

Information Technology Tribunal (Procedures) Rules, 2064 (2007)

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In exercise of the powers conferred by Section 78 of the Electronic Transaction Act, 2063 (2006), the Government of Nepal has framed the following Rules.

Chapter-1

Preliminary

1. **Short Title and Commencement:** (1) These Rules may be called “Information Technology Tribunal (Procedures) Rules, 2064 (2007)”.

(2) These Rules shall come into force immediately.
2. **Definitions:** In these Rules, unless the subject or context otherwise requires,-
 - (a) “Act” means the Electronic Transaction Act, 2063 B.S. (2006).
 - (b) “Registrar (*Srestedar*)” means an officer designated by Government of Nepal pursuant to Rule 30 for performing functions relating to general administration of the Tribunal or Appellate Tribunal, as the case may be.
 - (c) “Member” means a member of the Tribunal or the Appellate tribunal, as the case may be, and this word also includes the Chairperson of the Tribunal or the Appellate Tribunal, as the case may be.

Chapter-2

Exercise of Jurisdiction

3. **Exercise of Jurisdiction of Tribunal:** (1) The Jurisdiction of the Tribunal shall be exercised jointly by all Three members.

(2) Notwithstanding anything contained in Sub-rule (1), the initiation of proceedings and adjudication (disposal) of cases may be carried out in the presence of a law member and another one member. Other proceedings may, except for taking a decision or discharging final order on cases, be undertaken in the presence of other Two members excluding the law member. There shall, only in the presence of law member, be no obstruction to undertake other proceedings except for taking decision or discharging final order on cases.

(3) Majority of opinion of members shall, in the presence of all three members, be deemed to be a decision of the Tribunal.

(4) If a consensus could not be achieved while initiating the proceeding of a case in the presence of Two members, it shall be settled according to the opinion of the law member, in case the bench is comprised of the law member also and according to the opinion senior member, in case the bench is comprised of without the law member. With respect to a decision or final order to the case, it shall be submitted to a member who was absent earlier and the opinion accepted by him/her, shall be deemed to be an opinion of the Tribunal.

(5) If a consensus could not be made due to different opinions of all Three members, it shall be forwarded for a decision with the opinions of all Three members to the Appellate Tribunal and the decision made thereon by the Appellate Tribunal shall be final.

4. **Exercise of Jurisdiction of the Appellate Tribunal:** (1) The Jurisdiction of the Appellate Tribunal shall jointly be exercised by all three members.

(2) Notwithstanding anything contained in Sub-rule (1), the initiation of proceedings and adjudication (disposal) of cases may be carried out in the presence of a law member and another one member. Other proceedings may, except for taking a decision or discharging final order on cases, be undertaken in the presence of other Two members excluding the law member. There shall, only in the presence of the law member, be no obstruction to undertake other proceedings except for taking a decision or discharging final order on cases.

(3) Majority of opinion of members shall, in the presence of all Three members, be deemed to be a decision of the Appellate Tribunal.

(4) If a consensus could not be achieved while initiating the proceeding of a case in the presence of Two members, it shall be settled according to the opinion of the law member, in case the bench is comprised of the law member also and according to the opinion of senior member, in case the bench is comprised of the law member. With respect to a decision or final order to the case, it shall be submitted to a member who was absent earlier, and the opinion accepted by him, shall be deemed to be an opinion of the Tribunal.

(5) If a consensus could not be made due to different opinions of all Three members, it shall be submitted for a decision with the opinions of all Three members to the Supreme Court and the decision made thereon by the Supreme Court shall be deemed to be the decision of the Appellate Tribunal.

Chapter-3

Filing of a Charge-Sheet

5. **To file a charge-sheet:** In relation to an offence as referred to in Chapter-9 of the Act, a charge-sheet shall be filed to the Tribunal after preparing the same pursuant to the law in force.
6. **Matters required to be mentioned in a charge-sheet:** The following matters including the matters required to be specified pursuant to the law in force shall, to the possible extent, be stated in a charge-sheet to be filed under Rule 5:
 - (a) Telephone number and electronic address such as email, fax and website;
 - (b) Computer containment or computer system or other equipments used for committing an offence;
 - (c) Details and types of damage caused to computer containment or computer system or the details of any other damage or loss.
7. **Investigation and registration of a charge-sheet:** (1) The registrar shall examine a charge-sheet submitted for registration to the Tribunal under Rule 5 as to whether or not it has met requirement and register it if the requirement is met.

(2) If it is, upon the examination made pursuant to Sub-rule (1), found that has not met requirement or it is inappropriate for registration, as the case may be, it shall be returned asking that submission may be made after meeting such requirement and if it is found inappropriate to register then it shall be given back to the person who requests bringing for registration after endorsing the same (*Darpith*) specifying the reason thereof.

8. **To record statement:** (1) In a case, where the defendant has been produced along with a charge-sheet after its registration, then his/her statement shall be registered immediately and proceeding shall be initiated.

Provided that, if the defendant denies to record statement immediately and asks to submit a note of defense in writing, a-Seven day time limit may be given to him/her.

(2) A Three-day notice shall be issued to the defendant in case he/she has not been produced before the Court.

Chapter -4

Provisions relating to serving of a Notice (Mayad), examination of evidence and Disposal of the Case

9. **Issuance of Notice:** (1) Except in the case where the defendant has been produced along with the charge-sheet pursuant to Rule 8, while serving a Notice to the defendant to a case filed before the Tribunal, it shall be served in a format as referred to in Schedule-1 by stipulating a time-limit of Fifteen days excluding the time period for journey.

(2) While serving a Notice under Sub-rule (1), it shall be served by delivering the defendant or any member of his/her family who has attained the majority age. In case the defendant or any member of his family, who has attained the majority age, is not found or denies to receive the Notice, even if found, then the Notice shall, by specifying the same content in the presence of Two local people, be posted at the door of house or a rented room of the defendant.

(3) In a case where the house or the room of the defendant could not be found, an employee assigned for serving the Notice under Sub-

rule (1) shall, by specifying the content thereof in the presence of any member or representative of the local body concerned or any Two persons from the local people, post such a notice at the Office of the concerned Village Development Committee, in the case of Village Development Committee, and at the Ward Office of Ward, in the case of Municipality, where the house of the defendant is located and in a public place if there is no such Ward Office and such Notice shall, after having so posted as stated above, be deemed to have been duly served.

Provided that, in a case where a Notice has, owing to an incorrect address written in a charge-sheet or citation of incorrect address by the Tribunal, been posted in a separate place other than the place where the house/room of the defendant is located, then the Notice shall not be deemed to have been duly served.

(4) While serving a Notice issued to a corporate body, it shall be delivered to the board of the director of the board or manager of such corporate body or chief of such a body or an officer authorized by such a corporate body. If such a person could not be found or denies to receive the Notice, even if found, it shall be posted at the door of such corporate body in the presence of Two local people by specifying the same content and the Notice shall, if so posted, be deemed to have been duly posted.

(5) Notwithstanding anything contained in Sub-rule (4), while serving a Notice issued to any corporate body, it shall be deemed to have been duly served if it has been dispatched with registry through a post office to the address of the registered office of such corporate body or sent with digital signature through the telefax of such office or to its electronic address.

(6) An employee assigned for serving a Notice under Sub-rules (2), (3) or (4) shall have to deliver the notice for time limit within three days excluding a time period for journey.

(7) If a report has been submitted that a Notice could not be served as referred to in Sub-rules (2), (3), (4) or (5) or the registrar is satisfied with the fact that it would be appropriate to issue the Notice, issued by the Tribunal, by publishing it in the electronic media such as radio, television, and website of the tribunal or by publishing it in any national daily newspaper, then such a Notice may be published as stated above. In a case where the Notice has been so published, then the Notice shall, after the Fifth day of the transmission or publication of such notice, be deemed to have been duly served to the defendant as referred to in these Rules.

(8) The Tribunal shall recover the cost incurred in course of the issuance of a Notice pursuant to Sub-rule (7), from the party concerned as government arrears.

10. Duplicate copy shall be given: (1) The Tribunal shall, in case the defendant is in police custody, give him/her a copy of a charge-sheet registered in the Tribunal and documentary evidences relating thereto immediately after the registration of the charge-sheet.

(2) In a case, where a Notice has been issued to the defendant under Rule 9, then a copy of the charge-sheet or duplicate copies of the evidence relating thereto shall be sent along with the Notice to the defendants at the rate of one copy each.

Provided that, it shall be sufficient to send only a copy of the charge-sheet and documentary evidences relating thereto to the defendants, regardless of their number, living in the same family.

(3) In a case where a Notice been served after posting or broadcasting or publishing the Notice pursuant to Rule 9, then the defendant may obtain a duplicate copy, to be obtained by him/her, from the Tribunal upon his/her presence before the tribunal.

(4) The plaintiff shall have to submit, along with the charge-sheet, the duplicate copies of charge-sheet and evidences relating thereto as may be required to give to the defendant under these Rules at the very time of its registration.

11. Proceedings after serving of a Notice: (1) The registrar shall, by receiving, among others, a report as per the necessity from an employee assigned for serving a Notice after having the Notice served, have to check into a matter as to whether or not the Notice has been duly served.

(2) While checking it as referred to in Sub-rule (1), a copy of the Notice shall, if the notice is found to have been duly served, be attached with the file concerned and, if it is found not to have been served duly, the Registrar shall cause to serve again.

12. Time-limit of the Notice and date of appearance: No lapsed time-limit of a Notice and date of presence shall be extended in any case being initiated in the Tribunal or the Appellate Tribunal, as the case may be.

Provided that, there shall be as stated below in the following circumstances:-

- (a) The tribunal or the appellate tribunal may, if it is satisfied that the time limit of a Notice or date of appearance was lapsed as a result of circumstances beyond the control of a party, extend for one time the time limit or date of presence not extending a period of Seven days, in minimum.
- (b) The matter referred to in No. 62 of the Chapter on Court Proceedings of the General Code (*Muluki Ain*) shall be dealt with accordingly.

13. Examination of Evidence: (1) The plaintiff or the defendant, as the case may be, shall, if he/she has written evidence, have to submit or specify the same along with a charge-sheet, statement or a statement of defence (*Pratiuttarpatra*).

(2) The written evidence which is not submitted or specified by the plaintiff or defendant, as the case may be, as referred to in Sub-rule (1) shall not be examined or taken as an evidence.

Provided that, the Tribunal may, in the following cases, issue an order to produce or examine the written evidence:-

(a) In a case where a document, information, particular etc. which may be taken as an evidence under law in force could, owing to any reason, not immediately be produced before the Tribunal, then the Tribunal may, prior to enlisting the case into cause list, give order to the party concerned to produce such an evidence.

(b) The Tribunal, if it is satisfied with the fact that any evidence, having concerned with a case, is in the possession of plaintiff, defendant or any other person, office or agency, may issue an order to the plaintiff, defendant, such a person, office or agency to produce such an evidence before it.

(c) The plaintiff, defendant, such a person, office or agency shall, if an order has been so issued under Clause (b), have to produce such evidence as per the order before the Tribunal within a time period as specified by it.

(3) On the day of appearance designated for examining the

evidence, the evidence of both the plaintiff and defendant shall be shown and read out in an original form to each other and the statement made to that regard by the concerned party shall be documented and attached with the case file.

14. Other person may produce evidence on behalf of absent-defendant

If any heir of the same family of the defendant or any other person having concerned with the case as equal to that of the defendant or his/her agent has, by showing any reasonable ground that the defendant to whom a Notice has been issued pursuant to these Rules in any case under the Act is outside of Nepal, and thus he/she could not file a statement of defence, produced any evidence refuting the accusation within Five days after the date of expiry of time-limit of the Notice, the Tribunal shall, after examining the said evidences, have to proceed (examine) it and finalize (dispose of) the case.

15. Examination of Witness: (1) In a case, where the plaintiff or the defendant has mentioned witness in a charge-sheet or a statement of defence or statement and if such witness may, after making statement or filing a statement of defence, in writing, by the defendant or after the lapse of the time-limit thereof, be taken as evidence under the law in force, then the Tribunal may issue an order to produce the witness by specifying the time period therefor.

(2) The responsibility of producing the witness of one's favour before the Tribunal shall, in case the Tribunal has issued order to produce the witness under Sub-rule (1), rest with the party concerned.

16. Any particular person may be inquired: (1) If the Tribunal is satisfied with the fact that it is necessary to inquire any particular person in the course of proceeding of any case filed before the Tribunal, it may issue order to such a person to appear before it by specifying a reasonable period of time.

(2) If an order has been passed by the Tribunal under Sub-rule (1), the concerned person shall have to appear before the Tribunal.

17. To record the statement of the witness: (1) On the day designated for making inquiry with the witnesses, the registrar shall, by taking the name-list of the appeared witnesses of the plaintiff and the defendant from themselves immediately after the initiation of proceedings of the Tribunal and attaching the same with case file, present them before the Tribunal to record the statement.

(2) An act of recording the statement of witnesses of the appeared party shall not be adjourned even if other party fails to appear up to One pm on the day designated for making inquiry with the witnesses.

18. Pursuance of the date of appearance is not necessary: If any party intends not to pursue the date of appearance after the examination of evidences by the Tribunal of the parties, the plaintiff and the defendant, such a party may do so with the permission of the Tribunal.

19. Pleading note may be submitted: If any party or legal practitioner of a case desires to submit a written pleading note to the case presented before the Tribunal or the Appellate Tribunal, as the case may be, such a written pleading note may, prior to Two days before presenting the case before the bench, be submitted and the bench may, as per necessity, ask for such a pleading note.

20. Case shall not be dismissed: Notwithstanding anything contained in the law in force, the case shall not be dismissed even if any party, to whom a Notice has already been served, has lapsed such time-limit of the Notice or any party, who was pursuing the date of presence, has given up the date of presence and the proceedings and adjudication (disposal) of the case shall be made on the basis of the evidences as examined.

21. **Time period to make a decision:** (1) The Tribunal shall have to take a decision of a case submitted to it within a period of Sixty days from the date on which the statement is, if any, made by the defendant or a statement of defence has, if any, been filed, as the case may be, and from the date on which the time-limit of the Notice for making statement or filing a statement of defence has been expired, as the case may be, in case the statement is not made by the defendant or a statement of defence has not also been filed.

(2) Notwithstanding anything contained in Sub-rule (1), a decision shall, if the requirement of the case has already been fulfilled prior to the said period of time, be taken within Three days from the date on which such requirement has been so fulfilled.

Chapter -5

Provisions Relating to Appeal and its Disposal

22. **Appeal may be filed:** A party dissatisfied with the decision made by the Tribunal or a decision or order made by the Controller or a Certifying Authority may file an appeal to the Appellate Tribunal within a period of Fifteen days from the date on which such a decision or order has been heard or the information thereof has been received.
23. **Checking of an Appeal:** (1) The Registrar shall check an appeal filed before the Appellate Tribunal under Rule 25 as to whether or not it has met the requirement and register the appeal if it has met the requirement and provide the evidence thereof to the concerned appellant.

(2) If the requirement is not deemed to have been met upon the checking of an appeal under Sub-rule (1), it shall be returned with endorsement by revealing the content (reason) thereof.

24. **Procedures after the registration of an Appeal:** (1) The Registrar shall, after the registration of an appeal, request with the concerned Tribunal or Office to forward a case file related to such appeal.

(2) After the receipt of a case file pursuant to Sub-rule (1), the Registrar shall, in order to proceed and adjudicate the said appeal, submit the case before the Appellate Tribunal having designated the date for submission and enlisting the said case into the cause-list.

25. **To summon a respondent:** (1) In a case, where it seems that there may be substantial difference in a decision made by the Tribunal or a decision or order made by the Controller or a Certifying Authority, the Appellate Tribunal shall issue an order of summoning a respondent in a format as referred to in Schedule -2 by giving a Fifteen-day time limit upon specifying the reasons therefor.

(2) The order issued pursuant to Sub-rule (1) shall be served upon fulfilling the procedures as referred to in Rule 9.

26. **Time period for making a decision:** The Appellate Tribunal shall, before an appeal filed in it, deliver a decision within a period of Ninety days from the date on which the appeal is filed.

27. **To read out decision:** (1) The Tribunal or the Appellate Tribunal, as the case may be, shall, while making a decision to a case filed before it, read out its decision to the appeared party of such a case and make a receipt from him/her that the decision has been read out to him/her and attach the same with the case file.

(2) As regard to a party that is absent at the time of decision of a case, he/she shall be given the information of the decision within a period of Seven days of the decision so made.

28. **Enforcement of decision:** The decision made by the Tribunal or the

Appellate Tribunal, as the case may be, shall be enforced by the District Court in accordance with the law in force.

29. **Compromise:** Any case filed before the Tribunal or the Appellate Tribunal, as the case may be, may, if Government of Nepal has pass an order to the case, be compromised at any time with the consent of the parties concerned by a government attorney.

Provided that, any case which is deemed to be contrary to the law in force or public interest, may not be compromised.

Chapter -6

Provisions Relating to Registrar and Employees

30. **To designate Registrar:** Government of Nepal may designate an officer of at least Gazetted Third Class of the Nepal Judicial Service to act as a Registrar for the performance of functions relating to general administration of the Tribunal or the Appellate Tribunal, as the case may be, under the general direction and control of the Tribunal or Appellate Tribunal, as the case may be.
31. **Functions, Duties and Powers of the Registrar:** In addition to the functions, duties and powers mentioned elsewhere in these Rules, the Registrar shall have the following functions, duties and powers:
- (a) To examine the deeds and documents such as charge sheet, complaint or appeal, petition and also a deed of appointment of lawyer to be registered with the Tribunal or the Appellate Tribunal, as the case may be, and register the same, if it meets the requirement, or endorse it specifying the reason thereof, if found inappropriate to get registered;
 - (b) To certify a document submitted to a case if it deems

appropriate upon verification while matching it with the original one; to cause the signature of concerned party done, if found some remarks in the original copy indicating such remarks;

- (c) To examine the documents submitted along with charge-sheet or appeal or petition and a statement of defence thereof;
- (d) To issue and cause to serve a Notice;
- (e) To appoint the date to be appeared specifying a reasonable ground in the cases;
- (f) To maintain diary of cases and keep the details of proceeding up-to-date subject to revealing therein also the date of appearance given for the proceeding of each case;
- (g) To collect the power of attorney and cause a case succeeded pursuant to the law in force;
- (h) To enforce or cause to be enforced an action according to order made by the bench;
- (i) To take security or bail according to order made by the bench;
- (j) To keep safely and care or cause to be cared the documents and case file of lawsuit and destroy, if required, the documents pursuant to the law in force;
- (k) To allocate the business to the employees on the basis of the load of works;
- (l) To prepare a report, monthly report, statement etc., as may be required to be prepared by the Tribunal or the Appellate Tribunal, as the case may be, and submit them to the Chairperson of the Tribunal or the Appellate Tribunal;

- (m) To maintain record of the personal details of the employees;
 - (n) To cause to handover and takeover upon transfer/promotion of the employees;
 - (o) To perform such other business relating to personnel administration;
 - (p) To perform such other necessary administrative functions required to be performed by the Tribunal or the Appellate Tribunal, as the case may be.
32. **Provision Relating to Employees:** The employees required for the Tribunal or the Appellate Tribunal, as the case may be, shall be made available by Government of Nepal.

Chapter -7

Remuneration and Conditions of Service of a Member of the Information Technology Tribunal

33. **Remuneration and Facility of the Member:** (1) Remuneration and facility of a member of the Tribunal shall be equal to the remuneration and facility of a judge of District Court.
- (2) Remuneration and facility of a member of the Appellate Tribunal shall be equal to the remuneration and facility of a judge of the Court of Nepal.
34. **Constitution of Inquiry Committee:** (1) Except in a case of Sub-section (2) of Section 63 and Sub-section (2) of Section 69 of the Act, Government of Nepal may constitute an Inquiry Committee under the chairpersonship of a person who has worked as a justice or is eligible to be a justice in the Supreme Court to investigate into an allegation

against a member of the Tribunal or the Appellate Tribunal, as the case may be, that he/she has not behaved according to his/her position or is incompetent to discharge his/her duties.

(2) The Inquiry Committee referred to in Sub-rule (1) may exercise the powers in relation to giving a notice to an accused member, serving him/her the notice, causing a statement made with him to be recorded and examining witness and evidence, in the same manner for which a court is empowered.

(3) In connection with the performance of an act of inquiry, the Inquiry Committee referred to in Sub-rule (1) may, in addition to an accused (alleged) member, inquire with anybody else related thereto.

(4) Upon the investigation, the Inquiry Committee referred to in Sub-rule (1) may make study and inspection of an order, decision and proceedings made in connection with a case by an accused member and ask an explanation in writing with such a member after giving reasonable opportunity for defence.

(5) Other procedures relating to investigation of the Inquiry Committee referred to in Sub-rule (1) shall be as determined by the Committee itself.

35. **To Submit a Report:** The Inquiry Committee constituted under Rule 34 shall, after completion of its act of investigation, submit a report to Government of Nepal along with a clear opinion in relation to an accusation charged referred to in Clause (f) of Sub-section (1) of Section 63 and Clause (f) of Sub-section (1) of Section 69 of the Act, as the case may be.

Chapter -9

Miscellaneous

36. **Venue;** (1) The venue of the Tribunal or the Appellate Tribunal, as the case may be, to be constituted under the Act shall be located within Kathmandu valley.

(2) In order to carry out the proceedings and adjudication of a case within its jurisdiction, the Tribunal or the Appellate Tribunal, as the case may be, may, depending on the work load, carry out its proceedings by establishing a bench in any location outside the valley for any specified period of time.

37. **Case may be heard through electronic audio-visual means:** The Tribunal or the Appellate Tribunal, as the case may be, may, upon hearing any case, arrange for hearing a case through the video conference or other electronic audio-visual or telecommunication even in a case where the concerned party, government attorney or a legal practitioner do not appear in person before the bench.

38. **Provisions relating to duplicate copy:** The concerned person shall obtain a duplicate copy of any document contained in a case file of the Tribunal or the Appellate Tribunal, as the case may be, by paying a fee of Two Rupees per page.

39. **Application may be filed :** Any party of any case filed in the Tribunal or the Appellate Tribunal, as the case may be, may file an petition for taking action in any matter related to the case and the Tribunal or the Appellate Tribunal, as the case may be, may take necessary action relating thereto if the demand of the petitioner is found to be reasonable.

40. **Petition or Appeal Fee:** (1) A fee of One Hundred Rupees shall be charged while filing an appeal in the Appellate Tribunal under Rule 25.

(2) A petition fee of Five Rupees shall be charged while registering any other petition to be filed pursuant to the Act or these Rules.

41. **Interlocutory order may be issued:** If any party of a case files, with respect to any case which is under consideration in the Tribunal or the Appellate Tribunal, as the case may be, a petition with a reason that there is a necessity to continue or postpone any act/proceeding up to the time of finalization of the case; the Tribunal or the Appellate Tribunal may, if it deems the content of the petition to be reasonable, issue necessary order, despite the fact that a case being in any condition, in the name of any party of a case that any proceeding be postponed for any specified period of time or the ongoing proceeding be continued by specifying a time period.

42. **Safety of case file and documents:** (1) The duty to keep safety of the case file and documents of Tribunal or Appellate Tribunal, as the case may be, shall be of the Registrar.

(2) Except as otherwise ordered by the Chairperson of the Tribunal or the Appellate Tribunal, as the case may be, any case file, document or record or books shall not be taken away from the building of Tribunal and shown to any unauthorized person.

43. **Dress code of a Member:** While seating in the bench, a male member shall have to wear black Nepali cap, Nepali *Labeda Suruwal*, black coat and black shoes and a female member shall have to wear a full blouse (*Choubandi Choli*), sari and black shoes.

Provided that, this Rule shall not be applied at the time of

mourning (*Ashoch*).

44. **Format of Oath of Office:** The format of oath of office to be taken by a member of Tribunal or Appellate Tribunal, as the case may be, shall be as referred to in Schedule-3.
45. **Repeal and Saving:** (1) Information Technology Tribunal (Procedures) Rules, 2061 (2004) has been repealed.

(2) All the Acts done and actions taken pursuant to the Information Technology Tribunal (Procedures) Rules, 2061(2004) shall be deemed to have been done and taken pursuant to these Rules.

NEPAL LAW COMMISSION

Schedule -1

(Relating to Sub-rule (1) of Rule 9)

Notice issued by the Information Technology Tribunal

Case No. of the year.....

.....Resident of Ward No.....Municipality/Village Development
Committee.....District..... Plaintiff

Versus

.....Resident of Ward No.....Municipality/Village Development
Committee.....District Defendant

Notice issued to Mr./ Mrs./Ms.son/daughter/wife of, resident of

As the plaintiff has filed a charge-sheet against you in this Tribunal for an offence of under Chapter 9 of the Electronic Transaction Act, 2061 B.S.(2004); you are requested to appear along with the statement of defense, if any, in relation to accusation made against you in this Tribunal, during the working hour of the Tribunal, within Fifteen days excluding the time-limit of journey. The case shall be decided having considered your statement, if you appear within the said time-limit, and according to law if you absconded after lapsing the time-limit, as the case may be. Later on, your complaint shall not be entertained.

Done this.....on theday in the month of..... of the year.....

Schedule -2

(Relating to Sub-rule (1) of Rule 25)

An order issued by the Information Technology Appellate Tribunal

Appeal No. of the year.....

District..Municipality/Village Development

Committee..... Resident of Ward No..... Plaintiff

Versus

District.....Municipality/Village Development

Committee..... Resident of Ward No

..... Defendant

Notice of time-limit issued to Mr./ Mrs./Ms..son/daughter/wife of, resident of

Upon taking action into an appeal filed by the appellant in this Appellate Tribunal against the decision/order made on by Information Technology/Controller/Certifying Authority, an order has been made on (date)..... that the case be submitted having informed the respondent to present pursuant to Rule 28 of the Information Technology (Procedures) Rules,2061 (2004). As the date for your presence is designated for year....month...day...; this notice has been dispatched having attached ...copy/copies of duplicate of order sheet and the appeal. You are requested to appear in person or send a representative under law in this Tribunal along with your evidence at 9 'o' clock on the date of appointment.

Done this.....on thedayin the month of..... of the year.....

Schedule -3

(Relating to Rule 44)

Oath of Office

I.....do hereby swear in the name of God/solemnly affirm that I will perform with honesty the duties and responsibilities entrusted on me and required to be performed by me in the capacity of in accordance with the law in force without fear, partiality or ill will and without leaning to greediness, temptation and favouritism to the best of my knowledge and wisdom. I will, except in the case where law compels, not disclose whether directly or indirectly, to an unauthorized person any matter which becomes known to me in the course of performance of my duty in any circumstance whether I shall be holding my office or not.

Signature:

Name:

Date: