, 2024

CIRCULAR

Guidelines for filing written submissions and compilations before Constitution Benches and in important final hearing cases

This Circular shall replace the Circular dated 22 August 2023 and will apply to final hearings before Constitution Benches and other Benches involving large records and multiple counsel assisting the Court. The guidelines provide a Standard Operating Procedure for (i) filing soft copies of written submissions and common compilations of documents, rules, and precedents; and (ii) fixing timelines for oral arguments.

- A.** The Bench shall nominate nodal counsel comprising an Advocate-on-Record or Advocate, each representing the side of the Petitioners/Appellants and the Respondents in advance. All documents filed shall adhere to Paragraphs C and D of this circular.
 - i. The nodal counsel for the Petitioners/Appellants shall coordinate with all the lawyers on their side to ensure that Petitioners'/Appellants' Written Submissions (Volume I), and convenience compilation (Volumes III-A, IV-A and V-A) are filed on a date set by the Bench.
 - ii. The nodal counsel for the Respondents shall coordinate with all the lawyers on their side to ensure that the Respondents' Written Submissions (Volume II) are filed within two weeks (14 days) of the filing of the Petitioners'/Appellant's Written Submissions or on a date indicated by the Bench. If the Respondents wish to add to the convenience compilations submitted by the Appellants, they shall file such additional materials in

Volumes III-R, IV-R and V-R along with their Written Submissions. The Respondents must not re-submit documents already appearing in the Petitioners'/Appellants' convenience compilation.

- iii. Both nodal counsel will coordinate with each other and prepare a **MASTER INDEX** indicating the contents of all PDF files submitted to the Court along with their corresponding volume and page numbers.
- iv. All materials including written submissions, documents and precedents, will be accepted only through the nodal counsel.

B. The volumes shall be duly indexed as set out below:

Volume I – Written Submissions of Petitioners/Appellants

Volume II – Written Submissions of the Respondents

Volume III-A and III-R: Documents:

This will include pleadings, affidavits and orders which are a part of the record but compiled for convenience of reference.

Volume IV-A and IV-R: Statutory enactments and research material:

This shall comprise of statutes, rules, regulations, legislative debates, reports of Commissions and other material such as research articles.

Volume V-A and V-R: Precedents

- i. All Judgments should be from Supreme Court Reports (SCR).
- ii. The Judgments may be arranged topic-wise or chronologically as decided by the nodal counsel.
- iii. Counsel relying on foreign cases shall provide PDF copies of the decisions relied on by them to the nodal counsel.

Volume VI: Propositions and Supplementary Material:

On the last day of oral arguments, any:

- i. supplementary materials and propositions submitted by either party with the Court's permission over the course of hearings; and
- ii. any additional written submissions (not exceeding 5 pages per counsel) for both sides,

shall be compiled into a single volume by both nodal counsel and submitted to the Court as Volume VI. The Master Index shall be appropriately updated to reflect the additional documents submitted in Volume VI.

Notes:

- i. Volumes III, IV and V shall comprise material relied on by both the sides.
- ii. If during the course of hearings, counsel wish to place any additional material before the Bench for its consideration, the prior permission of the Bench must be sought. If permission is granted, such material shall be submitted to the Court at least a day prior to the day on which it is to be cited.
- iii. If, for any reason, any volume cannot be submitted as a single PDF file, it should be uploaded in multiple PDF files labelled as “.1”, “.2” and so forth. For example: “Volume II.1”, “Volume II.2”, “Volume II.3” and so forth. Similarly, convenience compilations will be named as “Volume III-A.1”, “Volume III-A.2”, and “Volume III-A.3” and so forth. The contents of every such PDF file must be reflected in the Master Index.

C. Practice directions on filing formats: The volumes shall be in the following format:

- i. **Format:** In PDF format only;
- ii. **Font:** Times New Roman, Size – 12.5;
- iii. **Margins:** 2.54 cm on all sides [‘Normal’ setting on MS Word];

- iv. **Line spacing:** 2;
- v. **Pagination:** The running pages of the document and the PDF pages must be the same (i.e., the page number of the volume must always correspond to the page number of the PDF file). Each new volume or sub-volume should re-start at running page '1' (even if it is Volume II.2, II.3 etc.).
- vi. **Page limits:** The written submissions in Volumes I and II for a single counsel shall not exceed 30 pages without the permission of the Court. The written submissions in Volume VI (submitted on the last day of oral arguments) shall not exceed 5 pages per counsel.
- vii. The PDF must be bookmarked;
- viii. Each individual volume must have an index which must be hyperlinked;
- ix. The written submissions must highlight the name of the counsel and of the Senior Advocate, if any;
- x. The written submissions must reflect the name of the party for whom they are filed;
- xi. All references to the Supreme Court of India's decisions in written submissions must use neutral citations (INSC);
- xii. All copies of Supreme Court of India judgments should be from Supreme Court Reports (SCR);
- xiii. No annexures containing documents, statutory enactments, research material and precedents should be appended to the written submissions in Volumes I and II. The documents, statutory enactments, research material and precedents should be part of Volumes III – V, as the case may be (see Paragraph B).

D. Tentative timelines for oral arguments.

- i. Arguing counsel and Senior Advocates, through their AORs, must inform the nodal counsel about the **tentative timelines** for their oral arguments at least five days prior to the commencement of the hearing;
- ii. The nodal counsel shall prepare and submit a statement of proposed timelines for all counsel at least two days prior to the commencement of hearing; and
- iii. The Court will finalize and prescribe the timelines for oral arguments. This prescription shall be adhered to by all counsel.

sd/-

(Puneet Sehgal)

Registrar (Judl. Administration)

sd/-

(Pavanesh D.)

Registrar (Judl. Listing)

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- (1) Supreme Court Bar Association with five spare copies of the circular with a request that the Circular may be displayed on the Notice Board of the Bar Association for the information of Members of the Bar.
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