

FORM NO. 3
[See rule 10(2)]

ARMED FORCES TRIBUNAL, BENCH

Diary No. 20.....
CA (Civil/Criminal) 20.....

Between

.....Petitioner(s)

By

.....

(Name of the Legal Practitioner, if any)

And

.....Respondent(s)

By

.....

(Name of the Legal Practitioner, if any)

Subject: (No.) Department: (No.)

REPORT OF THE SCRUTINY OF CONTEMPT APPLICATION (CIVIL/CRIMINAL)

1. Whether the name (including as far as possible, the name of father/mother/husband), age, occupation and address of the petitioner(s) and the respondent(s) are given?
Note. -- Together with personal number, rank, unit or formation etc. as applicable, age
2. Whether the parties impleaded as applicant(s) and respondent(s) are proper?
Note. -- (a) In case of civil contempt for disobeying the order of the Tribunal, it is the party in whose favour the direction is issued that can be impleaded as applicant and the party against whom the direction is issued can be impleaded as the respondent;
(b) In case of criminal contempt, the party who is alleged to have committed contempt, that can be impleaded as the respondent.
3. Nature of the contempt (Civil or Criminal) and the provisions of the Act invoked.
4.
 - (a) Date of alleged Contempt
 - (b) Date of filing of the Contempt application.
 - (c) Whether the Application is barred by limitation under section 20 of the Contempt of Courts Act, 1971?
5.
 - (a) Whether the grounds and material facts constituting the alleged contempt are given?
 - (b) Whether the grounds and facts alleged in the application are divided into paragraphs and numbered?
 - (c) Whether the application is accompanied by supporting documents or certified/Photostat (attested) copies of originals thereof?
 - (d) If the application relies upon any other documents (s) in his possession whether copy of such documents (s) is/are filed along with the application.

- (e) Whether application and its annexure have been filed in a paper-book form and duly indexed and paginated?
 - (f) Whether three complete sets of the paper-books have been filed?
 - (g) Whether equal number of extra copies of paper-books have been filed there are more respondents than one?
6. Whether the nature of the order sought from the Tribunal is stated?
 7. Whether the application is supported by an affidavit sworn to by the applicant verifying the facts relied upon?
Note.--No affidavit is required if the Motion is by Attorney-General/Solicitor-General/Additional Solicitor-General.
 8. Whether the applicant or his legal practitioner have signed the application indicating the place and date?
 9. In case of civil contempt, whether the application is accompanied by a certified copy of the judgment/decreed/order/undertaking alleged to have been disobeyed by the alleged contemner?
 10. (a) In case of criminal contempt, not covered by section 14* of the Contempt of Courts Act, whether the applicant has produced the consent obtained from the Attorney-General/Solicitor-General/Additional Solicitor-General?
(b) If not, whether the application contains the reasons thereof?
*contempt committed in the presence of hearing of the Member(s).
 11. Whether the applicant had previously made a Contempt application on the same facts? If so, have the following been furnished:-
 - (a) Number of the application?
 - (b) Whether the application is pending?
 - (c) If disposed of, nature/result of the disposal with date?
 12. Whether the draft charges are enclosed in a separate sheet?

FOR ATTENTION

Orders on the administrative side have to be obtained from the Chairperson/Vice-Chairperson or Member designated in case of action for criminal contempt, as required by rule 7(ii) of the Contempt Rules before placing for preliminary hearing.