

CHAPTER XII

DISCOVERY, PRODUCTION AND RETURN OF DOCUMENTS

76. Application for production of documents, form of summons.-(1)Except otherwise provided hereunder, discovery or production and return of documents shall be regulated by the provisions of the Code of Civil Procedure, 1908.

(2) An application for summons to produce documents shall be on plain paper setting out the document/s the production of which is sought, the relevancy of the document/s and in case where the production of a certified copy would serve the purpose, whether application was made to the proper officer and the result thereof.

(3) A summons for production of documents in the custody of a public officer other than a court shall be in Form No. IX and shall be addressed to the concerned Head of the Department or such other authority as may be specified by the Tribunal.

77. Suo motu summoning of documents.- Notwithstanding anything contained in these rules, the Tribunal may, suo motu, issue summons for production of public document or other documents in the custody of a public officer.

78. Marking of documents.- (1)The documents when produced shall be marked as follows :

- (a) If relied upon by the appellant's or petitioner's side, they shall be numbered as 'A' series.
- (b) If relied upon by the respondent's side, they shall be marked as 'B' series.
- (c)The Tribunal exhibits shall be marked as 'C' series.

(2) The Tribunal may direct the applicant to deposit in Tribunal by way of Demand Draft or Indian Postal Order drawn in favour of the Pay and Accounts Officer, Ministry of Power, New Delhi, a sum sufficient to defray the expenses for transmission of the records before the summons is issued.

79. Return and transmission of documents.- (1) An application for return of the documents produced shall be numbered. No such application shall be entertained after the destruction of the records.

(2) The Tribunal may, at any time, direct return of documents produced subject to such conditions as it deems fit.