



सत्यमेव जयते

## UTTARAKHAND COURT NEWS (A Quarterly Court Magazine)

Vol.-XI Issue No.-I (January-March, 2020)



### EDITORIAL BOARD

Hon'ble Mr. Justice Sudhanshu Dhulia

Hon'ble Mr. Justice Alok Singh

Hon'ble Mr. Justice Alok Kumar Verma

### COMPILED BY

H.S. Bonal, Registrar General, High Court of Uttarakhand

A quarterly newsletter published by High Court of Uttarakhand, Nainital

*Hon'ble Judges of the Court with Hon'ble the Chief Justice after oath taking ceremony of Hon'ble Mr. Justice Ravi Malimath on 05.03.2020*



L.R.

*Hon'ble Mr. Justice Ravindra Maithani, Hon'ble Mr. Justice Manoj Kumar Tiwari, Hon'ble Mr. Justice Alok Singh, Hon'ble Mr. Justice Ravi Malimath(Senior Judge), Hon'ble Mr. Justice Ramesh Ranganathan (Chief Justice), Hon'ble Mr. Justice Sudhanshu Dhulia, Hon'ble Mr. Justice Lok Pal Singh, Hon'ble Mr. Justice Narayan Singh Dhanik, Hon'ble Mr. Justice Ramesh Chandra Khulbe and Hon'ble Mr. Justice Alok Kumar Verma.*

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\* \* \* \* \*

## UTTARAKHAND HIGH COURT

### LIST OF JUDGES (As on 31<sup>st</sup> March, 2020)

| Sl. No. | Name of the Hon'ble Judges                                | Date of Appointment |
|---------|---|---------------------|
| 1.      | Hon'ble Mr. Justice Ramesh Ranganathan<br>(Chief Justice) | 02.11.2018          |
| 2.      | Hon'ble Mr. Justice Ravi Malimath                         | 05.03.2020          |
| 3.      | Hon'ble Mr. Justice Sudhanshu Dhulia                      | 01.11.2008          |
| 4.      | Hon'ble Mr. Justice Alok Singh                            | 26.02.2013          |
| 5.      | Hon'ble Mr. Justice Lok Pal Singh                         | 19.05.2017          |
| 6.      | Hon'ble Mr. Justice Manoj Kumar Tiwari                    | 19.05.2017          |
| 7.      | Hon'ble Mr. Justice Sharad Kumar Sharma                   | 19.05.2017          |
| 8.      | Hon'ble Mr. Justice Narayan Singh Dhanik                  | 03.12.2018          |
| 9.      | Hon'ble Mr. Justice Ramesh Chandra Khulbe                 | 03.12.2018          |
| 10.     | Hon'ble Mr. Justice Ravindra Maithani                     | 03.12.2018          |
| 11.     | Hon'ble Mr. Justice Alok Kumar Verma                      | 27.05.2019          |

\* \* \* \* \*

## **Transfers and Promotion of Judicial Officers**

| <b>Sl. No.</b> | <b>Name &amp; Designation of the Officer</b>   | <b>Place of Transfer</b>  | <b>Date of Order</b> |
|----------------|--|---|----------------------|
| <b>1.</b>      | Sri Sandip Kumar Tiwari, Secretary, District Legal Services Authority, Pauri Garhwal                   | Civil Judge (Sr. Div.), Kotdwar, District Pauri Garhwal                             | 04.01.2020           |
| <b>1.</b>      | Ms. Meenakshi Sharma, 3 <sup>rd</sup> Addl. Civil Judge (Jr. Div.), Hardwar.                           | 1 <sup>st</sup> Addl. Civil Judge (Jr. Div.), Hardwar.                              | 06.03.2020           |
| <b>2.</b>      | Ms. Krishtika Gunjiyal, 2 <sup>nd</sup> Addl. Civil Judge (Jr. Div.), Roorkee, District Hardwar.       | 1 <sup>st</sup> Addl. Civil Judge (Jr. Div.), Roorkee, District-Hardwar.            | 06.03.2020           |
| <b>3.</b>      | Ms. Urvashi Rawat, 2 <sup>nd</sup> Addl. Civil Judge (Jr. Div.), Haldwani, District Nainital.          | 1 <sup>st</sup> Addl. Civil Judge (Jr. Div.), Haldwani, District Nainital.          | 06.03.2020           |
| <b>4.</b>      | Ms. Chairab Batra, 2 <sup>nd</sup> Addl. Civil Judge (Jr. Div.), Rudrapur, District Udham Singh Nagar. | 1 <sup>st</sup> Addl. Civil Judge (Jr. Div.), Rudrapur, District Udham Singh Nagar. | 06.03.2020           |
| <b>5.</b>      | Ms. Tanuja Kashyap, 3 <sup>rd</sup> Addl. Civil Judge (Jr. Div.), Kashipur, District Udham Singh Nagar | 1 <sup>st</sup> Addl. Civil Judge (Jr. Div.), Kashipur, District Udham Singh Nagar. | 06.03.2020           |

\* \* \* \* \*

## Appointment of Judicial Officers

| Sl. No. | Name of the Judicial Officer | Place of Appointment  | Date of order |
|---------|------------------------------|---|---------------|
| 1.      | Ms. Jasmeet Kaur             | 2 <sup>nd</sup> Addl. Civil Judge (Jr. Div.), Rudrapur, District Udham Singh Nagar.   | 06.03.2020    |
| 2.      | Ms. Ruchika Goel             | 2 <sup>nd</sup> Addl. Civil Judge (Jr. Div.), Kashipur, District Udham Singh Nagar.   | 06.03.2020    |
| 3.      | Sri Kartikeya Joshi          | 3 <sup>rd</sup> Addl. Civil Judge (Jr. Div.), Kashipur, District Udham Singh Nagar.   | 06.03.2020    |
| 4.      | Ms. Suman Bhandari           | 1 <sup>st</sup> Addl. Civil Judge (Jr. Div.), Dehradun.   | 06.03.2020    |
| 5.      | Ms. Sanchi Agrawal           | 2 <sup>nd</sup> Addl. Civil Judge (Jr. Div.), Hardwar.  | 06.03.2020    |
| 6.      | Sri Prateek Mathela          | 2 <sup>nd</sup> Addl. Civil Judge (Jr. Div.), Dehradun.   | 06.03.2020    |
| 7.      | Sri Vinit Kumar Srivastava   | Civil Judge (Jr. Div.), Bhikyasen, District Almora.   | 06.03.2020    |
| 8.      | Ms. Deepti Pant              | 3 <sup>rd</sup> Addl. Civil Judge (Jr. Div.), Dehradun.   | 06.03.2020    |
| 9.      | Sri Mohit Mahesh             | Civil Judge (Jr. Div.), Dhumakot, District Pauri Garhwal.   | 06.03.2020    |
| 10.     | Sri Anurag Tripathi          | Civil Judge (Jr. Div.), Rudraprayag.  | 06.03.2020    |
| 11.     | Ms. Shubhangi Gupta          | 2 <sup>nd</sup> Addl. Civil Judge (Jr. Div.), Haldwani, District Nainital.  | 06.03.2020    |
| 12.     | Sri Ashish Tiwari            | Civil Judge (Jr. Div.), Uttarkashi.   | 06.03.2020    |
| 13.     | Ms. Pratiksha Kesarwani      | 2 <sup>nd</sup> Addl. Civil Judge (Jr. Div.), Roorkee, District Hardwar.  | 06.03.2020    |
| 14.     | Sri Ravi Arora               | Civil Judge (Jr. Div.), Pratap Nagar, District Tehri Garhwal.   | 06.03.2020    |
| 15.     | Sri Chetan Singh Gautam      | Civil Judge (Jr. Div.), Pokhari, District Chamoli.  | 06.03.2020    |
| 16.     | Sri Shrey Gupta              | Addl. Civil Judge (Jr. Div.), Rishikesh, District Dehradun.   | 06.03.2020    |
| 17.     | Ms. Avantika Singh Chaudhary | 4 <sup>th</sup> Addl. Civil Judge (Jr. Div.), Dehradun.   | 06.03.2020    |
| 18.     | Ms. Ruchika Narula           | Civil Judge (Jr. Div.), Dwarahat, District Almora.  | 06.03.2020    |
| 19.     | Ms. Nandita Kala             | Judicial Magistrate, Laksar, District Hardwar.<br>She is appointed in the said Court U/S 11(2) of the Code of Criminal Procedure, 1973. | 06.03.2020    |
| 20.     | Ms. Akmal                    | Civil Judge (Jr. Div.), Karanprayag, District Chamoli.  | 06.03.2020    |

|            |                        |   |            |
|------------|------------------------|---|------------|
| <b>21.</b> | Sri Vishal Goyal       | 3 <sup>rd</sup> Addl. Civil Judge (Jr. Div.), Hardwar.  | 06.03.2020 |
| <b>22.</b> | Sri Vikas Kumar        | Civil Judge (Jr. Div.), Barkot, District Uttarkashi.  | 06.03.2020 |
| <b>23.</b> | Ms. Jainab             | Civil Judge (Jr. Div.), Dhari, District Nainital.   | 06.03.2020 |
| <b>24.</b> | Sri Vivek Sharma       | Civil Judge (Jr. Div.), Garur, District Bageshwar.  | 06.03.2020 |
| <b>25.</b> | Sri Shiv Singh         | 5 <sup>th</sup> Addl. Civil Judge (Jr. Div.), Dehradun.   | 06.03.2020 |
| <b>26.</b> | Sri Rohit Kumar Pandey | Civil Judge (Jr. Div.), Pithoragarh.  | 06.03.2020 |
| <b>27.</b> | Ms. Upadhi Singhal,    | Judicial Magistrate, Chamoli.<br>She is appointed in the said Court U/S 11 (2) of the Code of Criminal Procedure, 1973. | 06.03.2020 |
| <b>28.</b> | Sri Prateek Kapil      | Civil Judge (Jr. Div.), Dharchula, District Pithoragarh.  | 06.03.2020 |

**HIGH COURT OF UTTARAKHAND AT NAINITAL****NOTIFICATION****No. 15/UHC/Admin. A /2019****Dated: January 10<sup>th</sup> , 2019.**

In exercise of the powers conferred by Article 227(2)(3) of the Constitution of India, the High Court of Uttarakhand, Nainital, with the approval of the Governor of Uttarakhand, is pleased to make the following amendments in General Rule (Civil), 1957 and General Rule (Criminal), 1977, (applicable to High Court of Uttarakhand under U.P. Reorganization Act, 2000):-

**Amendments in General Rules (Civil), 1957 and in General Rule (Criminal), 1977.**

The following rules are amended in General Rule (Civil), 1957 and in General Rule (Criminal), 1977:

**Amendments in General Rules (Civil), 1957**

| <b>S. No.</b> | <b>Existing Rules</b> | <b><u>Amendments</u></b>   |
|---------------|-----------------------|--|
| 1.            |                       | Add: following definitions in Rule 4:<br>'Civil Court'- shall mean all such Civil Courts including Family Courts under the superintendence of the High Court of Uttarakhand.<br>'CIS'- means Case Information System Software<br>'Computer' shall have the same definition as provided in Section 2(i) of the Information Technology Act, 2000<br>'Computer System'- shall have the same definition as provided in Section 2(l) of the Information Technology Act, 2000<br>'Digital Signature' –shall have the same definition as provided in Section 2(p) of the Information Technology Act, 2000<br>'Electronic form' shall have the same definition as provided in Section 2(r) of the Information Technology Act, 2000 |



|   |   |  |                 |                               |   |  |  |  |
|---|---|--|-----------------|-------------------------------|---|--|--|--|
|   |   | <p>'Electronic record' shall have the same definition as provided in Section 2(t) of the Information Technology Act, 2000</p> <p>'Electronic Signature'- shall have the same definition as provided in Section 2(ta) of the Information Technology Act, 2000</p> |                 |                               |   |  |  |  |
| <p>2.</p>                                 | <p><b>Rule No. 14</b> - A register of attendance in the form subjoined shall be kept by every Judge in his own hand and shall be signed by him at the end of each month:</p> <p>Provided that in the case of change during the month the officer relieved and the relieving officer shall respectively sign their own registers up-to-date. The District Judge shall forward a true copy of his own register to the High Court at the end of each month and shall also report if the subordinate courts have observed court hours during the month. The registers of all subordinate courts at headquarters shall be submitted to District Judge by 10.35 a.m. each day and the true copies of registers of outlying courts shall be submitted to the District judge at the end of each month. The District judge may pass necessary orders about the timings observed by subordinate courts and shall forward such registers or their copies to the High Court only if he considers it necessary.</p> <p style="text-align: center;">Register of daily sittings</p> <p>In the court of</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Month of</td> <td style="width: 80%; text-align: center;">A.D</td> </tr> <tr> <td>Date</td> <td style="text-align: center;">On the Bench      In Chamber      Remarks</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>  | Month of   | A.D             | Date                          | On the Bench      In Chamber      Remarks |  |  | <p>In Rule 14, after the first proviso following is added:</p> <p>'Attendance recorded by Biometric Attendance System shall also be valid and above Rule pertaining to attendance register shall apply <i>mutatis mutandis</i> to the printed sheet from Biometric Attendance System.'</p> |
| Month of                                  | A.D   |  |                 |                               |   |  |  |  |
| Date                                      | On the Bench      In Chamber      Remarks   |  |                 |                               |   |  |  |  |
|   |   |  |                 |                               |   |  |  |  |
| <p>3.</p>                                 | <p><b>Rule No. 16</b> - A weekly list, in the form subjoined, of cases fixed for hearing, prepared in legible Hindi and signed by the Munsarim of the court, shall be posted on the last working day of the previous week in some conspicuous place in every court-house. In the preparation of such list precedence shall be given to cases which are at hearing or have been already adjourned, and the order in which cases are entered shall not be departed from without express order of the presiding Judge of the court.</p> <p>Space shall be left in the list, at the head of the entries of each day for the subsequent insertion, if necessary, or adjourned cases.</p> <p>In the fourth column it shall be noted in regard to each case for what purpose it is to be laid before the court; whether, for instance, for settlement of issues or final disposal or for delivery of judgment.</p> <p style="text-align: center;"><b>FORM</b></p> <p><b>Date, Month and year</b>.....</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Name of Description<br/>Purpose<br/>Of Case</td> <td style="width: 25%;">Name of Parties</td> <td style="width: 50%;">Name of Parties<br/><br/>Lawyer</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> <p><b>N.B.-</b> The maintenance of Memorandum Book Form Nos. 77, 78 and 79 does not obviate the necessity of complying with this rule.</p> | Name of Description<br>Purpose<br>Of Case  | Name of Parties | Name of Parties<br><br>Lawyer |   |  |  | <p>In Rule 16, after the words 'legible Hindi', following words are added:</p> <p>'or cause list generated through CIS software'</p>   |
| Name of Description<br>Purpose<br>Of Case | Name of Parties   | Name of Parties<br><br>Lawyer  |                 |                               |   |  |  |  |
|   |   |  |                 |                               |   |  |  |  |

| <p>4.</p>                   | <p><b>Rule No. 16</b> - A weekly list, in the form subjoined, of cases fixed for hearing, prepared in legible Hindi and signed by the Munsarim of the court, shall be posted on the last working day of the previous week in some conspicuous place in every court-house. In the preparation of such list precedence shall be given to cases which are at hearing or have been already adjourned, and the order in which cases are entered shall not be departed from without express order of the presiding Judge of the court.</p> <p>Space shall be left in the list, at the head of the entries of each day for the subsequent insertion, if necessary, or adjourned cases.</p> <p>In the fourth column it shall be noted in regard to each case for what purpose it is to be laid before the court; whether, for instance, for settlement of issues or final disposal or for delivery of judgment.</p> <p style="text-align: center;"><b>FORM</b></p> <p><i>Date, Month and year</i>.....</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Name of Description Of Case</td> <td style="width: 25%;">Name of Parties</td> <td style="width: 25%;">Name of Parties Lawyer</td> <td style="width: 25%;">Purpose</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table> <p><b>N.B.-</b> The maintenance of Memorandum Book Form Nos. 77, 78 and 79 does not obviate the necessity of complying with this rule.</p> | Name of Description Of Case   | Name of Parties | Name of Parties Lawyer        | Purpose |                               |         |    |    | <p>After Rule 16, following new Rule 16A is added:</p> <p>‘16A. Any information or any other matter required by law to be in writing or typewritten or in printed form shall be deemed to be valid and requirement of law shall be deemed to have been satisfied if such information or matter is rendered or made available in an electronic form and accessible so as to be usable for a subsequent reference.</p> |    |    |    |  |  |  |  |  |  |  |  |  |  |  |  |   |
|-----------------------------|--|---|-----------------|-------------------------------|---------|-------------------------------|---------|----|----|--|----|----|----|--|--|--|--|--|--|--|--|--|--|--|--|---|
| Name of Description Of Case | Name of Parties  | Name of Parties Lawyer  | Purpose         |                               |         |                               |         |    |    |  |    |    |    |  |  |  |  |  |  |  |  |  |  |  |  |   |
|                             |  |   |                 |                               |         |                               |         |    |    |  |    |    |    |  |  |  |  |  |  |  |  |  |  |  |  |   |
| <p>5.</p>                   | <p><b>Rule No. 18A</b> - [The reader shall maintain a diary in the form prescribed below. The diary will be kept in the court-room and be available to parties and their counsel for inspection.]</p> <p style="text-align: center;"><sup>2</sup>[<b>FORM</b></p> <p style="text-align: center;"><i>Date, Month and year</i>.....</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Case No.</th> <th style="width: 15%;">Name of Parties</th> <th style="width: 15%;">Counsel's Name</th> <th style="width: 15%;">Purpose</th> <th style="width: 15%;">Date fixed in adjourned cases</th> <th style="width: 20%;">Remarks</th> </tr> <tr> <th>1.</th> <th>2.</th> <th>3.</th> <th>4.</th> <th>5.</th> <th>6.</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>  | Case No.  | Name of Parties | Counsel's Name                | Purpose | Date fixed in adjourned cases | Remarks | 1. | 2. | 3.   | 4. | 5. | 6. |  |  |  |  |  |  |  |  |  |  |  |  | <p>In Rule 18A, following words are added after the words 'prescribed below':</p> <p>'in legible handwriting. The upto-date cause list printed through CIS software shall also be valid.'</p> |
| Case No.                    | Name of Parties  | Counsel's Name  | Purpose         | Date fixed in adjourned cases | Remarks |                               |         |    |    |  |    |    |    |  |  |  |  |  |  |  |  |  |  |  |  |   |
| 1.                          | 2.   | 3.  | 4.              | 5.                            | 6.      |                               |         |    |    |  |    |    |    |  |  |  |  |  |  |  |  |  |  |  |  |   |
|                             |  |   |                 |                               |         |                               |         |    |    |  |    |    |    |  |  |  |  |  |  |  |  |  |  |  |  |   |
|                             |  |   |                 |                               |         |                               |         |    |    |  |    |    |    |  |  |  |  |  |  |  |  |  |  |  |  |   |
| <p>6.</p>                   | <p><b>Rule No. 19</b> - In every court-room there shall be hung up in a conspicuous place a notice setting forth in tabular form, the territorial an pecuniary jurisdiction of the court as notified by the State Government and the High Court. The Munsarim shall be responsible for the maintenance up-to-date of this table of jurisdiction.</p>   | <p>In Rule 19, following words are added after the words 'place a notice'-</p> <p>'either on a hard wooden board or vinyl sheet'</p>  |                 |                               |         |                               |         |    |    |  |    |    |    |  |  |  |  |  |  |  |  |  |  |  |  |   |
| <p>7.</p>                   | <p><b>Rule No. 72</b> - When the Presiding Officer of a Court considers it necessary to make a local inspection he shall invariably during the inspection or as soon as it is convenient thereafter, record a note to be placed on the file stating the purpose of the inspection all facts perceived or impressions received in the course thereof which are likely to affect his decision in the case. This note shall as far as possible be prepared in the presence of parties or their counsel. Where this is not possible the parties or their counsel shall be informed of it.</p> <p><sup>1</sup>[Where a Presiding Officer makes local inspection at the request of a party or parties he shall be entitled to receive traveling allowance at the rates mentioned below:</p> <p>(a) If the place of local inspection is less than <sup>2</sup>[eight</p>  | <p>In Rule 72, following is substituted in place of second paragraph:</p> <p>'Where a Presiding Officer makes a local inspection at the request of a party or parties, he shall be entitled to receive travelling allowance as per relevant Government Order issued by the State Government from time to time.'</p> <p>The fourth paragraph in this Rule is substituted by the following,</p> <p>'A Presiding Officer deciding to</p> |                 |                               |         |                               |         |    |    |  |    |    |    |  |  |  |  |  |  |  |  |  |  |  |  |   |

|    |   |   |
|----|---|---|
|    | <p>kilometres] from the head-quarters he shall be entitled to receive the actual expenses subject to a maximum of Rs. <sup>2</sup>(2.00) for the first <sup>2</sup>[kilometre] and <sup>2</sup>[Re.1.00] for each succeeding <sup>2</sup>[kilometres] on his certifying that they were actually incurred. <sup>3</sup>(* * *)</p> <p>(b) If the place of local inspection is beyond <sup>2</sup>[eight kilometers] he shall entitle to receive traveling allowance at the rate of Rs. <sup>2</sup>(2.00) for the first <sup>2</sup>[kilometer] and <sup>2</sup>[Re. 1.00] for each succeeding kilometer.</p> <p><sup>4</sup>[In case the Presiding Officer is subordinate to a District Judge, the T.A. Bill shall be Countersigned by the District Judge.]</p> <p>A Presiding Officer deciding to make a local inspection at the request of a party or parties shall require it or them to deposit in Court the amount of traveling expenses at the rate of <sup>2</sup>[Rs. 1.00] for first <sup>2</sup>[kilometers] and, <sup>2</sup>[Rs.1.00] for each subsequent <sup>2</sup>[kilometre]. If, in case of journeys within <sup>2</sup>[eight kilometers] the amount of actual expenses of the officer is less than the amount deposited, the excess shall be refunded to the party or parties.</p> <p>The officer shall himself arrange for the conveyance for the journeys and shall, as far as possible, avoid the use of a conveyance offered by a party.</p> <p>The money deposited by a party under this rule shall be included in the costs incurred by it in the suit]:</p> <p><sup>5</sup>[Provided that in case of a journey in hill regions the aforesaid rates shall be increased by 33-1/3 per cent:</p> <p>Provided further that the amount shall be rounded off to the nearest multiple of five paise.]</p> | <p>make a local inspection at the request of a party or parties shall require it or them to deposit in Court the amount of traveling expenses as per the relevant Government Order issued by the State Government in respect to travelling allowance. Excess amount, if any, shall be refunded to the party or parties.'</p> <p>Ist and IInd Proviso in Rule 72 is deleted.</p> |
| 8. | <p><b>Rule No. 78</b> - A District Judge may appoint legal practitioners to administer oaths to declarants.<sup>6</sup></p> <p><sup>3</sup>[The fees chargeable by Oath Commissioners so appointed shall be <sup>4</sup>[Rs. 1.50] for each affidavit for courts of Munsifs, Small Cause Courts and of Assistant Collectors and <sup>4</sup>[Rs.2.00] for each affidavit for all other Courts <sup>5</sup>[and Rs. 4.00 to each affidavit for the High Court.] The said fee shall be in addition to the stamp duty chargeable under Article 4 of the Schedule 'I-B' of the Indian Stamp Act]:</p> <p><sup>1</sup>[Provided that the Superintendent-cum-Accountant of the office of the Official Liquidator, High Court, Allahabad who has been appointed as <i>ex officio</i> Oath Commissioner by the High Court for verifying the affidavits in liquidation cases pertaining to his office shall not be entitled to charge any fee for verification of such affidavits and the affixation of coupons on</p>   | <p>In Rule 78, second paragraph is substituted with following paragraph:</p> <p>'The fees chargeable by Oath Commissioners so appointed shall be such as may be determined by the District Judge. The said fee shall in addition to the stamp duty chargeable under Article 4 of the Schedule 'I-B' of the Indian Stamp Act.'</p>   |

|     |  |  |
|-----|--|--|
|     | such affidavits is also dispensed with.]   |  |
| 9.  | <p><b>Rule No. 85</b> - (1) The Judge's notes are intended to be a record in English <sup>1</sup>[or Hindi] of the progress of the suit or proceeding from the date of the first hearing of the suit or proceeding and to include every material order passed therein on any interlocutory matter, and shall also contain the issue framed. These notes shall be legible and complete.</p> <p>(2) The Judge's notes shall show how documents tendered in evidence have been dealt with, the admissions or denials thereof by the opposite party, whether such admissions or denials have been endorsed thereon by the said party, and, if any question of relevancy is raised the decision thereon.</p> <p>(3) All proceedings, notes, depositions, memoranda of evidence and reports shall be so recorded that a quarter margin is left.</p>  | <p>In Rule 85, following words are added after the words 'legible and complete' in clause (1):<br/>'These notes may be typed and printed on a computer.'</p> <p>In clause (3), following words are added after the words 'so recorded':<br/>'either in clear and legible handwriting or typewritten or computer typed'</p>   |
| 10. | <p><b>Rule No. 89A</b> - (1) When a case, i.e. a suit, appeal or other proceedings in which a date for attendance of a party or the parties in a particular court has been fixed, is transferred from one court to another, the former court shall record the order of transfer in the order-sheet and get it signed by counsel of the party or parties, if any party is unrepresented information shall be sent to his registered address. The case shall be called out by the other court on the date already fixed by the transferring court and the presence of the parties noted.</p> <p>(2) A note to the effect that a party or the parties have been informed in accordance with sub-rule (1) shall be made on the record by the transferring court.</p> <p>(3) Where cases are transferred in a large number the court from which they are transferred shall besides following the procedure laid down in sub-rule (1), draw up a list mentioning in it the numbers and years of the cases and the names of the parties and their counsel, and shall cause one copy of it to be posted on the notice-board of the local bar association for information of the members of the bar and another copy to be posted on the notice-board of the court for information of the general public. It shall also send to the other court along with the records of the transferred cases, a copy of the list (or relevant extract of it); the other court shall post it on its own notice board. If the other court is situated in a different place in which there is another bar association, an extra copy of the list shall be sent to it for being posted on the notice-board of the bar association.</p> <p>(4) The court to which cases are transferred shall not proceed without satisfying itself that the parties or their counsel, as the case may be, have been informed of the transfer.</p> <p>(5) In sub-rules (1) to (4) 'transfer' includes withdrawal of a case.</p> | <p>In Rule 89-A, following words are added in clause (1) after the words 'registered address' :<br/>'The information to an unrepresented party or any party about the transfer of a case may be given by either by email on the email address provided or by system generated SMS on the mobile number provided.'</p> <p>In clause (3), following words are added after the words 'informed of the transfer':<br/>'as per the procedure given in this Rule.'</p> |

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| 11. | <p><b>Rule No. 90</b> - Judgment shall be on foolscap paper, one quarter page being left blank. To each judgment shall be prefixed a heading specifying the number of the case and the names of all the parties.</p> <p>No court shall write a judgment <sup>2</sup>[or order] or final order on the order-sheet, or any paper already on the file, such as, pleadings, applications, objections etc:</p> <p><sup>3</sup>[Provided that where the operative portion of the judgment is announced in open Court, soon after the close of the case, such operative portion may be written or typewritten on the order-sheet and signed and sealed.]</p> <p>A judgment <sup>2</sup>[or order] may be written or type-written by the Judge, or may be recorded at his dictation; but every page of the record or a judgment,<sup>2</sup>[or order] not in the handwriting of the Judge, shall be attested by the Judge's initials.</p>   | <p>In Rule 90, following words are added in the fourth paragraph after the words 'type-written':<br/>'or computer typed and printed'</p> <p>After the fourth paragraph, following is added:<br/>'Every judgment upon pronouncement shall be uploaded on the CIS Software on the same day and shall be further uploaded on the National Judicial Data Grid on the same day. The judgment should be uploaded in Portable Document Format (PDF). The judgments shall also be uploaded on 'lobis' server on regular basis.'</p> |
| 12. | <p><b>Rule No. 102</b> - (a) A party shall file with the plaint, memorandum of appeal, or an application requiring the issues of a summons/notice, a printed summons- notice form<sup>4</sup> in duplicate, in the Nagri character, duly filled up except in respect of the date of appearance/ hearing and date of issue of the summons/ notice. The court may also direct a party in any proceeding to file a summons or notice filled up as above to be served on the opposite- party:</p> <p>Provided that the presiding officer may in his discretion direct that such forms in general or any particular such form be filled up entirely in the office of the court.</p> <p>(b) <i>Date to be filled by office.</i>- In summons and notices the date of appearance/ hearing and the date of issue shall b filled up by the office of the court and the presiding officer or the Munsarim, to whom such authority may have been delegated, shall sign the summons/ notice and also put the date of signature.</p> <p>(c) <i>Forms to be legibly written and signed by parties.</i>- The forms shall not be accepted unless filled up in a bold, clear and legible handwriting. The parties, their recognized agents or pleaders, shall sign the forms in the left bottom corner, and will be responsible for the accuracy of the information entered in the forms.</p> <p>(d) <i>Process to contain name of issuing court.</i>- In every process of order issued or made by a judicial officer, the names of the district, <sup>1</sup>[and the State] the court and the official issuing or making it, shall be legibly written at the top.</p> <p>In all cases all judicial officers and Munsarims shall sign their names</p> | <p>In Rule 102, following is added in clause (b) after the words 'legible handwriting':<br/>'or typewritten or computer typed and printed. The valid and existing mobile number, if any, or email address, if any, of the opposite party should also be mentioned clearly.'</p>   |

|            | <p>distinctly and legibly. No such signature shall be made by means of a stamp.</p> <p>(e) <i>Forms of process-2</i>[There shall be two types of the forms of process, one printed on white paper to be used in ordinary cases and the other printed on pink paper to be used in urgent cases]. Where there are printed forms available for any process, such forms shall invariable be used. Where there is a prescribed form but no printed copies are available a process shall be written in the prescribed form, in cases where there is no prescribed form, a standard form, if possible, shall be modified to meet the requirements of the particular case.</p> <p>(f) <i>When translation to accompany process sent to other courts.-</i> Where a process, is sent to the court of a district <sup>1</sup>[of another State] where a different language is in ordinary official use, a translation, certified by the transmitting court to be correct, into such other language may <sup>1</sup>[also accompany the process].</p>   |  |   |                                   |   |         |   |   |   |     |   |   |
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| <p>13.</p> | <p><b>Rule No. 134</b> - An attendance register of process-servers shall be kept and the roll shall be called every morning at 10.</p> <p><i>Diaries of process-servers.-</i> Every process-server shall keep a diary, containing a copy of this rule on the first page, in the following form wherein shall be recorded day by day in column 2 the time, period and purpose of his attendance in the Nazir's office for in Court, the duties performed, places visited by him together with the time spent therein, and stopping place for the night when away on duty from his headquarters; and in column 3, the signature of the Nazir, or of a Court, or of the lekhpal, or other respectable person of the places visited, as the case may be, in attestation of the contents of column 2.</p> <table border="1" data-bbox="145 1344 1046 1478"> <thead> <tr> <th data-bbox="145 1344 231 1422">Date</th> <th data-bbox="231 1344 375 1422">Particulars of work and time spend thereon</th> <th data-bbox="375 1344 518 1422">Signature of Nazir, lekhpal, etc.</th> <th data-bbox="518 1344 893 1422">[Signature of Nazir or other officer, acknowledging receipt of all sums of money refunded].</th> <th data-bbox="893 1344 1046 1422">Remarks</th> </tr> </thead> <tbody> <tr> <td data-bbox="145 1422 231 1478">1</td> <td data-bbox="231 1422 375 1478">2</td> <td data-bbox="375 1422 518 1478">3</td> <td data-bbox="518 1422 893 1478">3-A</td> <td data-bbox="893 1422 1046 1478">4</td> </tr> </tbody> </table> | Date   | Particulars of work and time spend thereon  | Signature of Nazir, lekhpal, etc. | [Signature of Nazir or other officer, acknowledging receipt of all sums of money refunded]. | Remarks | 1 | 2 | 3 | 3-A | 4 | <p>In Rule 134, following is added after the proforma of diary of process-server:</p> <p>'The valid mobile number or numbers of each of the Process Server should be available with the Nazir. The process server, as far as possible, shall click a photograph of the service of the process.'</p> |
| Date       | Particulars of work and time spend thereon  | Signature of Nazir, lekhpal, etc.  | [Signature of Nazir or other officer, acknowledging receipt of all sums of money refunded]. | Remarks                           |   |         |   |   |   |     |   |   |
| 1          | 2   | 3  | 3-A   | 4                                 |   |         |   |   |   |     |   |   |
| <p>14.</p> | <p><b>Rule No. 144</b> - The expression, "material event occurring in the case" used in the preceding rule shall, without prejudice to its generality, be held to include.-</p> <p>(a) the filing of a plaint or written statement;</p> <p>(b) the examination of parties under Order X, Rules 1 and 2;</p> <p>(c) the recording or amendment of issue;</p> <p>(d) the examination and names of witnesses;</p> <p>(e) the reading of the deposition of a witness examined by commission;</p> <p>(f) the filing of a Commissioner's report and any objection (oral or in writing) thereto;</p>   | <p>In Rule 144, after the completion of the paragraph of the 'Note' following is added:</p> <p>'Complete and correct data entries pertaining to the parties and the case, as required by the CIS software, shall be entered in the CIS software on daily basis.'</p> |   |                                   |   |         |   |   |   |     |   |   |

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|     | <p>(g) the presence of witness when a case is adjourned;</p> <p>(h) the date on which arguments are heard with names of counsel and parties present;</p> <p>(i) the delivery of judgment;</p> <p>(j) the signing of decree;</p> <p>(k) the filing of an application for review of judgment or amendment of decree; and</p> <p>(i) an order relating to a deposit, and order for repayment thereof, or an order for issue of a repayment order.</p> <p><b>Note.</b>- Upon receipt of an application for repayment, it will be necessary to consult the original record. If the original record is already in court, the entry will be made in the order-sheet of such record and initialed by the Judge; but if the original record is in the record-room and the procedure laid down in Rule 300 of Chapter XI has been followed, and entry of such order passed by the court shall be made by the record-keeper under his own initials.</p> |  |
| 15. | <p><b>Rule No. 146</b> - Order fixing dates or adjourned dates for hearing or directing anything to be done by the parties or their pleaders whether recorded in the order-sheet or elsewhere, shall so far so possible be signed then and there by the parties or their pleaders.</p>   | <p>In Rule 146, following words are added after the end of the paragraph:<br/>'Information as to next date or/and order passed shall be sent to the parties by way of system generated SMS.'</p> |
| 16. | <p><b>Rule No. 180</b> - Records shall be kept according to the date of the institution in the court of first instance, and not according to the date of the decision:</p> <p>Provided that, in the case of appeals to a civil court, from a court of revenue or any authority other than a civil court, the record of such appeals shall be kept according to the date of the presentation of the appeal in the civil court:</p> <p>Provided also that in the record-room in Avadh the arrangement of records arranged before the enforcement of these rules shall not be disturbed.</p>  | <p>In Rule 180, the second proviso is deleted.</p>   |
| 17. | <p><b>Rule No. 202</b> - The following rules shall regulate the preparation, preservation and destruction of records in the record-room not situated at the headquarters of a District Judge, which will hereinafter be referred to as branch record-rooms:</p> <p>(1) The record of all suits instituted in and decided by the civil courts at places where there are branch record-room shall be kept in the branch record-room for 15 years from the date of institution, and at the end of this period they shall be transmitted for deposit to the record-room at headquarters of the judgeship:</p>  | <p>In Rule 202, the clause (i) of Proviso is deleted and the clause (ii) and (iii) are renumbered as (i) and (ii).</p>   |

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|     | <p>Provided that-</p> <p>(i) in the branch record-rooms at Pilibhit, Mirzapur and Banda, the records shall be retained for 20 years from the date of institution and even at the end of this period they need not be transmitted to the record-rooms at the headquarters unless and until the later can easily accommodate them;</p> <p>(ii) records of suit instituted before the date of establishment of the branch record-rooms shall be dealt with as records to be deposited and kept in record-rooms at headquarters;</p> <p>(iii) no records of cases, instituted and decided by a court before the establishment of a branch record-room and already transmitted to the record-room at headquarters, shall be sent back to the branch record-room to be deposited there.</p> <p>(2) The rules relating to the preparation, transmission, preservation and destruction of records shall apply to the branch record-rooms from the date of their establishment.</p> <p>The rules regarding destruction of records shall be observed in the branch record-room so long as the records remain there, and only those records which are not destroyed in accordance with the with the rules will be transmitted to the record-room at headquarters at the end of the prescribed period.</p> <p>(3) A tablet shall be put at the entrance of each branch record-room with the inscription "Branch record-room established from (herewith follow the date of establishment)".</p> |   |
| 18. | <p><b>Rule No. 207</b> - When a record is requisitioned at the instance of a party a court-fee of 1[Rs. 5.00] shall be charged as in the case of inspection of records under Rule 234 of Chapter IX of these rules. In applications for refund, the procedure laid down in that rule will also be followed. This fee shall be in addition to the court-fee prescribed by the Court Fees Act, Schedule II, Article 1 (b), (c) or (d) an 1-A.</p>  | <p>In Rule 207, the words 'five rupees' in first paragraph are substituted by the words 'ten rupees'.</p>   |
| 19. | <p><b>Rule No. 218</b> - The following instruction shall be observed in connection with the transmission of records to the High Court, and with the transmission upon requisition of records from one court to another and from a record-room to a court and <i>vice versa</i>-</p> <p>(1) Except in the case provided for in paragraph (5) of this rule, records shall be sent either by parcel post registered, or by passenger train. Those sent by parcel post shall be, between July and November, securely packed in wax cloth and sealed</p>  | <p>In Rule 218, following clause 7 is added:</p> <p>'7. Information of transmission of record from one Court to another shall also be sent through CIS software.'</p> |



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|     | <p>along the seams at intervals of not more than four inches. Those sent by rail shall be carefully placed either in a gunny bag similarly sealed or in a well secured wooden box.</p> <p>(2) The postage and the registration fee in the cases of parcels sent by post shall be fully prepaid by means of postage stamps. Similarly in the case of parcels sent by rail the freight shall be prepaid.</p> <p>(3) No parcel sent by post shall included papers referring to more than once case. If papers referring to more than one case are enclosed in a parcel or box sent by rail, a list shall always be placed in the box containing the number of each record or portion thereof and its weight as a separate parcel.</p> <p>(4) All parcels sent by post or by rail shall be weighed before dispatch in the presence of the Munsarim or record-keeper, as the case may be, and the weight noted outside.</p> <p>(5) When the court requiring a record, is in the same station, as the record-room, or the transmitting court, the record may be sent by Government messenger, but it shall be secured by seals in such a manner as to prevent the record being opened or transit without the seals being broken or the fastening served.</p> <p>(6) An acknowledgment shall be invariably required from the court to which a parcel containing a record has been sent and in the event of none being received within a reasonable time the matter shall be brought to the notice of the Presiding Officer, and an inquiry made to ascertain the cause.</p> |   |
| 20. | <p><b>Rule No. 224</b> - Any person desiring to ascertain the serial-number and date of institution of any suit or other registered particulars respecting a suit, or any proceedings therein, or of any judicial proceeding, shall present or sent by post to the Munsarims a written application stamped with a court-fee label of <sup>1</sup>[Rs. 5.00] and giving the best particulars he can as to the year of institution and the names of parties. The Munsarim shall mark such application with a serial number and direct the official in-charge of the relevant register to make a search. The information, if obtainable, shall be given to the applicant in writing, signed by the official-in-charge of the register, within three days from the date of the receipt of the application. In case such information cannot be given within three days, the Munsarim shall forthwith, on the expiration of the said period, report in writing to the Judge for his orders, the cause of the non-compliance with the application. A printed copy of this rule in Hindi shall be kept posted on the notice-board in a conspicuous place in every court,</p>   | In Rule 224, the amount 'Rs. 5.00' is substituted with 'Rs.10.00' |

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|     | <p>and also in the office of every Munsarim.</p> <p>After disposal the application for search shall be posted in a file-book in serial order. Each such file-book shall be consigned to the record-room at the end of each calendar year.</p>  |   |
| 21. | <p><b>Rule No. 225</b> - In pending cases, it will be open to a party to obtain certain information by means of written questions and answers in Form No. VI-122. To this form must be affixed a court-fee label of <sup>1</sup>[50 paise] for every two questions or less asked for pertaining to the same case.</p> <p><b>N.B.-</b> In no circumstance shall the right conferred by this rule be so exercised as to be in substitution of the method of obtaining more detailed information by inspection of the record or by copies.</p>  | <p>In Rule 225, the amount of '50 paise' is substituted with 'Rs. 5.00'</p>   |
| 22. | <p><b>Rule No. 246</b> - Every application for a copy shall be made in Form No. 27<sup>4</sup> and shall describe clearly:</p> <p>(a) The record if any, in which the document, of which a copy is applied for will be found;</p> <p>(b) The document<sup>5</sup>, of which a copy is applied for;</p> <p>(c) Whether or not the application is urgent; and</p> <p>(d) all other particulars required in Form No. 27 of the application for copies.</p> <p>If the applicant desires the copy to be sent by post he shall also send-</p> <p>(1) a duly stamped and addressed post card to enable him to be informed of the extra charges to be paid, <sup>6</sup>[or of other requirement to be complied with], if any, on his application for the copy; and</p> <p>(2) in case the papers are to be sent by post, a duly stamped and addressed envelope.</p> <p><b>Note 1.</b> - If the extra charges are not paid within 15days from the date of issue of notice the application for copy shall be rejected and the addressed envelope shall be used for informing the applicant of the order of rejection of his application for purpose of priority.</p> <p><sup>6</sup>[<b>Note 2.</b>- If the particulars given in an application for copy are wrong and are not corrected within fifteen days from the date of issue of notice, the application shall be rejected and the applicant informed accordingly if he has already supplied a duly stamped and addressed post-card for the purpose. For purpose of priority in issuing copy an application with wrong particulars shall be deemed to have been made on the day on which corrected particulars are supplied]</p> <p><sup>1</sup>[<b>Note 3.</b>- For purpose of priority in issuing copy, an application with deficient copying fee shall be deemed to have been made on the date on which the deficiency is made good.</p> | <p>In Rule 246, after the words 'Form No. 27', words 'typed or printed' are added.</p> <p>In Rule 246, after the clause (2), following is added:<br/>'If the applicant desires the copy to be sent by email, he shall furnish a valid email address.'</p> |

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| 23. | <p><b>Rule No. 259</b> - When a copy has been made, it shall be signed by the person who made it, and it shall be examined, corrected, if necessary, and be certified to be a true copy by the Head Copyist. If the copy was made by the Head Copyist or the Head Copyist is unable to certify, it shall be examined, corrected, if necessary and certified to be a true copy by some other person selected by the Presiding Judge for that purpose.</p> <p>No copy of a document shall be so certified to be a true copy unless it shows correctly number of words therein, and also the value of the stamp, if any, in the original document.</p> <p>No copy shall be delivered to an applicant until it has been examined and certified.</p>  | <p>In Rule 259, after the third paragraph, following is added:<br/>'Digitally Signed copies shall be sent to the applicant through electronic form including email.'</p>  |
| 24. | <p><b>Rule No. 270</b> - If, in any court, copying work falls off so that every copyist cannot be fully employed, the Head Copyist shall at once report to the District Judge, in the case of the court of the District Judge, through the Munsarim of that court, and in the case of any other court, through the Presiding Officer of the court. The District Judge shall thereupon hold in abeyance fresh appointments to his clerical establishment till such time as he considers necessary.</p>  | <p>After Rule 270, following Rule is added:<br/>'270A. The above Rules pertaining to copying shall apply <i>mutatis mutandis</i> to applications requiring supply of certified copy by way of electronic form including email.'</p> |
| 25. |  | <p>In Chapter XI- Civil Court Accounts, the words 'Civil and Sessions Judges', wherever occurring are substituted with 'Additional District and Sessions Judge and Civil Judge (Senior Division)'</p>                               |
| 26. | <p><b>Rule No. 271</b> - In this Chapter, unless there is anything repugnant in the subject or context-</p> <p>"DISTRICT JUDGE" shall include the presiding Judicial Officer:</p> <ol style="list-style-type: none"> <li>(a) in the permanent courts of Civil and Sessions Judges not stationed at the headquarters of a Judgeship.</li> <li>(b) in courts of Civil Judges having separate account with the treasury, and</li> <li>(c) in Courts of Small Causes, and the term "District Court" shall include the courts over which such officers preside, the term "court subordinate to the District Judge or District Court" meaning in such cases, all courts lower in grade than such Civil and Sessions Judges: <p>"JUDGES" includes every District Judge, Additional Judge, Civil and Sessions Judge posted in a Permanent Court, Civil Judge whose headquarters are situated in an outlying</p> </li></ol> | <p>In Rule 271, after clause (b), following clause is added:<br/>'(bb).- in Courts of Principal Judge/ Judge, Family Court created under the Family Courts Act, 1984'</p>   |

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|     | <p>District, and the Judge of a Court of Small Causes;</p> <p>"RECEIVING OFFICER" means-</p> <p><sup>1</sup>[(i) the "Central Nazir" and the Deputy Nazir of the courts of District Judges;]</p> <p>(ii) the Nazir of the permanent courts of Civil and Sessions Judges;</p> <p>(iii) the Nazir of an outlying Munsif or of a Civil Judge with headquarters in an outlying District, and the Nazir of the Court of Small Causes, Lucknow City;</p> <p>(iv) the clerk of the court in the Courts of Small Causes;</p> <p>"TREASURY" means the treasury or sub-treasury of the revenue district or sub-district in which a civil court is situated.</p> <p>"TREASURY OFFICER" means the officer-in-charge of the treasury or sub-treasury of the revenue district or sub-district in which civil court is situated.</p>   |   |
| 27. | <p><b>Rule No. 271</b> - In this Chapter, unless there is anything repugnant in the subject or context-</p> <p>"DISTRICT JUDGE" shall include the presiding Judicial Officer:</p> <p>(a) in the permanent courts of Civil and Sessions Judges not stationed at the headquarters of a Judgeship.</p> <p>(b) in courts of Civil Judges having separate account with the treasury, and</p> <p>(c) in Courts of Small Causes, and the term "District Court" shall include the courts over which such officers preside, the term "court subordinate to the District Judge or District Court" meaning in such cases, all courts lower in grade than such Civil and Sessions Judges:</p> <p>"JUDGES" includes every District Judge, Additional Judge, Civil and Sessions Judge posted in a Permanent Court, Civil Judge whose headquarters are situated in an outlying District, and the Judge of a Court of Small Causes;</p> <p>"RECEIVING OFFICER" means-</p> <p><sup>1</sup>[(i) the "Central Nazir" and the Deputy Nazir of the courts of District Judges;]</p> <p>(ii) the Nazir of the permanent courts of Civil and Sessions Judges;</p> <p>(iii) the Nazir of an outlying Munsif or of a Civil Judge with headquarters in an outlying District, and the Nazir of the Court of Small Causes, Lucknow City;</p> | <p>In Rule 271 (iii), the words 'Lucknow City' are deleted and after the words 'Small Causes' the words 'and Account Clerk of the Court of Principal Judge/ Judge, Family Court' are added.</p> |

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|     | <p>(iv) the clerk of the court in the Courts of Small Causes;</p> <p>"TREASURY" means the treasury or sub-treasury of the revenue district or sub-district in which a civil court is situated.</p> <p>"TREASURY OFFICER" means the officer-in-charge of the treasury or sub-treasury of the revenue district or sub-district in which civil court is situated.</p>  |  |
| 28. | <p><b>Rule No. 272</b> - The following courts shall have separate accounts with the Treasury and the Accountant-General:</p> <p>(i) the courts of all District Judges;</p> <p>(ii) the permanent courts of all Civil and Sessions Judges not stationed at the headquarters of a Judgeship;</p> <p>(iii) the Courts of Small Causes.</p>   | In Rule 272, clause (iv) is added: ' (iv). The Family Courts.'   |
| 29. | <p><b>Rule No. 273</b> - The following are the heads of account under which the money received and paid under this Chapter is classified:</p> <p>(1) Civil Courts Deposits and Repayments, including-</p> <p>(i) Sums paid under decrees and orders;</p> <p>(ii) Sums deposited under Order XX, Rule 14, and Order XXIV, Rule 1 of the Code, and Section 83 of the T.P. Act (No. IV of 1882);</p> <p>(iii) Sums deposited under Order XXI, Rule 84, or paid under Order XXI, Rule 85;</p> <p>(iv) Sums deposited under Section 379 (1) of Act XXXIX of 1925;</p> <p>(v) Sums deposited in lieu of security; and</p> <p>(vi) Sums deposited under the Land Acquisition Act (I of 1894).</p> <p>(2) Cash and proceeds of sale of intestate Property and Repayments.</p> <p>(3) Payments and refunds under-</p> <p>(i) Fines, Section 480 of Act V of 1898;</p> <p>(ii) Stamp duties and penalties, Section 35 of Act II of 1899.</p> <p>(4) Petty cash accounts, including-</p> <p>(i) Traveling and other expenses of witnesses;</p> <p>(ii) Subsistence money for judgment-debtors;</p> <p>(iii) Sums paid under the rules framed by the State Government under Section 27 of Act XVIII of 1876 and Order XXI, Rule 43;</p> <p>(iv) Incidental charges of Commissioners, Amins and Arbitrator, etc.;</p> <p>(v) Commission fees received from or for others courts;</p> | In Rule 273 clause (3) sub-clause (i), the words 'Section 480 of Act V of 1898' are substituted with the words 'Section 345 (1) of Act 2 of 1974 |

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|  | <ul style="list-style-type: none"> <li>(vi) Postage and registration fees (other than fixed postal fees);</li> <li>(vii) Costs of publication of proclamations and others;</li> <li>(viii) Carriage hire for the Bailiff Small Causes Court, City Lucknow for service of process and execution of warrants of arrest;</li> <li>(ix) Copying charges received by money order under these rules; and</li> <li>(x) Money deposited by a party or parties applying for local inspection by the Presiding Officer towards his traveling and other expenses.</li> </ul> |  |
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| 30. | <p><b>Rule No. 273</b> - The following are the heads of account under which the money received and paid under this Chapter is classified:</p> <ul style="list-style-type: none"> <li>(1) Civil Courts Deposits and Repayments, including- <ul style="list-style-type: none"> <li>(i) Sums paid under decrees and orders;</li> <li>(ii) Sums deposited under Order XX, Rule 14, and Order XXIV, Rule 1 of the Code, and Section 83 of the T.P. Act (No. IV of 1882);</li> <li>(iii) Sums deposited under Order XXI, Rule 84, or paid under Order XXI, Rule 85;</li> <li>(iv) Sums deposited under Section 379 (1) of Act XXXIX of 1925;</li> <li>(v) Sums deposited in lieu of security; and</li> <li>(vi) Sums deposited under the Land Acquisition Act (I of 1894).</li> </ul> </li> <li>(2) Cash and proceeds of sale of intestate Property and Repayments.</li> <li>(3) Payments and refunds under- <ul style="list-style-type: none"> <li>(i) Fines, Section 480 of Act V of 1898;</li> <li>(ii) Stamp duties and penalties, Section 35 of Act II of 1899.</li> </ul> </li> <li>(4) Petty cash accounts, including- <ul style="list-style-type: none"> <li>(i) Traveling and other expenses of witnesses;</li> <li>(ii) Subsistence money for judgment-debtors;</li> <li>(iii) Sums paid under the rules framed by the State Government under Section 27 of Act XVIII of 1876 and Order XXI, Rule 43;</li> <li>(iv) Incidental charges of Commissioners, Amins and Arbitrator, etc.;</li> <li>(v) Commission fees received from or for others courts;</li> </ul> </li> </ul> | <p>In Rule 273 (4) (vii), the words 'City Lucknow' are deleted.</p> |
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|     | <p>(vi) Postage and registration fees (other than fixed postal fees);</p> <p>(vii) Costs of publication of proclamations and others;</p> <p>(viii) Carriage hire for the Bailiff Small Causes Court, City Lucknow for service of process and execution of warrants of arrest;</p> <p>(ix) Copying charges received by money order under these rules; and</p> <p>(x) Money deposited by a party or parties applying for local inspection by the Presiding Officer towards his travelling and other expenses.</p>  |  |
| 31. | <p><b>Rule No. 276</b> - In the case of remittance of money from one court to another by postal money-order, the title of case and the nature of the remittance shall be entered in the coupon, all the requisite entries in the form of application for the money-order being prepared free of charge by the Receiving Officer. The money-order shall be addressed to the Munsarim of a District Court, or the clerk or a Court of Small Causes, and in other cases to the Presiding Judge.</p>   | <p>In Rule 276, the words 'Family Court' are added after the words 'District Court'</p>  |
| 32. | <p><b>Rule No. 277</b> - Direct receipts of money which fall under head of Account (1) of Rule 273 shall, as far as possible, be avoided by courts, but where the distance between the court and the treasury is such that, in the opinion of the District Judge, inconvenience to applicants would arise, he may sanction the receipt by the Receiving Officer of cash deposits not exceeding Rs. 50 each:</p> <p>Provided that where remittances to the nearest sub-treasury are not made daily by the Receiving Officer of any court, the limit of cash receivable under a single deposit shall be Rs. 10.</p> <p>Cash, however, must be received when tendered under Head of Account (1) in the following cases:</p> <p>(1) When the court is over 5 miles from the nearest treasury.</p> <p>(2) When the money is payable into court under any of the following provisions of law namely, Section 55, Order XX, Rules 11 and 14, and Order XXI, Rules 84 and 85 of the Code, and Section 379 (1) of Act XXXIX of 1925, and is tendered after the hour prescribed in Rule 279.</p> <p>(3) When the proceeds of movable property, sold in execution through the officer of a civil court, under Order XXI, Rule 77, cannot be paid into the treasury on the day of sale.</p> <p>Repayments of money falling under Head of Account (1) shall be made through the treasury.</p> <p>N.B.- Also consult Appendix XVII of Financial Hand Book, Volume V, Part 1.</p> | <p>In Rule 277, the figure of Rs. 50 in first paragraph is substituted with Rs. 1000/- and the figure of Rs. 10 in Proviso is substituted with Rs. 200/-</p> |

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| 33. | <p><b>Rule No. 280</b> - The following registers shall be kept under these rules:</p> <p><sup>1</sup>[(1) The Central Nazir and the Deputy Central Nazir shall keep for each court for which he is Receiving Officer, a separate set of the following registers:</p> <p>Register of Receipts and Deposits (Form No. 35).<br/> Register of Repayments of Deposits (Form No. 37).<br/> Register of Fines, Stamp-duty and Penalties realized (Form No. 39).<br/> Cash-book (Form No. 41).<br/> Pass-book (Form No. 42).<br/> Register of Petty Receipts and Repayments (Form No. 43).<br/> In addition to the above, <sup>1</sup>[the Central Nazir shall keep] for all Courts<br/> one single Register of Intestate Property (Form No. 40)].</p> <p>(2) Such Officer of his court as the Judge of the District Court may appoint shall keep in Hindi:</p> <p>(a) For the District Court and all the courts subordinate to the District Court, a single set of the following registers:<br/> Register of Receipts of Deposits (Form No. 36).<br/> Register of Repayments of Deposits (Form No. 38).</p> <p>(b) For the District Court only Cash-book.</p> <p>(3) The following registers shall be kept by clerks of Courts of Small Causes:</p> <p>Register of Receipts and Deposits (Form No. 35).<br/> Register of Repayments of Deposits (Form No. 37).<br/> Register of Fines, Stamp-duty and Penalties Realized (Form No. 39).<br/> Register of Petty Receipts and Repayments (Form No. 43).<br/> Cash-book (Form No. 41).<br/> Pass-book (Form No. 42).</p> <p>The same registers shall be maintained in outlying Munsif's Courts; the Register of Receipts of Deposits by the Munsarim, the other registers, the Cash-book and the Pass-book by the Nazir.</p> | <p>In Rule 280, the words 'account Clerk of Family Court' are added after the words 'Deputy Central Nazir'</p> |
| 34. | <p><b>Rule No. 296</b> - Before the form of application for repayment is signed by the person to whom the money is due and payable, columns 1 to 4 shall be filled up. The form shall then be presented to the Munsarim or clerk of the court by which the money is held in deposit. The application shall bear the court-fee, if any, prescribed by law (see note to Rule 295), and shall be entered in a register to be maintained as directed in G.L. 16/44-7 (1) of 17-3-1937.</p> <p>If the person to whom the money is due and payable appears in</p>  | <p>In Rule 296, the figure of Rs. 500 in the proviso is substituted with Rs. 5,000/-</p>                       |



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|     | <p>person to receive the money and is not personally known to the Presiding Judge, no order for payment shall be made until he has been identified by a pleader or other person known to such Judge. If the person to whom the money is due and payable does not appear in person no order for payment shall be made unless and until the Presiding Judge is satisfied by affidavit or otherwise that the person asking for payment has been duly authorized by the person to whom it is due payable by an instrument in writing to receive the money:</p> <p>Provided that, when the sum to be refunded does not exceed Rs. 500, the applicant may add to the application a request that the amount <i>minus</i> postal commission, may be forwarded by money-order to him at the address that he has registered as his address for the purpose of the service of processes under Order VIII, Rule 19.</p> <p><sup>1</sup>[A money-order form shall for the purpose, be supplied by the applicant].</p>   |  |
| 35. | <p><b>Rule No. 316</b> - The daily totals of all the registers shall at the close of the day be posted in cash book. Column 4 shall show the cash receipts of the Receiving Officer, and column 8 shall show his remittances to the treasury by means of the Pass-book. Columns 5 and 9 shall be confined to transaction at the treasury.</p> <p>The Cash-book of the District Court shall show all the receipts and disbursement of that court, and also all the receipts and repayment of deposits of all the subordinate courts other than a Court of Small Causes in that revenue district. The closing balance of each month in column 9 shall correspond with that shown in the treasury accounts and in the consolidated Plus and Minus Memorandum.</p> <p>The Cash-book maintained by the Central Nazir shall contain all items, including deposits received and disbursed by the courts, for which he is a Receiving Officer; and shall daily be separate balanced for each court.</p> <p>In the last column of the Cash-book, kept for the District Court and for court subordinate to the District Court other than such Courts of Small Causes as aforesaid, shall be shown each day the total cash balance for all courts in the hands of the Receiving Officer in order that the Judge may have in a single view a statement* of all the money in the Receiving Officer's possession. The same procedure shall be followed, as far as applicable, in the case of the Courts of Small Causes at Agra, Allahabad, Varanasi, Kanpur, Lucknow and Meerut.</p> <p><b>Rule No. 323</b> - As soon as the District Judge has received the monthly returns from outlying subordinate courts, he shall cause a consolidated Plus and Minus Memorandum to be prepared, showing details for each</p> | In Rule 316, 323 and 331, the words 'Agra, Allahabad, Varanasi, Kanpur, Lucknow and Meerut' are deleted. |

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| <p>court separately. The officer copy shall be forwarded to the Treasury Officer for verification and counter-signature; and, after its return, it shall be pasted in a file-book kept for the purpose.</p> <p>The Presiding Judges of the Courts of Small Causes at Agra, Allahabad, Varanasi, Kanpur, Lucknow and Meerut shall also forward to the Treasury Officer for verification and signature a Plus and Minus Memorandum for their respective courts; and after such Plus and Minus Memorandum is returned, it shall be pasted in a file-book kept for the purpose.</p> <p><b>Rule No. 331</b> - On or about 1st April of each year every subordinate court, other than the Courts of Small Cause at Agra, Allahabad, Varanasi, Kanpur, Lucknow and Meerut, shall submit the clearance register, prepared in accordance with the instruction contained in paragraph 349 of the Financial Hand book, Volume V, Part I, to the District Judge, who shall cause to be prepared in his office a general clearance register of the outstanding balances of deposits in such courts and in his own court, and shall have the same checked with the English Registers.</p> <p>On the clearance register a certificate to the effect that total of lapsed and clearance has been taken with closing balance should be recorded (<i>vide</i> Treasury Manual)</p> <p>When the statement is complete it shall be submitted to the Accountant General.</p> <p>Similarly the Presiding Judges of the Small Cause Courts at Agra, Allahabad, Varanasi, Kanpur, Lucknow and Meerut shall cause clearance register of outstanding balance of deposits in their courts to be prepared, checked and submitted to the Accountant-General.</p> |  |
| <p>36. <b>Rule No. 326</b> - Once in every quarter the Presiding Judge shall check the Register of Petty Receipts and Repayments and shall cause unclaimed balance, which it is no longer necessary to retain in the court, to be remitted to the treasury as miscellaneous deposits. Each item so remitted shall be treated as a separate deposit, and if not claimed, shall lapse to Government.</p> <p>The result to the quarterly check by the Presiding Judge under this rule shall be reported for the information and orders of the District Judge.</p> <p><i>Checking of cash balance</i> Once in every week the Munsarim of the Court of the District Judge and the Munsarim of every outlying subordinate court shall examine the cash balance in the hands of the Nazir and shall submit to the Presiding Judge a certificate in the following terms:-</p> <p><i>I certify that I have personally examined the register kept by the Nazir</i></p>  | <p>In Rule 326, the words 'or Account Clerk' are added after the words 'Nazir' in the 3<sup>rd</sup> paragraph and in the form of the certificate.</p> |

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|     | <i>and counted the cash balance in hands of the Receiving Officer and have found the same to be correct.</i>   |  |
| 37. | <p><b>Rule No. 343</b> - The accounts for the courts at the headquarters of the District Judge or of the 2[Additional District and Sessions Judge] where there is no District Judge shall be kept by the Central Nazir, and for outlying subordinate courts by the Nazir, under the supervision of the Presiding Judge.</p> <p>In the courts of Munsifs of Kashipur, Ranikhet, <sup>1</sup>[* * *] and Landsdowne the account shall be kept by the Munsarim and not by Nazir:</p> <p><sup>2</sup>[Provided that till such time as the District Judge of Uttarakashi is formed as an independent Judgeship, the bills in respect of the District of Uttarakashi shall be submitted to the District Judge of Tehri].</p>   | In Rule 343, the words 'and Accounts Clerk' are added after the words 'Nazir'. |
| 38. | <p><b>Rule No. 343</b> - The accounts for the courts at the headquarters of the District Judge or of the 2[Additional District and Sessions Judge] where there is no District Judge shall be kept by the Central Nazir, and for outlying subordinate courts by the Nazir, under the supervision of the Presiding Judge.</p> <p>In the courts of Munsifs of Kashipur, Ranikhet, <sup>1</sup>[* * *] and Landsdowne the account shall be kept by the Munsarim and not by Nazir:</p> <p><sup>2</sup>[Provided that till such time as the District Judge of Uttarakashi is formed as an independent Judgeship, the bills in respect of the District of Uttarakashi shall be submitted to the District Judge of Tehri].</p>   | In Rule 343, the Proviso is deleted.   |
| 39. | <p><b>Rule No. 350</b> - The value of service postage stamps shall be adjusted by book transfer* * <sup>1</sup>instead of by cash.</p> <p>District Judges shall obtain their supplies of these stamps for the use of courts at headquarters by means of treasury Form No. 314 from the Treasury Officer of the district.</p> <p>Outlying courts shall obtain their supplies by indenting on the prescribed form on the treasuries or sub-treasuries at the places where their respective courts are located. The details of labels used shall continue to be shown in the register of contingent charges (Form No. 60) for inclusion in register (Form No. 61).</p> <p>* * <b>Note-</b> At Tahsil treasuries and sub-treasuries may be deposited cash chest of outlying Munsifs. At every Tahsil where such chests are received for safe custody the Tahsildar shall inform the Munsif in advance of all holidays on which the Tahsil treasury will be closed, and on such holidays shall, on an application being made open the Tahsil treasury from 10 to 11 A.M. and From 3</p> | Rule 350 is deleted.   |

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|     | <p>to 4 P.M. for the purpose of issuing and receiving the chests.</p> <p>1. G.O. No. 1908/X-168 (Financial Department), dated 15th August, 1917<br/>(Delete.)</p>  |  |
| 40. | <p><b>Rule No. 352</b> - At the close of every month each outlying court shall submit the following bills to the District Judge, or in districts where there is no District Judge, to the <sup>1</sup>[Additional District and Sessions Judge].</p> <p><sup>1</sup>[Provided that till such time as the district of UttarKashi is formed as an independent judgship, the Bills in respect of the District of UttarKashi shall be submitted to the District Judge of Tehri].</p> <p>(1) Salary bill of fixed establishment.<br/>(2) Salary bill of record-fund establishment.<br/>(3) Salary bill of process-servers.<br/>(4) Bill for fixed stationery allowance.<br/>(5) Bill for contingent charges.</p> <p>These bills shall be checked by the Central Nazir and be incorporated in the consolidated bills of the District Judge or the Additional District and Sessions Judges as the case may be.</p> <p>Where the outlying courts are situated in more than one revenue district having an independent treasury, these shall not be included in the same consolidated bill amounts payable in more than one revenue district.</p> <p>1. Subs by Noti. No. 626/VIII-b-1, dated 19-10-1981. (w.e.f. 23-2-1982)</p> | In Rule 352, the Proviso is deleted.   |
| 41. | <p><b>Rule No. 364</b> -</p> <p>(1) Every Central Nazir, Nazir, Deputy Central Nazir and Assistant Nazir shall acquaint himself with-</p> <p>(a) the rules regarding purchase, maintenance, and repair of bicycles as contained in G.O. No. 922/XVIII-220, dated 15<sup>th</sup> March, 1935 and G.O. No. U-1066/1258, dated 28<sup>th</sup> December, 1940;</p> <p>(b) rules regarding purchase, maintenance, condemnation, and repair of typewriters as contained in Chapter IV of the Printing and Stationery Manual.</p> <p><sup>1</sup>[(2) <i>Report about new structures</i>. - The Nazir of the outlying courts of Munsifs and 2[Additional District and Sessions Judges] not at headquarters and the Central Nazir in each district shall report not later than the first week of May each year to the Registrar of the High Court, through the District Judge, that he has inspected the ground attached to the Court buildings and certify that no new permanent structures have been erected within the said grounds during the last financial year (April to March), for the erection of which the sanction of the High Court has not</p>   | <p>In Rule 364, the words "account clerk" is added after the word 'Deputy Central Nazir'</p> <p>In Rule 364, following clause (c) is added:</p> <p>(c). Uttarakhand Procurement Rules, 2008 and allied Government Orders.'</p> |

been obtained, and that all erections of a temporary nature have been removed.]

(3) *Handling of private funds.*- The following instructions for handling of private funds by Government servants should be observed very carefully:-

(i) Accounts of funds belonging to private persons and local bodies should be kept entirely separate from those of Government funds. For this purpose a separate cash-book for private funds should be maintained on exactly the same lines as the main cash-book for Government moneys.

(ii). All cheques received by post and all money orders should be immediately entered in the proper cash-book under the initials of the head of the office or institution.

(iii). The head of the office or institution should keep the cheques in his personal custody, and should cash them as soon as disbursement has been arranged. The amount should be disbursed the same day as the cheques are cashed. If any payee after due notification is absent on the day of disbursement, his money should be sent by money order the same day as the cheque is cashed.

(iv) Bills of local firms should be paid in the presence of the head of the office or institution. As regards outside firms, money orders should be sent the same day as the cheques are cashed under the signature of the head of the office or institution.

(v) The head of the office or institution should as far as possible entrust the work connected with private funds to his accounts clerk, who will have furnished a security in respect of Government funds placed in his charges.

(vi) All amounts received in cash should also be entered in the proper cash-book immediately on their receipt and the amounts deposited as far as possible on the same day in the State Bank or where there is no such bank in any other bank. A receipt in Form I given at page 265 of the Financial Hand Book (Volume V) should be issued for all amounts received.

(vii) Private moneys taken as deposits or securities and refundable to the private persons concerned should be deposited in the Post Office Saving Bank and the Pass-book should be hypothecated in favor of the head of the office or institution concerned.

(viii) All officers concerned should supervise the accounts of private moneys as strictly as those of Government funds, as they are personally responsible for their custody and disbursement.

1. *Subs by Noti. No. 293/VIII-b-273, dated 28-2-1963, published in U.P.*

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|     | <i>Gazette, Part II, dated 3<sup>rd</sup> November, 1962.</i><br>2. Subs by Noti. No. 626/VIII-b-1, dated 19-10-1981, (w.e.f. 23-2-1982).   |   |
| 42. | <b>Rule No. 374</b> - Any fraction of a paisa in a fee payable by way of poundage shall be remitted.  | In Rule 374, the word 'paisa' is substituted with 'rupee'   |
| 43. | <b>Rule No. 388</b> - Every District Judge shall report directly to the Board of Revenue, Uttar Pradesh, every instance in which it appears from accounts filed in probate and administration cases under Section 289 and 290 of the Indian Succession Act (XXXIX of 1925), that the proper Court-fee was not realized at the time the probates or letters of administration were granted to executors or administrators.   | In Rule 388, the words 'Board of Revenue, Uttar Pradesh' are substituted with 'Chief Revenue Commissioner, Uttarakhand'   |
| 44. | <b>Rule No. 389</b> - The Presiding Judge of every civil court shall report immediately to the State Government, through the Chief Inspector of Stamps, Uttar Pradesh, any instance of forgery or fraudulent use of any description of stamps, whether general, judicial, postal or telegraph coming to his notice. Such reports shall be accompanied by full particulars as to the nature of the forgery or fraud perpetrated, and if possible, by specimens, and shall, in the case of Judges of Courts of Small Causes, Civil Judges and Munsifs, be made through their District Judge.  | In Rule 389, the word 'Uttar Pradesh' is substituted with the word 'Uttarakhand'  |
| 45. | <b>Rule No. 419</b> - Annual statements for the year (with the exception of Form No. 100) shall be submitted by subordinate courts to the District Judge on or before 20th day of January in the following year; and by the District Judge to the High Court on or before 15th of February then next.<br><br>The annual statement for the previous financial year showing the number of probates etc. (Form No. 100) shall be forwarded by subordinate courts to their District Judge on or before 10th of April, and a consolidated statement for Judgeship shall be submitted by the District Judge to the High Court on or before 20th of April. | After Rule 419, following Rule is added:<br><br>'Quarterly and Half Yearly Statements shall not be sent to the High Court and the monthly statements shall be sent as per the new formats provided by the High Court of Uttarakhand vide Circular Letter No. 06/XVII-23/D.R.(I)/2012 dated 16th June, 2012. The Statements, as far as possible, be prepared from the data available in the CIS software and National Judicial Data Grid.' |
| 46. | <b>Rule No. 425</b> - Every District Judge shall submitted to the High Court on or before 20 <sup>th</sup> of January of each year a return in the following form of all landed property acquired, whether in his own name or not; or parted with by himself or any subordinate Judicial Officer during the preceding calendar year:  | Existing Rule 425, is substituted with the following:<br><br>'425. The return of movable and immovable property, either for acquired or parting of held, shall be submitted in accordance with provisions of Uttarakhand Government Servant Conduct   |

| <p>8</p>            | <table border="1"> <thead> <tr> <th data-bbox="151 616 183 683">Name</th> <th data-bbox="223 548 255 683">Appointment</th> <th data-bbox="295 380 327 683">Village, Pargana and district</th> <th data-bbox="359 537 391 683">Area in acres</th> <th data-bbox="430 481 462 683">Revenue assessed</th> <th data-bbox="494 515 526 683">Estimated value</th> <th data-bbox="566 347 598 683">Whether acquired or parted with</th> <th data-bbox="638 392 670 683">How acquired or parted with</th> <th data-bbox="718 212 750 683">From whom acquired or to whom parted with</th> <th data-bbox="790 593 821 683">Remarks</th> </tr> <tr> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>6</td> <td>7</td> <td>8</td> <td>9</td> <td>10</td> </tr> </thead> </table> <p>Together with this statement shall be submitted (1) a statement in the following form of the landed property * held, whether in his own name or not, by him or any subordinate Judicial Officer, who has been appointed to this district during the preceding calendar year:</p> <table border="1"> <thead> <tr> <th colspan="10" data-bbox="247 1008 391 1041"><u>Land held in</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="159 1086 183 1120">7</td> <td data-bbox="207 1209 231 1299">Number</td> <td data-bbox="247 1209 271 1299">Name</td> <td data-bbox="279 1187 303 1299">Appointed District</td> <td data-bbox="343 1209 367 1299">Pargana</td> <td data-bbox="430 1153 454 1299">Area in acres</td> <td data-bbox="518 1064 542 1299">Acquired or ancestral</td> <td data-bbox="614 1120 638 1299">Annual revenue assessed</td> <td data-bbox="750 1120 774 1299">Estimated value</td> <td data-bbox="925 1131 1029 1164" rowspan="2">Remarks</td> </tr> <tr> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>6</td> <td>7</td> <td>8</td> <td>9</td> <td>10</td> </tr> </tbody> </table> <p>(2) a list showing in the case of the above-mentioned officers:<br/>                 (a) the names of immediate blood relations;<br/>                 (b) the names of immediate connections, with the place of residence of each.<br/> <b>*Note.-</b> The term "landed property" includes all such property held under a lease.</p> | Name   | Appointment        | Village, Pargana and district | Area in acres   | Revenue assessed                | Estimated value             | Whether acquired or parted with           | How acquired or parted with | From whom acquired or to whom parted with | Remarks | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | <u>Land held in</u> |  |  |  |  |  |  |  |  |  | 7 | Number | Name | Appointed District | Pargana | Area in acres | Acquired or ancestral | Annual revenue assessed | Estimated value | Remarks | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | <p>Rules, 2002 and directions issued by the High Court of Uttarakhand from time to time.'</p> |
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| Name                | Appointment   | Village, Pargana and district  | Area in acres      | Revenue assessed              | Estimated value | Whether acquired or parted with | How acquired or parted with | From whom acquired or to whom parted with | Remarks                     |   |         |   |   |   |   |   |   |   |   |   |    |                     |  |  |  |  |  |  |  |  |  |   |        |      |                    |         |               |                       |                         |                 |         |   |   |   |   |   |   |   |   |   |    |   |
| 1                   | 2   | 3  | 4                  | 5                             | 6               | 7                               | 8                           | 9   | 10                          |   |         |   |   |   |   |   |   |   |   |   |    |                     |  |  |  |  |  |  |  |  |  |   |        |      |                    |         |               |                       |                         |                 |         |   |   |   |   |   |   |   |   |   |    |   |
| <u>Land held in</u> |   |  |                    |                               |                 |                                 |                             |   |                             |   |         |   |   |   |   |   |   |   |   |   |    |                     |  |  |  |  |  |  |  |  |  |   |        |      |                    |         |               |                       |                         |                 |         |   |   |   |   |   |   |   |   |   |    |   |
| 7                   | Number  | Name   | Appointed District | Pargana                       | Area in acres   | Acquired or ancestral           | Annual revenue assessed     | Estimated value                           | Remarks                     |   |         |   |   |   |   |   |   |   |   |   |    |                     |  |  |  |  |  |  |  |  |  |   |        |      |                    |         |               |                       |                         |                 |         |   |   |   |   |   |   |   |   |   |    |   |
| 1                   | 2   | 3  | 4                  | 5                             | 6               | 7                               | 8                           | 9   |                             | 10  |         |   |   |   |   |   |   |   |   |   |    |                     |  |  |  |  |  |  |  |  |  |   |        |      |                    |         |               |                       |                         |                 |         |   |   |   |   |   |   |   |   |   |    |   |
| <p>47.</p>          | <p><b>Rule No. 446</b> - In all correspondence with the Registrar of the High Court the following instructions shall be observed:-</p> <ol style="list-style-type: none"> <li>(1) As a rule, the Registrar shall be addressed by letter and not by docket or endorsement.</li> <li>(2) A list of the enclosures accompanying a letter shall be made at the foot of it. Every judicial file shall be reckoned, as a separate enclosure.</li> <li>(3) Where a demi-official letter is addressed to the Registrar, only one subject should be dealt with in one letter; a</li> </ol>   | <p>In Rule 446 and 447, the word 'Registrar' wherever occurring is replaced with 'Registrar General'</p> |                    |                               |                 |                                 |                             |   |                             |   |         |   |   |   |   |   |   |   |   |   |    |                     |  |  |  |  |  |  |  |  |  |   |        |      |                    |         |               |                       |                         |                 |         |   |   |   |   |   |   |   |   |   |    |   |

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|     | <p>second subject should be made the subject of second letter.</p> <p><b>Rule No. 447</b> - Administrative correspondence relating to suits, appeals or cases, judicial or non-judicial, shall be dealt with according to the following rules:</p> <ol style="list-style-type: none"> <li>(1) Letters forming such correspondence shall be filed with the case to which they relate.</li> <li>(2) Every case with which is filed such correspondence shall be deemed to be pending notwithstanding that a final order or decision has been passed therein so long as the correspondence relating thereto is pending. Correspondence shall be said to be pending only when any letter requires to be issued or received and not when after a certain lapse of time or upon some possible contingency further correspondence may arise.</li> <li>(3) To indicate that the Presiding Officer considers no further action necessary in respect of any correspondence he shall write the word "File" with his initials on the last letter. The Munsarim must then after examining the previous papers, mark the last letter "Concluded and filed" before the correspondence is consigned with the case to the record-room.</li> <li>(4) Every letter received should bear an order recorded on it by the Presiding Officer, or the word "seen" with his initials, as an indication that he has seen it.</li> </ol> <p>Judicial Officers, in corresponding with the High Court, shall address their communications through the District Judge to the Registrar, with the exception of notice and summons issued by the High Court and served by subordinate courts, acknowledgment of records and all correspondence relating to the case-work of the High Court which shall be addressed to the Deputy Registrar.</p> |   |
| 48. | <p><b>Rule No. 459</b> - Judges of Courts of Small Causes, Civil Judges and Munsifs shall communicate with the Superintendent of Printing and Stationery, U.P. Allahabad through the District Judge.</p>   | <p>In Rule 459, the words 'Superintendent Printing and Stationery, U.P. Allahabad' are substituted with the words 'Director, Government Litho Press, Roorkee'</p> |
| 49. | <p><b>Rule No. 460</b> - District Judges shall, without obtaining the previous sanction of U.P. Government, purchase such books as are suitable for the libraries of their courts or of the courts subordinate to them, subject to the condition that all charges so incurred are within the budget allotments</p>   | <p>In Rule 460, the words 'U.P.' are substituted with the words 'Uttarakhand'</p>   |



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|     | sanctioned for the purpose.  |   |
| 50. | <p><b>Rule No. 512</b> - Every civil court will be furnished by the Superintendent, Printed and Stationery, U.P. Allahabad, with a printed form of indent for printed non-saleable forms, State Form No. <sup>2</sup>[176].</p> <p>Non-saleable forms shall be obtained in the following manner:-</p> <p>In courts subordinate to the court of District Judge the indent shall be prepared under the supervision of the Presiding Judge and shall be submitted to the District Judge not late than 15th January. Forms enough to last for a whole year and to leave a margin of three month's consumption at the end of that year shall be entered in the indent. When forms are published in books, the number of books should be stated.</p> <p>The District Judge, having received the indents for all courts subordinate to him, shall despatch them with the indent for his own court in time to admit of their reaching the High Court by the 1st March.</p> <p>Forms for courts at headquarters will be sent, separately packed and labeled for each court, to the District Judge. Forms for subordinate outlying courts located at places remote from a railway will be sent to the District Judge or to some Munsif on a line of railway, who will cause them to be forwarded to such courts in the manner, he may consider most convenient and economical. Outlying subordinate courts located on or near a line of railway will receive their forms direct from the Press.</p> <p>2. Subs by Noti. No. 101/VIII-b-a, dated 28-2-1962, published in U.P. Gazette, Part II, dated 9-6-1962.</p> | <p>In Rule 512, the words 'Superintendent Printing and Stationery, U.P. Allahabad' are substituted with the words 'Director, Government Litho Press, Roorkee'</p>                   |
| 51. | <p><b>Rule No. 513</b> - Each District Judge, each outlying Civil and Sessions Judge, and each outlying Munsif, shall be allowed to hold certain quantities of saleable forms as permanent advance in accordance with the general directions issued by the High Court. The District Judge shall be responsible for the advances to all the courts in his judgeship and shall deal with indents for saleable forms in respect of the courts subordinate to him, direct with the Superintendent, Printing and Stationery, Uttar Pradesh, Allahabad.</p> <p><b>Rule No. 514-</b> (1) When the stock of saleable forms falls short of one-half of the quantity fixed by the High Court as permanent advance, the District Judge shall take steps to recoup the shortage direct from the Superintendent, Printing and Stationery, Uttar Pradesh, Allahabad. He shall apply in Manual Miscellaneous Form No. 131-A (Recoument Order of the Superintendent, Printing and Stationery, Uttar Pradesh, for saleable forms) furnishing the certificates mentioned therein.</p> <p>(2) Forms shall be sold at the rate of <sup>1</sup>[nine rupees] per hundred to licensed stamp vendors, who may retail them to the public at the rate of <sup>2</sup>[10 paise per form]. Forms shall not be sold in packets of less than</p>   | <p>In Rule 513 and 514, the words 'Superintendent Printing and Stationery, Uttar Pradesh Allahabad' are substituted with the words ' Director, Government Litho Press, Roorkee'</p> |

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|     | <p>hundred each unless the permanent advance of any particular forms has been fixed at less than hundred. Receipt books of form Part V-No. 74 shall be issued only to official Receivers at the rate of <sup>3</sup>[Two rupees and seventy-five paise] per book. The procedure herein contained for the supply of saleable forms to licensed stamps-vendors shall apply <i>mutatis mutandis</i> to the supply of receipt books to Official Receivers.</p> <p>(3) The licensed stamps-vendor shall not pay to the Nazir in cash the price of the saleable forms that they require, but they shall deposit the money in the treasury by means of treasury challans in duplicate. One copy shall be retained in the treasury and the other shall be returned to the stamp-vendors who shall submit it to the Nazir in lieu of the price of the forms received by them. Before signing the certificate mentioned in (1) above, the indenting officer shall verify the recoupment order and formally cancel the challans by writing across them "cancelled" in red-ink. The challans so cancelled shall be immediately consigned to the record-room where they will be retained till destroyed under the weeding rules.</p> <p>(4) The stock of saleable forms in hand on the 31st March, shall be examined and a statement in Form No. 145 sent by the indenting officers to the District Judge in no case later than the 15th April each year. These statements along with a similar statement relating to the Court of the District Judge shall be forwarded to the Superintendent, Printing and Stationery, Uttar Pradesh, Allahabad by the end of April each year.</p> <ol style="list-style-type: none"> <li>1. Subs for the words "rupees four and fifty paise" by Noti. No. 530/VIII-b-206, dated 28-8-1984, (w.e.f. 8-12-1984).</li> <li>2. Subs for "7 paise" by <i>ibid</i>.</li> <li>3. Subs for "one rupee and sixty-five paise" by <i>ibid</i>.</li> </ol> |   |
| 52. | <p><b>Rule No. 520</b> - Indents for stationery shall be drawn up for fifteen months from October 1 as prescribed in paragraph 68-A of the U.P. Printing and Stationery Manual by District Judges and Judge, small Causes Court, Lucknow and submitted to the High Court by July 10 in a form which may be procured from Superintendent, Printing and Stationery, Uttar Pradesh, Allahabad.</p>  | <p>In Rule 520, the words 'Judge, Small Causes Court, Lucknow' are deleted and the words 'Superintendent Printing and Stationery, Uttar Pradesh Allahabad' are substituted with the words 'Director, Government Litho Press, Roorkee'</p> |
| 53. | <p><b>Rule No. 523</b> - The district judge shall, from time to time as funds allow, purchase from the Director, Stores Purchase Section, Uttar Pradesh, Kanpur, and supply to each Amin in his jurisdiction out of the contract grant for his district, the instruments given in the following list:</p> <p style="padding-left: 40px;">Plain Table.</p>  | <p>In Rule 523, the words 'If not procurable from the Superintendent Printing and Stationery, Uttar Pradesh, Allahabad can be purchased</p>   |

|            |   |   |      |                        |                               |
|------------|---|---|------|------------------------|-------------------------------|
|            | <p>Box of drawing instruments.<br/>                 Measuring chain (jarib) <sup>1</sup>(30 meters).<br/>                 Measuring rod <sup>1</sup>(3 metres long).<br/>                 Brass sight <sup>1</sup>(60 centimetres).<br/>                 Brass scale <sup>1</sup>(fifteen centimeters).<br/>                 Measuring tape <sup>1</sup>(15 metres).</p> <p>Such minor articles as napping pens, boxes of colours, tracing cloth, etc. If not procurable from the Superintendent Printing and Stationery, Uttar Pradesh, Allahabad can be purchased locally. The District Judge shall inspect and verify the stock of the above instruments in his annual inspection of the office of Civil Judges and Munsifs.</p> | <p>locally.’ are substituted with the following:<br/>                 ‘The stationery items may be procured as per the Uttarakhand Procurement Rule, 2008 from the local market.’</p>   |      |                        |                               |
| <p>54.</p> | <p><b>Rule No. 526</b> - Each Amin shall receive, in addition to his pay, a grant of <sup>1</sup>[Thirty rupees] a month as remuneration for the services of a drummer. The District Judge shall draw the total grant for drummers for his district and shall distribute it among the Amins.</p> <p>1. Subs by Noti. No. 556/VIII-b-200, dated 31-10-1985, (w.e.f. 8-2-1986), p.5.</p>  | <p>In Rule 526, the existing Rule is substituted by the following Rule:<br/>                 ‘526. Proclamation.- The Amin shall receive the actual expenses incurred towards making proclamation (munadi) through a method prescribed by the court. The statement of expenditure along with original bills, if any, should be verified by the Amin.’</p> |      |                        |                               |
| <p>55.</p> | <p><b>Rule No. 530</b> - When, in order to the execution of a commission or to the ascertainment of the sufficiency of a security, an Amin has to travel, the court in determining the fee to be paid for his services shall assume a day's journey to be <sup>1</sup>[twenty four or thirty kilometers], according to the nature of the country to be traveled, unless the place is connected by bus or rail.</p> <p>1. Subs by Noti. No. 553/VIII-b-1, dated 3-9-1984, (w.e.f. 8-12-1984).</p>  | <p>In Rule 530, the words ‘the court in determining the fee...bus or rail’ are substituted with the following words:<br/>                 ‘the court shall determine the fee to be paid for his services on the basis of one day salary of the Amin.</p>  |      |                        |                               |
| <p>56.</p> | <p><b>Rule No. 530A</b> - Amins and their peons are entitled to draw traveling allowance admissible under the Financial Handbook, Volume III. The traveling allowance bills shall be submitted monthly to the officer incharge who shall scrutinize the entries, compare them with the Amin's diary in Form No. 107 and satisfy himself as to the correctness of the entries made in the bill].</p>   | <p>In Rule 530 A, after the words ‘Volume III’ the words ‘or on the basis of the relevant Government Order issued from time to time’ are added.</p>   |      |                        |                               |
| <p>57.</p> | <p><b>Rule No. 541</b> - (1) Every Central Nazir, Nazir, Civil Court Amin, Process-server, Amin's Peon, Clerk of a Court of Small Causes, <sup>1</sup>[Sessions Clerk] or other ministerial official employed in a civil court, who by reason of his office is entrusted with the receipt, custody or control of moneys securities for money or other property, shall give security in such an</p>  | <p>In Rule 541, the table is substituted with the following table:</p> <table border="1" data-bbox="1054 1944 1487 2056"> <tr> <td data-bbox="1054 1944 1166 2056">Post</td> <td data-bbox="1166 1944 1326 2056">Judgeships of Dehradun</td> <td data-bbox="1326 1944 1487 2056">Judgeships of other districts</td> </tr> </table>                        | Post | Judgeships of Dehradun | Judgeships of other districts |
| Post       | Judgeships of Dehradun  | Judgeships of other districts   |      |                        |                               |

amount for the due discharge of the trusts of his office and for the due account of all moneys, securities for money or other property which shall come into his possession by reasons of his office as shall be equal to the maximum amount which he ordinarily has in his hands at any one time. The District Judge, subject to the control of the High Court, shall use his discretion in calculating this amount and shall be responsible for seeing that the sum left in the hands of his subordinate is not more than the amount of the security taken from such subordinate.

Security shall in no case be dispensed with except where exemption may be made under special or general orders of Government. Exemption cannot be sought on the ground that a person is an apprentice, outsider or other temporary incumbent, and he shall be required to furnish security or execute a personal bond as may be necessary under the rules.

The minimum amounts of security required for the posts of Central Nazir, Deputy Nazir, Assistant Nazir, Amins of Grades I and II and Process Servers, and Amin's Peons of big and small judgship are given below. This, however, does not in any way fetter the discretion of the District Judge to fix a large amount of security in any case where circumstances justify it.

| Post                             | Bigger Judgships  | Smaller Judgships   |
|----------------------------------|---|---|
| Central Nazir                    | Rs. <sup>2</sup> [2,000] in cash or Rs. <sup>2</sup> [4,000] in immovable property. | Rs. <sup>2</sup> [1000] in cash or Rs. <sup>2</sup> [2000] in immovable property. |
| Deputy Nazir and Assistant Nazir | Rs. 500 in cash or Rs. 1,000 in immovable property.                                 | Rs. 250 in cash or Rs. 500 in immovable property.                                 |
| Amin 1st Grade                   | Rs. 1,000 in cash or Rs. 2,000 in immovable property.                               | Rs. 750 in cash or Rs. 1,500 in immovable property.                               |
| Amin 2st Grade                   | Rs. 750 in cash or Rs. 1,500 in immovable property.                                 | Rs. 500 in cash or Rs. 1,000 in immovable property.                               |
| <sup>3</sup> [Sessions Clerk     | Rs. 250 in cash or Rs. 500 in immovable property.                                   | Rs. 250 in cash or Rs. 500 in immovable property.                                 |
| Process-server or Amin's peon    | Rs. 50 in cash.   | Rs. 50 in cash.   |

<sup>1</sup>[(2) A Sessions Clerk who fails to furnish security as required by the preceding sub-rule shall not be allowed to hold that post and also other

|                               |  |                     |
|-------------------------------|--|---------------------|
|                               | Hardwar, Udhm Singh Nagar and Nainital |                     |
| Central Nazir                 | Rs. 5,000/- in cash                    | Rs. 3,000/- in cash |
| Deputy Nazir/ Assistant Nazir | Rs. 2,500/- in cash                    | Rs. 1500/- in cash  |
| Amin 1 <sup>st</sup> Grade    | Rs. 3,000/- in cash                    | Rs. 2000/- in cash  |
| Amin 2 <sup>nd</sup> Grade    | Rs. 1500/- in cash                     | Rs. 1000/- in cash  |
| Sessions Clerk                | Rs. 1000/- in cash                     | Rs. 750/- in cash   |
| Process Server                | Rs. 500/- in cash                      | Rs. 300/- in cash   |

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|     | <p>posts of equivalent status.</p> <p><i>Explanation.-</i> Post of Suits clerk, Execution clerk, Appeals clerk and Readers of the Court of Judge Small Causes, Civil Judge and Munsif shall, for purpose of the rule, be deemed to be in status equivalent to that of a Sessions Clerk.]</p> <p>1. <i>Ins. by Noti. No. 78/VIII-b-205, dated 18-5-1961, published in U.P. Gazette, Part II, dated 21-10-1961.</i></p>  |   |
| 58. | <p><b>Rule No. 550</b> - (1) Any Advocate on the roll of the High Court who is not under suspension may appeal, plead or act in any court subordinate to the High Court on filing a document prescribed by Rule 4 (1) of order III of the Code (<i>vakalatnama</i>) and producing before the Presiding Officer of such court his certificate of enrolment or otherwise satisfying him of the fact of such enrolment.</p> <p><i>Brief holder.-</i> (2) Any Advocate on the roll of the high Court who is not under suspension, may appear and plead for any other advocate on the roll of the High Court who is not under suspension, in any suit, appeal or proceeding in which such other Advocate is duly engaged, in any court, subordinate to the High Court, but may not act for him without filing a <i>vakalatnama</i>.</p>   | <p>In Rule 550, the words 'High Court' after the words 'on the roll of' are substituted with the words 'Bar Council'</p> <p>In Rule 550, after the second paragraph, following is added:<br/>'All matters pertaining to Advocates shall be governed by the Advocates Act, 1961 as amended from time to time, directions by Bar Council of India, State Bar Council and Hon'ble Supreme Court and High Court.'</p> |
| 59. | <p><b>Rule No. 551</b> - Person entitled to be admitted as pleader in courts subordinate to High Court are those who are eligible-</p> <p>(a) under Circular Order (Civil) No. 7 of 1882;<br/>(b) under the Rules of March 13, 1895; or<br/>(c) under the Rules contained in this Chapter.</p> <p><b>Rule No. 552</b> - Subject to these rules a pleader holding a certificate written upon a stamp paper of the value of twenty-five rupees shall be competent to appear, plead and act in any subordinate court civil or criminal and in any revenue office as defined in Section 3 of the Legal Practitioner's Act 1879.</p> <p><b>Rule No. 553</b> - Subject to these rules a pleader holding a certificate written upon a stamp paper of the value of fifteen rupees shall be competent to appear, plead and act in any criminal subordinate court any in any Court of Small Cause, Civil Judge or Munsif and in any revenue office.</p> <p><b>Rule No. 554</b> - Rule 554 of General Rules (Civil), which pertains to pleaders is deleted.</p> <p><b>Rule No. 555</b> - A Mukhtar holding a certificate written on a stamp paper to the value of fifteen rupees shall be competent to appear, plead and act in any subordinate criminal court or revenue office and to practice as a Mukhtar in any subordinate civil court.</p> | <p>Rules 551 to 571, 574, 575,576, and 577 to 581 are deleted.</p>  |

**Rule No. 556** - A Mukhtar holding a certificate written on the stamp paper of the value of ten rupees shall be competent to appear, plead and act in any subordinate criminal or revenue office and to practice as a Mukhtar in the court of a civil Judge or Munsif or in a Court of Small Causes.

**Rule No. 557** - A Mukhtar holding a certificate written on the stamp paper of the value of five rupees shall be competent to appear, plead and act in any subordinate criminal court except the court of Session and the court of a Magistrate when such Magistrate is exercising appellate jurisdiction or revenue office and to practice as a Mukhtar in the court of any Munsif.

**Rule No. 558** - A Mukhtar entitled by his certificate of practice as a Mukhtar in any subordinate civil court being duly appointed by a *vakalatnama* may not plead before such court. He may, however, address it for the purpose of stating the nature and effect of any application but may not offer any legal argument. He may not examine or cross-examine any witness without the special leave of the court. He may perform the following acts, namely-

- (1) present plaint, memorandum of appeal or petition;
- (2) file written statement;
- (3) file objection;
- (4) receive service of process;
- (5) apply for summonses to persons whose attendance may be required either to give evidence or to produce document;
- (6) pay into court process-fee, money or security for money;
- (7) give notice requiring admission of genuineness of a document;
- (8) inspect record;
- (9) apply for the summoning of the record of a case;
- (10) instruct and Advocate, vakil or pleader;
- (11) be present at the execution of a commission;
- (12) apply for and receive a copy;
- (13) bid for purchase for his principal any property which such principal may himself legally bid for a purchase;
- (14) receive delivery of possession of immovable property, decreed or sold;
- (15) receive back documents produced in evidence; or
- (16) receive funds or repayment of court-fees moneys or securities for money:

Provided that a Mukhtar who also holds a certificate as a revenue agent under Section 18 of the Legal Practitioner's Act, 1879,

may on being duly appointed by a *vakalatnama*, appear, plead and act in any such court <sup>1</sup>[in any reference, appeal another proceeding which on the day immediately preceding the day of the coming into force of the U.P. Nagar Mahapalika Adhiniyam, 1959\*, was cognizable by the commissioner or the District Magistrate, or ] in any suit, appeal, application or proceeding or the class or substantially of the class of suits, appeals, applications or proceedings which prior to the passing of the U.P. Zamindari Abolition and Land Reforms Act, 1950, were cognizable by revenue court. Where a question arises as to the right of any Mukhtar to appear, plead and act in any case under this provision the decision of the court in which such case is proceeding shall be final for the purpose of that case.

\* See now *U.P. Municipal Corporation Act, 1959*.

1. Added by Noti No. 24/VIII-b-180 and I, published in *U.P. Gazette, Part II, dated 2-10-1961*

**Rule No. 559** - A pleader or Mukhtar is entitled to practice only after enrolment and then only in a court or revenue office within the territorial limits of the jurisdiction of the District Judge of the district in which he is enrolled or in a court or revenue office without such limits if the case is one in which the cause of action arose within such limits.

**Rule No. 560** - Any of the following persons may be admitted as a pleader if he satisfies the High Court that he possesses an adequate knowledge of the Hindi language and can read and write it with ease and correctness and can also read and write the Urdu language in the Persian character; that unless he has passed an examination in the law relating to Land Tenures, Rent and Revenue in the State of Uttar Pradesh from a University recognized by Law, he possesses an adequate knowledge of that subject; and that he is a fit and proper person to be admitted as a pleader:-

- (a) A person who has obtained a degree in Law from any University established by law in the State of Uttar Pradesh.
- (b) A person who has obtain a degree in Law from any University recognized by law in India outside the State of Uttar Pradesh, provided that, unless specially exempted by the High Court, the High Court of the State in which such University is situated admits as pleader law graduates of the Universities situated in the State of Uttar Pradesh on a reciprocal basis.
- (c) A person who take a degree in Law from the University of Dacca or Lahore before the 15th day of August, 1947, and has permanently settled in India.

<sup>1</sup>[(d) Subject to such conditions as the High Court may impose, a person who was, or is, entitled to practice as a pleader, Vakil or Advocate in an area which has been, or thereafter may be merged with the State or Uttar Pradesh].

1. *Ins. by Noti. No. 126/VIII-b-48 and I, published in U.P. Gazette, Part II, dated 3-10-1959.*

**Rule No. 561** - An Advocate or pleader of any other High Court in India as it was before the 15th day of August, 1947 may be admitted as a pleader provided that:

- (a) he is by his character and conduct a fit proper person to be enrolled as pleader;
- (b) he possesses an adequate knowledge of the Hindi language and can read and write it with ease, and correctness in the Devanagri character;
- (c) The High Court in which the applicant was enrolled as an advocate or pleader has a reciprocal agreement in this regard with the High Court at Allahabad; and
- (d) he submits a certificate from the Registrar of the High Court in which he was previously enrolled to the effect that he has been permitted to suspend his practice in that court or courts subordinate thereto:

Provided that the condition as to reciprocal arrangement provided in clause (c) of the certificate referred to in clause (d) shall not be necessary in the case of an advocate or pleader who was practicing before the 15th day of August, 1947, in the area now included in Pakistan.

**Rule No. 562** - An application for admission as a pleader or Mukhtar shall, as nearly as may be, be in the form given in Appendix 19 and bear a proper court-fee stamp. It shall be accompanied by a stamp paper of the requisites value. The application shall also furnish the necessary certificates along with his application.

The application shall be presented to the District Judge of the district in which the applicant desires to practice. If the District Judge finds that the application is in order and is satisfied as to the correctness of the particulars mentioned therein he shall forward it to the High Court.

**Rule No. 563** - If the application is granted by the High Court a certificate shall be issued to the applicant under Section 7 of the Legal Practitioners' Act, 1879, under the signature of the Registrar in the prescribed form.



Such certificate shall be written on the stamp paper of the appropriate value.

**Rule No. 564** - On a certificate being granted under Section 7 of the Legal Practitioners' Act, 1879, the pleader or the Mukhtar as the case may be may present an application for enrolment accompanied by such certificate in person to the District Judge of the district in which the applicant desires to practice.

(2) If the certificate be in order and the District Judge is satisfied that the applicant is not suffering from leprosy or other dangerous malady and is otherwise a fit and proper person to be enrolled, he shall cause his name to be entered in a register to be kept in the form given below and shall cause to entered on such certificate a memorandum certifying that the applicant has been so enrolled.

If the District Judge considers that the applicant is not a fit and proper person to be enrolled as a pleader or Mukhtar he shall make a report to the High Court the appropriate value.

#### FORM OF REGISTER

| Name | Father's name | Pleader or Mukhtar | Value of Stamp on certificate | Date of enrolment | Remarks |
|------|---------------|--------------------|-------------------------------|-------------------|---------|
| 1    | 2             | 3                  | 4                             | 5                 | 6       |
|      |               |                    |                               |                   |         |

**Rule No. 565** - Where a pleader or Mukhtar wishes to practice in more than one district every application for enrolment other than the first shall be forwarded to the High Court by the District Judge concerned with a report indicating whether in his opinion he is a fit and proper person for such further enrolment.

**Rule No. 566** - No person other than a person to whom Rules 562, 574, 575 or 576 applies shall unless specially exempted by the High Court be enrolled as a pleader unless he has furnished to the High Court a certificate in writing by an advocate of not less than twelve year's standing or by a pleader of not less than fifteen year's standing<sup>1</sup>[including pleader subsequently enrolled as an advocate who has practiced for not less than fifteen years] that he has read with such advocate or pleader and worked in his chambers for a period of not less than six months, that he has during that period regularly attended court with him and that he has worked regularly and with diligence.

1. *Ins. by Noti. No. 216/VIII-b, dated 21-7-1961, published in U.P. Gazette, Part II, dated 9-9-1961.*

**Rule No. 567** - (1) The certificate of training referred to in the next preceding rule shall be submitted to the High Court through the District Judge who shall endorse thereon a certificate to the effect that he has

satisfied himself that the applicant has undergone the requisite training in accordance with the rules. Where the highest judicial officer in the station where the applicant is undergoing such training is a Civil Judge or Munsif, such certificate may be endorsed by such officer and countersigned by the District Judge concerned.

(2) Where the District Judge is not satisfied with the training undergone by the trainee he may call for an explanation from the senior advocate or pleader with whom he was under training concerning any matter upon which he may not be so satisfied.

The District Judge shall forward the certificate and such explanation alongwith his opinion thereon, if any, to the High Court.

If the certificate is approved by the High Court such approval shall be communicated to the District Judge who may then enroll such person as a pleader.

**Rule No. 568** - The pupil may engage himself for training with a senior advocate or pleader of his own choice provided that no senior advocate or pleader shall, save for exceptional reasons and with the approval of the High Court or the District Judge, have more than four pupils under training with him at any time. No senior advocate or pleader shall demand from such pupil a large fee than three hundred rupees for such training.

**Rule No. 569** - While under training with a senior advocate or pleader, a pupil may, after his admission as a pleader, hold the brief of his senior with his permission and appear and plead but not act for him in any case.

**Rule No. 570** - Any pleader or Mukhtar desiring to be enrolled in any district other than one in which he was last enrolled or re-enrolled shall submit along with his application his last certificate of practice together with a certificate from the District Judge of the District in which he last practiced that he is a fit and proper person to be enrolled and that nothing is known against him such as may debar him from being enrolled as a pleader or Mukhtar. If sufficient cause is shown why the applicant is unable to furnish his last certificate of practice of the aforesaid certificate from the District Judge of the district in which he last practiced the District Judge may accept any other evidence in proof of his having been previously enrolled in such district and of his being a fit and proper person to be enrolled as a pleader or Mukhtar. If the application is in order and the District Judge is satisfied that the applicant is not suffering from leprosy or other dangerous malady and is otherwise a fit and proper person to be enrolled, he may enroll him.

Upon every enrolment under this rule the District Judge shall notify the fact of such enrolment to the High Court.

**Rule No. 571** - Any pleader or Mukhtar desiring to be enrolled in the

same district after an interval during which his name was not on the roll shall submit along with his application his last certificate of practice and furnish to the District Judge satisfactory proof of his being fit and proper person to be enrolled. If sufficient cause is shown why the applicant is unable to furnish his last certificate of practice the District Judge may satisfy himself in any other way as to his having being previously enrolled as a pleader or Mukhtar. If the application is in order and the District Judge is satisfied that the applicant is not suffering from leprosy or other dangerous malady and is otherwise a fit and proper person to be reenrolled he may re-enroll him.

Upon every re-enrolment under this rule the District Judge shall notify the fact of such re-enrolment to the High Court.

**Rule No. 574** - Where a person was enrolled as an advocate or vakil of the first or second grade by the late High Court of Rampur State on the date of merger with the State of Uttar Pradesh he shall be entitled to be admitted as a pleader or Mukhtar in accordance with the following rules:

- (a) If he has passed the law examination held by the High Court of Rampur or Hyderabad or possesses the L.L.B. degree of any University established by law in India as constituted on, before or after the 15th August, 1947 he may on application and on payment of the requisite fee be admitted as a pleader entitled to be enrolled in Rampur district only.
- (b) If he has not passed any of the examination mentioned in clause (a) above he may on application and on payment of the requisite fee be admitted as pleader of the second or third grade or as a Mukhtar entitled to be enrolled in Rampur Judgeship only.

**Rule No. 575** - Where a person was enrolled as a legal practitioner in the State of Tehri-Garhwal on the date of its merger with the State of Uttar Pradesh he shall be entitled to be admitted as a pleader or Mukhtar in accordance with the following rules:

- (a) If he was enrolled as an advocate by the late Hazoor Court of the said State he may on application and on payment of the requisite fee be admitted as a pleader entitled to be enrolled in Tehri District with the right to practice in any court in Kumaun Judgeship in respect of cases relating to Tehri District.
- (b) If he was enrolled as Mukhtar in the said State he may on application and on payment of the requisite fee be admitted as a Mukhtar entitled to be enrolled in Tehri

district with the right to practice in any court in Kumaun Judgeship in respect of cases relating to Tehri District. He shall notwithstanding anything contained in Rule 559 be entitled to appear, plead and act in any civil court other than that of the District Judge in which he has a right to practice as a Mukhtar.

**Rule No. 576** - (1) While carrying on legal practice no pleader or Mukhtar shall ordinarily be permitted to take up appointment or to engage actively in any trade or business.

(2) Where an applicant for admission as a pleader or Mukhtar holds any appointment or is engaged in any trade or business the High Court may refuse to admit him or may pass such order as it may deem proper.

(3) Where any person having been enrolled as a pleader or Mukhtar accept any appointment or engages himself in any trade or business he shall give notice thereof through the District Judge concerned to the High Court which may thereupon withdraw his certificate of practice or pass such order it may deem fit.

**Rule No. 577** - Every certificate of practice granted under this Chapter shall be renewal at the end of the calendar year and an application for such renewal shall be made on or before the 15th day of December and shall bear the requisite court-fee stamp. The application shall be addressed to the District Judge of the district in which the applicant is enrolled. The application shall be accompanied by the expiring certificate and stamp paper of the requisite value for the renewed certificate and shall be presented by the applicant in person or by a legal practitioner practicing in the District Court duly authorised in him in this behalf. Where the applicant practices at a Station outside the headquarters of the District Judge the application may be presented to the Presiding Officer of the highest civil court at the station and such Presiding Officer shall forward it to the District Judge for orders.

**Rule No. 578** - Unless it appears to the District Judge that the applicant is unfit by reason of leprosy or other dangerous malady, or is otherwise not a fit and proper person whose certificate should be renewed, a renewal certificate shall be prepared. It shall be signed by the District Judge and delivered to the application or the legal practitioner who may have presented the application on his behalf under the next preceding rule. The memorandum of enrolment recorded on the expiring certificate shall be endorsed on the renewed recorded on the expiring certificate shall be endorsed on the renewed certificate and duly authenticated by

the District Judge. The District Judge shall not renew the certificate unless he is satisfied that the applicant was at the time of the application ordinarily practicing in any civil, criminal or revenue court within the local limits of his jurisdiction.

If for any reason it appears to the District Judge that the applicant is not a fit and proper person whose certificate should be renewed he shall report the matter to the High Court for order.

**Rule No. 579** - If an application for the renewal of a certificate is made after the 15th day of December the District Judge shall forward it to the High Court and the certificate shall not be renewed except under the special order of that court.

**Rule No. 580** - Certificates of practice and the renewal certificate shall be in the forms given in Appendix 20 and written on stamp paper of the appropriate value.

**Rule No. 581** - Every District Judge shall submit to the High Court in the month of January each year a return in the form given below of the certificates renewed by him for that year.

#### Form

| No. in the High Court register and year of admission | Name and academic qualifications | Father's name | Place where practicing | Value of stamp on certificate | Date of last renewal | Remarks |
|--|----------------------------------|---------------|------------------------|-------------------------------|----------------------|---------|
| 1  | 2                                | 3             | 4                      | 5                             | 6                    | 7       |

Where a pleader or Mukhtar obtains a renewal of his certificate in a district other than the one in which he was originally enrolled the name of the district in which he was originally enrolled shall be indicated in the column of remarks. The name shall be arranged in the order in which they stand in High Court register.

The District Judge shall at the same time submit to the High Court a list of such pleaders and Mukhtars as have not applied for the renewal of their certificate or to whom renewal has been refused. Copies of such return and list shall also be forwarded to the District Magistrate concerned.

A copy of the list containing the names of all pleaders and Mukhtars whose certificates have not been renewed shall also be affixed to the court house of the District Judge bearing and intimation that such persons are liable to the penalties provided under Section 32 of the Legal Practitioner Act, 1879, if found practicing without having renewed their certificates.

60. **Rule No. 612** - Every Judicial Officer appointed as officer-in-charge of a department under the District Judge shall make surprise inspection of

In Rule 612, the words 'once a quarter' are substituted with 'once

|     |   |  |
|-----|---|--|
|     | such department at least once a quarter and shall send the report of such inspection to the District Judge. | in six months'.  |
| 61. |   | In Appendix 4, List-B, following forms are deleted:<br>4, 6, 55, 85, 86, 87, 88, 89, 90, 91, 92, 93 to 102, 115 to 117, 120 to 132A, 136 to 142, 145, 146, 152 to 156, 159, 161, 162, 163, 165 to 168. (These form numbers relate to Register Numbers) |

### Amendments in General Rules (Criminal), 1977

| Sl. No. | Existing Rule | Proposed amendments  |
|---------|---------------|--|
| 1.      |               | <p>Add: following definitions in Rule 4:</p> <p>'CIS'- means Case Information System Software</p> <p>'Computer' shall have the same definition as provided in Section 2(i) of the Information Technology Act, 2000</p> <p>'Computer System'- shall have the same definition as provided in Section 2(l) of the Information Technology Act, 2000</p> <p>'Digital Signature' –shall have the same definition as provided in Section 2(p) of the Information Technology Act, 2000</p> <p>'Electronic form' shall have the same definition as provided in Section 2(r) of the Information Technology Act, 2000</p> <p>'Electronic record' shall have the same definition as provided in Section 2(t) of the Information Technology Act, 2000</p> <p>'Electronic Signature'- shall have the same definition as provided in Section 2(ta) of the Information Technology Act, 2000</p> <p>In the definition of 'Court', the words 'Judicature at Allahabad' be substituted with the words 'Uttarakhand'</p> <p>In the definition of 'High Court', the words</p> |

|                          |  | <p>'Judicature at Allahabad' be substituted with the words 'Uttarakhand'</p> <p>In the definition of 'State', the words 'Uttar Pradesh' be substituted with the words 'Uttarakhand'</p> |                 |                |                     |         |   |        |    |    |    |                          |                            |                 |         |                |                 |         |   |  |  |    |    |    |     |     |    |    |    |    |  |  |  |  |  |  |  |  |  |  |  |   |
|--------------------------|--|---|-----------------|----------------|---------------------|---------|---|--------|----|----|----|--------------------------|----------------------------|-----------------|---------|----------------|-----------------|---------|---|--|--|----|----|----|-----|-----|----|----|----|----|--|--|--|--|--|--|--|--|--|--|--|---|
| <p>2.</p>                | <p><b>Rule No. 5</b> - A weekly list of cases fixed for hearing, in the Court of a magistrate prepared in prescribed form in legible Hindi, shall be posted on the last working day of the previous week in some conspicuous place in every court house. Space shall be left in the list, at the head of the entries for each day, for subsequent insertion, if necessary, of adjourned cases.</p> <p><b>PRESCRIBED FORM</b></p> <table border="1" data-bbox="142 913 938 1055"> <thead> <tr> <th>Serial no. of the case</th> <th>Parties</th> <th>P.S.</th> <th>Section and Act</th> <th>Purpose</th> <th>Counsel for accused</th> </tr> <tr> <th>1.</th> <th>2.</th> <th>3.</th> <th>4.</th> <th>5.</th> <th>6.</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>   | Serial no. of the case  | Parties         | P.S.           | Section and Act     | Purpose | Counsel for accused   | 1.     | 2. | 3. | 4. | 5.                       | 6.                         |                 |         |                |                 |         |   | <p>In Rule 5, after the words 'legible Hindi', following words are added:<br/>'or upto-date cause list generated through CIS software'</p> |  |    |    |    |     |     |    |    |    |    |  |  |  |  |  |  |  |  |  |  |  |   |
| Serial no. of the case   | Parties  | P.S.  | Section and Act | Purpose        | Counsel for accused |         |   |        |    |    |    |                          |                            |                 |         |                |                 |         |   |  |  |    |    |    |     |     |    |    |    |    |  |  |  |  |  |  |  |  |  |  |  |   |
| 1.                       | 2.   | 3.  | 4.              | 5.             | 6.                  |         |   |        |    |    |    |                          |                            |                 |         |                |                 |         |   |  |  |    |    |    |     |     |    |    |    |    |  |  |  |  |  |  |  |  |  |  |  |   |
|                          |  |   |                 |                |                     |         |   |        |    |    |    |                          |                            |                 |         |                |                 |         |   |  |  |    |    |    |     |     |    |    |    |    |  |  |  |  |  |  |  |  |  |  |  |   |
| <p>3.</p>                | <p><b>Rule No. 5A</b> - A memorandum book of dates of all cases and applications fixed before the Court shall be maintained in the form given below:</p> <p style="text-align: center;">Court of the .....of</p> <table border="1" data-bbox="142 1361 938 1877"> <thead> <tr> <th colspan="10" style="text-align: center;"><u>Description</u></th> </tr> <tr> <th>Date of Previous hearing</th> <th>Number and yr. of the case</th> <th>Name of parties</th> <th>Section</th> <th>Police station</th> <th>Name of Counsel</th> <th>Purpose</th> <th>Result with reason for adjournment and date to which it is adjourned if an adjournment is granted</th> <th>Remark</th> <th></th> </tr> <tr> <th>1.</th> <th>2.</th> <th>3.</th> <th>3A.</th> <th>3B.</th> <th>4.</th> <th>5.</th> <th>6.</th> <th>7.</th> <th></th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> | <u>Description</u>  |                 |                |                     |         |   |        |    |    |    | Date of Previous hearing | Number and yr. of the case | Name of parties | Section | Police station | Name of Counsel | Purpose | Result with reason for adjournment and date to which it is adjourned if an adjournment is granted | Remark   |  | 1. | 2. | 3. | 3A. | 3B. | 4. | 5. | 6. | 7. |  |  |  |  |  |  |  |  |  |  |  | <p>In Rule 5A, after the words 'book of dates', following words are added:<br/>'either handwritten in legible handwriting or printed upto-date cause list through CIS software'</p> |
| <u>Description</u>       |  |   |                 |                |                     |         |   |        |    |    |    |                          |                            |                 |         |                |                 |         |   |  |  |    |    |    |     |     |    |    |    |    |  |  |  |  |  |  |  |  |  |  |  |   |
| Date of Previous hearing | Number and yr. of the case   | Name of parties   | Section         | Police station | Name of Counsel     | Purpose | Result with reason for adjournment and date to which it is adjourned if an adjournment is granted | Remark |    |    |    |                          |                            |                 |         |                |                 |         |   |  |  |    |    |    |     |     |    |    |    |    |  |  |  |  |  |  |  |  |  |  |  |   |
| 1.                       | 2.   | 3.  | 3A.             | 3B.            | 4.                  | 5.      | 6.  | 7.     |    |    |    |                          |                            |                 |         |                |                 |         |   |  |  |    |    |    |     |     |    |    |    |    |  |  |  |  |  |  |  |  |  |  |  |   |
|                          |  |   |                 |                |                     |         |   |        |    |    |    |                          |                            |                 |         |                |                 |         |   |  |  |    |    |    |     |     |    |    |    |    |  |  |  |  |  |  |  |  |  |  |  |   |
| <p>4.</p>                | <p><b>Rule No. 5B</b> - A court diary shall be maintained in the forms given below by the Presiding Officer doing purely criminal work in</p>  | <p>In Rule 5B, after the words 'Court diary', following words are added:</p>  |                 |                |                     |         |   |        |    |    |    |                          |                            |                 |         |                |                 |         |   |  |  |    |    |    |     |     |    |    |    |    |  |  |  |  |  |  |  |  |  |  |  |   |

|                                 | <p>his own handwriting:<br/>                 (i) Rule 5-B General Rules (Criminal) be modified as follows:<br/>                 "A court diary shall be maintained in the Form given below Rule 401 (4) General Rules (Civil) by the Presiding Officer doing criminal work, in which last two columns shall be filled up in his own handwriting."<br/>                 (ii) Form given below Rule 5-B General Rules (Criminal) shall be deleted.</p>  | <p>'either handwritten in legible handwriting or printed upto-date cause list through CIS software'</p>  |   |   |   |                                |                                |  |         |  |  |                                 |   |  |   |   |   |                                |                                |  |         |    |    |    |    |    |    |    |    |    |     |   |
|---------------------------------|---|--|---|---|---|--------------------------------|--------------------------------|--|---------|--|--|---------------------------------|---|--|---|---|---|--------------------------------|--------------------------------|--|---------|----|----|----|----|----|----|----|----|----|-----|---|
| <p>5.</p>                       |   | <p>After Rule 5B, following new Rule 5C is added:<br/>                 '5C. Any information or any other matter required by law to be in writing or typewritten or in printed form shall be deemed to be valid and requirement of law shall be deemed to have been satisfied if such information or matter is rendered or made available in an electronic form and accessible so as to be usable for a subsequent reference.</p> |   |   |   |                                |                                |  |         |  |  |                                 |   |  |   |   |   |                                |                                |  |         |    |    |    |    |    |    |    |    |    |     |   |
| <p>6.</p>                       | <p><b>Rule No. 9</b> - In every process or order issued made by judicial officer the name and power or the officers issuing or making it, together with the name of the district and of the court, shall be clearly set out. Every officer signing a process or order shall sign his name legibly. The practice of signing with initials only or of using a signature stamp is forbidden.</p>   | <p>In Rule 9, following words are added after the words 'stamp is forbidden':<br/>                 'Any process or order generated by CIS software and issued by a computer system including SMS and email shall be valid.'</p>  |   |   |   |                                |                                |  |         |  |  |                                 |   |  |   |   |   |                                |                                |  |         |    |    |    |    |    |    |    |    |    |     |   |
| <p>7.</p>                       | <p><b>Rule No. 12</b> - A register of processes shall be maintained in the form given below in all Criminal Courts :</p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th colspan="10">PROCESS REGISTER</th> </tr> <tr> <th>Parti-<br/>culars<br/>of<br/>cases</th> <th>Date<br/>of<br/>order<br/>for<br/>issue<br/>of<br/>proc-<br/>ess</th> <th>Date<br/>of<br/>des-<br/>patch<br/>of<br/>proce-<br/>ss<br/>from<br/>Court</th> <th>Des-<br/>crip-<br/>tion<br/>of<br/>proce-<br/>sser<br/>and<br/>of the<br/>Court</th> <th>Initial<br/>with<br/>date<br/>of<br/>police<br/>or<br/>other<br/>officials<br/>recei-<br/>ving<br/>Proce-<br/>sses</th> <th>Name<br/>of<br/>Thana<br/>or<br/>district<br/>to<br/>which<br/>process<br/>sent</th> <th>Date<br/>fixed<br/>for<br/>return</th> <th>Actual<br/>date<br/>of<br/>return</th> <th>Action<br/>taken<br/>for<br/>late<br/>receipt<br/>of<br/>process</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>2.</td> <td>3.</td> <td>4.</td> <td>5.</td> <td>6.</td> <td>7.</td> <td>8.</td> <td>9.</td> <td>10.</td> </tr> </tbody> </table> | PROCESS REGISTER   |   |   |   |                                |                                |  |         |  |  | Parti-<br>culars<br>of<br>cases | Date<br>of<br>order<br>for<br>issue<br>of<br>proc-<br>ess | Date<br>of<br>des-<br>patch<br>of<br>proce-<br>ss<br>from<br>Court | Des-<br>crip-<br>tion<br>of<br>proce-<br>sser<br>and<br>of the<br>Court | Initial<br>with<br>date<br>of<br>police<br>or<br>other<br>officials<br>recei-<br>ving<br>Proce-<br>sses | Name<br>of<br>Thana<br>or<br>district<br>to<br>which<br>process<br>sent | Date<br>fixed<br>for<br>return | Actual<br>date<br>of<br>return | Action<br>taken<br>for<br>late<br>receipt<br>of<br>process | Remarks | 1. | 2. | 3. | 4. | 5. | 6. | 7. | 8. | 9. | 10. | <p>In Rule 12, following words are added after the words 'register of process'- 'either in handwritten form or in computer printed sheets through a software'</p> |
| PROCESS REGISTER                |   |  |   |   |   |                                |                                |  |         |  |  |                                 |   |  |   |   |   |                                |                                |  |         |    |    |    |    |    |    |    |    |    |     |   |
| Parti-<br>culars<br>of<br>cases | Date<br>of<br>order<br>for<br>issue<br>of<br>proc-<br>ess   | Date<br>of<br>des-<br>patch<br>of<br>proce-<br>ss<br>from<br>Court   | Des-<br>crip-<br>tion<br>of<br>proce-<br>sser<br>and<br>of the<br>Court | Initial<br>with<br>date<br>of<br>police<br>or<br>other<br>officials<br>recei-<br>ving<br>Proce-<br>sses | Name<br>of<br>Thana<br>or<br>district<br>to<br>which<br>process<br>sent | Date<br>fixed<br>for<br>return | Actual<br>date<br>of<br>return | Action<br>taken<br>for<br>late<br>receipt<br>of<br>process | Remarks |  |  |                                 |   |  |   |   |   |                                |                                |  |         |    |    |    |    |    |    |    |    |    |     |   |
| 1.                              | 2.  | 3.   | 4.  | 5.  | 6.  | 7.                             | 8.                             | 9.   | 10.     |  |  |                                 |   |  |   |   |   |                                |                                |  |         |    |    |    |    |    |    |    |    |    |     |   |
| <p>8.</p>                       | <p><b>Rule No. 15</b> - No summons shall be served upon a member of Parliament or a Legislature while he is within the precincts of the</p>   | <p>In Rule 15, the words 'Legislative Council' wherever occurring are deleted.</p>   |   |   |   |                                |                                |  |         |  |  |                                 |   |  |   |   |   |                                |                                |  |         |    |    |    |    |    |    |    |    |    |     |   |



House of Parliament or Legislature, as the case may be; nor shall it be served through the Presiding Officer or the Secretariat concerned. It shall be served direct upon the member outside the precincts of the House of Parliament or Legislature, as the case may be, at his residence or at some other place.

Rules of procedure in the Lok Sabha regarding intimation to the Speaker of the arrest, detention, conviction or release of a member of the House as well as forms for communication to the Speaker are to be found in Appendix 'J'. A similar procedure may be followed and similar forms used in respect of members of the Rajya Sabha or a State Legislature.

[Where a document in the custody of the House of the People, Council of States, State Legislative Assembly or Legislature Council is summoned from the Speaker/The Chairman or where a witness is summoned through any such authority, a letter of request in the form given below (and not a summons) shall issue.

#### Form

To,

The Speaker/Chairman of .....

**Subject:** Production of document

Sir,

In the proceedings noted on the margin, the complainant/accused proposes to rely on the documents specified in the annexure, which are in the custody of the House of the People/the Council of States/the Legislative Assembly/the Legislative Council. I am to request you to arrange to send the documents so as to reach me on or before ..... through an officer in the Secretariat of the House, with the permission of the House.

Yours faithfully,

Judge

Signature of Magistrate

#### FORM

**Subject :** Production of an officer of the Secretariat of the House for purposes of giving evidence

Sir,

In the proceedings noted on the margin the complainant/accused proposes to examine ..... an officer in the

|     |  |  |
|-----|--|--|
|     | <p>Secretariat of the House of the People/the Council of States/ the Legislative Assembly the Legislative Council as a witness. I am to request you to direct the officer to appear in may court at 10.30 a.m. on ..... with the permission of the House.</p> <p style="text-align: right;">Yours faithfully,<br/>Judge<br/>Signature of Magistrate</p>  |  |
| 9.  | <p><b>Rule No. 22</b> - Upon the institution of a case an order-sheet in the prescribed Form (Part IX, no. 10) shall be opened. Upon it shall be recorded (i) every routine order passed by the court in the case; (ii) a note of every other order passed, including every order regarding a document produced before the court; and (iii) a note of the date of each hearing and the proceedings on that date. An order the reason for which require to be recorded at length, shall not be written on the order-sheet, but only a note of the order and of the date on which it was made, shall be entered on it. Every entry upon the order-sheet, shall be made at the earliest opportunity and shall be signed by the presiding officer.</p> | <p>In Rule 22, first paragraph is numbered as '1' and a new clause '2' is added after the end of first paragraph:<br/>'2. Every order shall be entered in the CIS software.'</p>   |
| 10. | <p><b>Rule No. 28</b> - The officer for the time being in-charge of the record shall-</p> <p>(a) enter in the general index every paper as it is filed with the record:</p> <p>(b) punch out the capital of each court-fee stamp upon such paper, and record below the stamp the aggregate number and value of stamp used to denote each separate fee :</p> <p>(c) certify in column 8 of the general index the state of any exhibit filed, noticing any erasures or interlineation therein:</p> <p>(d) take the orders of the court, if necessary, as to the correct entry to be made in such column.</p>   | <p>In Rule 28, a new clause 'e' is added:<br/>'e. make complete and upto-date entries in the CIS software on daily basis.'</p>   |
| 11. | <p><b>Rule No. 40</b> - An order passed by the Sessions Judge on an application for transfer of a case should be communicated to Court concerned within three days along with the record of the case. The parties should be directed to appear before the Court concerned on a fixed date which should be communicated to the parties or their counsel and their signature obtained on the order sheet."</p>   | <p>In Rule 40, following words are added after the words 'obtained on the order sheet':<br/>'the transfer of case should also be made through CIS software and as far as possible information of transfer be given to the parties through SMS or email, as the case may be.'</p> |
| 12. | <p><b>Rule No. 50</b> - Every such record made by a Presiding Officer or an Officer or an Officer of the court shall be legible written. If in making the record an officer uses a typewriter/ computer he shall</p>   | <p>In Rule 50, the words ' or computer' are added after the word 'typewriter'</p>  |

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|     | <p>sign every page of it and shall initial every correction or alteration therein. On every statement of an accused and deposition of a witness and on the memorandum of every such statement and deposition, the person mentioned whether examined on commission or otherwise, shall be indicated by his full name, father's name, profession or occupation, residence and age. Abbreviations and elliptical forms of expressions shall be avoided, particularly abbreviations of names of persons or places. If the court considers the age given by a witness or accused to be an underestimate or an overestimate it should form its own estimate and mention it also in the record. If the accused is charged with an offence punishable with death and the court considers the age given by him to be an underestimate, or an overestimate, it may order medical examination of the accused about his age and should direct that State Counsel to produce documentary evidence of his age, if available.</p>                   |  |
| 13. | <p><b>Rule No. 61</b> - Identification proceedings in jail for the identification of suspects, shall invariably be recorded by magistrates in Form No. 34 (Part IX No. 65) in duplicate by the use of carbon paper and ball-pointed pencils. The original shall be sent to the court concerned and the carbon copy shall be made over to the jail authorities for record and production in court, when needed.</p> <p>Proceeding for the identification of property shall be recorded by Magistrates in Form No. 37 (Part IX, No. 67.)</p>   | <p>In Rule 61, after the words 'ball-pointed pencils', the words 'or by use of computer' are added.</p>            |
| 14. | <p><b>Rule No. 63</b> - (a) When an order for the release of a prisoner, on bail or otherwise, is issued by a Magistrate, he shall see that it is entered in a peon book and sent to the Nazir Sadar by the time prescribed by the District Magistrate in this behalf. The Nazir shall enter in a peon book all the release orders received by him within the prescribed time and arrange to deliver them through a peon to the officer incharge of the jail by 4 p.m. in winter and 5 p.m. in summer at the latest. In exceptional circumstances the order of release may be sent to the jail in the manner laid down in sub-rule (b).</p> <p>(b) When an order for the release of a prisoner is issued by a Court other than a magistrate, it shall be entered in a peon book and may be sent through one of the Court peons to the officer incharge of the jail so as to reach the jail ordinarily not later than 4 p.m. in winter and 5 p.m. in summer.</p> <p>(c) A release order should in no case be made over to private</p> | <p>In Rule 63, clause (d) is added: 'd. A digitally signed release order may also be sent by electronic form.'</p> |

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|     | persons for delivery to the jail authorities.   |  |
| 15. | <b>Rule No. 102</b> - A court shall not issue a judicial order or communicate the purport of a warrant or process by telegram.  | In Rule 102, the words 'shall not' are substituted by the word 'may' and the word 'telegram' is substituted by the words 'electronic form'.  |
| 16. | <p><b>Rule No. 117</b> - Records shall be classified as follows :</p> <p>Class I – (1) Every complaint dismissed under section 203 of the Code.</p> <p>(2) Every case compounded under the law.</p> <p>(3) Every application dismissed.</p> <p>(4) Every miscellaneous report or proceeding, which is entered in form no. 12, when not filed as part of the record of a regular case.</p> <p>(5) Every case in which an accused person is discharged under the provisions of section 259* of the Code.</p> <p>(6) Every case under section 133 of the Code.</p> <p>(7) Every case in which an accused person is acquitted under section 247<sup>+</sup> or 248<sup>++</sup> of the Code.</p> <p>(8) Every case under the following Acts in which the offence charged is punishable with fine only or with imprisonment not exceeding one year with or without fine.</p> <p>(i) The Police Act, 1861.</p> <p>(ii) The Stage Carriages Act, 1861.</p> <p>(iii) The Cattle Trespass Act, 1871.</p> <p>(iv) The Northern India Canal and Drainage Act, 1873.</p> <p>(v) The Hackney Carriage Act, 1879.</p> <p>(vi) The Vaccination Act, 1880.</p> <p>(vii) The Prevention of Cruelty to Animals Act, 1890.</p> <p>(viii) The Indian Stamp Act, 1899.</p> <p>(ix) The Cantonments Act, 1924.</p> <p>(x) The Indian Forest Act, 1927.</p> <p>(xi) The Sugar Cane Act, 1934.</p> <p>(xii) The Motor Vehicles Act, 1939.<sup>+++</sup></p> <p>(xiii) The U.P. Town Areas Act, 1914.</p> <p>(xiv) The U.P. Municipalities Act, 1916.</p> <p>(xv) The U.P. District Boards Act, 1922.*</p> <p>(xvi) The U.P District Boards Primary Education Act, 1926.</p> | In Rule 117, after the words 'The Police Act, 1861' the words 'or the Police Act, 2007'; after the words 'The Cantonment Act, 1924' the words 'or The Cantonment Act, 2006'; after the words 'The Motor Vehicle Act, 1939' the words 'or The Motor Vehicle Act, 1988' are added. |

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|     | <p>(Now read as U.P. Basic Education Act 1972 – Ed.)</p> <p>NOTE : (1) The register in form no. 9 should be properly maintained and should show convictions where sentences are passed.</p> <p>(2) Cases in which the order under section. 133 of the Code is made absolute under section 136, 137<sup>+</sup> and 140<sup>++</sup> of the Code should be treated as falling in class III.</p> <p><i>Class II</i> - Every case in which the offence charged is punishable with fine only or with imprisonment not exceeding one year with or without fine, except offences under the Acts mentioned in <i>Class I</i> above or under the following Acts :</p> <p>(i) The Public Gambling Act, 1867.</p> <p>(ii) The Central Excises and Salt Act, 1944.</p> <p>(iii) The U.P. Excise Act, 1910.</p> <p>(iv) The U.P. Opium Smoking Act, 1934.</p> <p>Every appeal and revision case.</p> <p><i>Class III</i> - All other cases including cases under section 108 of the Code :</p> <p>Provided that a court, for reasons to be recorded in writing, may order that any case or proceeding belonging to Class I be treated as belonging to Class II or Class III, or that any case belonging to Class II be treated as belonging to Class III.</p> |   |
| 17. | <p><b>Rule No. 124</b> - In cases in which original documents have been filed in a criminal record, the Sessions Judge or the District Magistrate, as the case may be, shall before destroying the record on expiration of the period of retention, give notice by post 'service unpaid' to the parties concerned, intimating to them the impending destruction of the record and calling upon them to take back the original document in question. If the document is not claimed, it shall be destroyed after the expiry of three months from the date of such notice.</p>  | <p>In Rule 124, the words 'post service unpaid' are substituted with 'registered post'</p>  |
| 18. | <p><b>Rule No. 138</b> - For any inspection, other than one made under the last preceding rule, of a record in a Court of Session or in record-room, the rules governing inspections in civil courts shall apply.</p>   | <p>In Rule 138, the words 'verbal application' are substituted with 'written application'.</p> <p>The words 'fifty paise' and 'one rupee' are substituted with 'Rupees Ten'</p> |
| 19. | <p><b>Rule No. 140</b> - For any inspection, other than one made under the second paragraph of rule 137 of any prescribed book or register maintained in a court or record-room, a written</p>  | <p>In Rule 140, the words '50 paise' are substituted by the words 'ten rupees'.</p>   |

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|     | <p>application shall be made stating the purpose for in writing of the judge or magistrate or the officer in-charge of the record-room, either allowing or refusing the application; if inspection is allowed, it shall be made in the presence of the officer whose duty is to keep such book or register. A fee of 50 paise shall be paid for each inspection made under this rule and for each day or part of a day occupied in the inspection.</p>   |  |
| 20. | <p><b>Rule No. 141</b> - Any person desiring to ascertain the serial number, date of institution or other registered particulars respecting a case or any proceeding therein, or of any judicial proceedings, the record of which is in the judge's or the magistrate's court or record-room, shall present or send by post to the officer in-charge of the record-room, an application preferably in Form 7(Part IX, no. 45), to which shall be affixed a court-fee label of five rupees* giving the best particulars he can as to the year of institution and names of parties. He shall be entitled to have a search made and the information, if obtainable, given to him in writing signed by the record-keeper within ten days of the date of receipt of application.</p> <p>The record-keeper shall mark each application with a serial number. In case the information be not supplied within ten days as aforesaid, the record-keeper shall forthwith on the expiration of the said period of ten days report in writing to the court the cause of noncompliance with the application.</p> <p>The application shall after disposal be pasted under a separate serial number in a file book kept for the purpose and consigned to the record-room annually.</p> <p>Where the applicant desires that the information be supplied to him by post, he shall give his address at which it may be sent and affix to his application postage stamps of the requisite value.</p> <p>A printed copy of this rule in Hindi shall be posted on a notice-board in a conspicuous place in every court and also in the record-room.</p> | <p>In Rule 141, the words 'five rupees' in first paragraph are substituted by the words 'ten rupees'.</p>  |
| 21. | <p><b>Rule No. 147</b> - An application for a copy shall ordinarily be written upon a printed form (Part VIII, no. 64) which can be procured free of cost from the officer in-charge of the copying department. It shall state –</p> <p>(i) Whether the applicant is entitled to the copy;</p>   | <p>In Rule 147, after the words 'An application' the words 'either handwritten or typed or online' are added. Further after the words 'copying department' the words 'or typed' are added.</p> |

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|     | <p>(ii) whether he is entitled to such copy free of cost;</p> <p>(iii) if the applicant is not entitled to such copy; the object for which the copy is required and the ground upon which the application should be granted;</p> <p>(iv) the particulars of the paper or document of which the copy is applied for;</p> <p>(v) The particulars of the record, if any, containing such paper or document; and</p> <p>(vi) whether the application is urgent or ordinary.</p>   | <p>In Rule 147, after clause (vi), following is added:</p> <p>'If the applicant desires the copy to be sent through email, then the valid email address shall be furnished.'</p>                                   |
| 22. | <p><b>Rule No. 151</b> - Every copy that is not made on stamped paper shall be made on paper of durable texture supplied by the Government.</p> <p>Every copy of a proceeding in a case shall be made with a heading containing the following particulars :</p> <p>(i) name of the court, name and power of presiding officer;</p> <p>(ii) serial number, nature and year of case;</p> <p>(iii) name of police station;</p> <p>(iv) name, parentage and residence of accused, if any; and</p> <p>(v) the number of words in the copy.</p> <p>When a copy has been made it shall be signed by the person who made it. If such person is not the head copyist, the head copyist shall then examine the copy and correct it, if necessary; when it is correct, he shall certify it to be a true copy, stamp, each sheet of the copy or blank sheet with the stamp of the court or record-room and serially number the sheets. If the head copyist made the copy, such duties shall be performed by some person appointed for the purpose by the officer in-charge of the copying department. A copy shall not be certified as a true copy unless it sets out the value of each stamp, if any, upon the original.</p> <p>A copy shall not be issued to any person until it has been examined, certified, stamped and paged; and a copy shall not be</p> | <p>In Rule 151, after the words 'supplied by the Government' in first paragraph, following are added:</p> <p>'Digitally Signed copies shall be sent to the applicant through electronic form including email.'</p> |

|  | delivered to an applicant until the requirement of rule 152 have also been complied with.  |   |                        |         |         |  |  |  |  |    |                     |     |  |    |                            |    |  |    |   |     |  |  |
|--|--|---|------------------------|---------|---------|--|--|--|--|----|---------------------|-----|--|----|----------------------------|----|--|----|---|-----|--|--|
| 23.                                    | <p><b>Rule No. 152</b> - When a copy made under an order upon an application is ready for delivery, notice thereof in the prescribed form (Part VIII, no. 65) shall forth-with be placed on the notice-board of the court. The head copyist shall endorse upon the last sheet of the copy the date of the application, the date of posting the notice on the notice-board, and the date of delivery of the copy of the applicant. Such dates shall be written in words as well as figures.</p> <p>If delivery of the copy is not taken within fifteen days of the notice being posted on the notice-board, the orders of the court shall be taken as to the disposal of the copy :</p> <p>Provided that when a copy is to be delivered to a prisoner, it shall be dispatched at once to the jail :</p> <p>Provided also that when a copy is to be sent by post, it shall be des-patched as soon as the notice is placed on the notice-board.</p>                         | <p>In Rule 152, after the words 'as well in figures' in first paragraph, following words are added:<br/>'Digitally Signed copies shall be sent to the applicant through electronic form including email.'</p> |                        |         |         |  |  |  |  |    |                     |     |  |    |                            |    |  |    |   |     |  |  |
| 24.                                    | <p><b>Rule No. 157</b> - A list of printed forms authorized for use in criminal courts is given in Appendix 'B'. No printed forms other than an authorized form shall be used in any court.</p>  | <p>In Rule 157, after the words 'authorized form' the words 'or as directed from time to time' are added.</p>   |                        |         |         |  |  |  |  |    |                     |     |  |    |                            |    |  |    |   |     |  |  |
| 25.                                    | <p><b>Rule No. 163</b> - For purposes of maintaining the registers and preparing the statements of regular case-work prescribed by these rules, the following schedule of offences shall be observed -</p> <p style="text-align: center;"><b>Schedule of offences</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Sche<br/>dule<br/><br/>Numb<br/>er</th> <th style="width: 50%;">Description of offence</th> <th style="width: 20%;">Chapter</th> <th style="width: 20%;">Section</th> </tr> </thead> <tbody> <tr> <td colspan="4" style="text-align: center;"><b>I – Under the Indian Penal Code</b></td> </tr> <tr> <td>1.</td> <td>Criminal conspiracy</td> <td>V-A</td> <td></td> </tr> <tr> <td>2.</td> <td>Offences against the State</td> <td>VI</td> <td></td> </tr> <tr> <td>3.</td> <td>Offences relating to the Army, Navy and Air Force</td> <td>VII</td> <td></td> </tr> </tbody> </table> | Sche<br>dule<br><br>Numb<br>er  | Description of offence | Chapter | Section | <b>I – Under the Indian Penal Code</b> |  |  |  | 1. | Criminal conspiracy | V-A |  | 2. | Offences against the State | VI |  | 3. | Offences relating to the Army, Navy and Air Force | VII |  | <p>In Rule 163, after the words 'The Police Act, 1861' the words 'or The Police Act, 2007'; after the words 'The Indian Arms Act, 1878' the words 'The Arms Act, 1959'; after the words 'The prevention of cruelty to animals Act, 1890' the words 'The prevention of cruelty to animals Act, 1960'; after the words 'The Indian Electricity Act, 1910' the words 'the Indian Electricity Act, 2003'; after the words 'The Cantonment Act, 1924' the words 'or The Cantonment Act, 2006'; after the words 'The U.P. District Board Act, 1922' the following Acts are added:<br/>' The Juvenile Justice (Care and Protection of Children) Act, 2015'<br/>'The Protection of women from domestic violence Act, 2005'<br/>'The Protection of Children from Sexual</p> |
| Sche<br>dule<br><br>Numb<br>er         | Description of offence   | Chapter   | Section                |         |         |  |  |  |  |    |                     |     |  |    |                            |    |  |    |   |     |  |  |
| <b>I – Under the Indian Penal Code</b> |  |   |                        |         |         |  |  |  |  |    |                     |     |  |    |                            |    |  |    |   |     |  |  |
| 1.                                     | Criminal conspiracy  | V-A   |                        |         |         |  |  |  |  |    |                     |     |  |    |                            |    |  |    |   |     |  |  |
| 2.                                     | Offences against the State   | VI  |                        |         |         |  |  |  |  |    |                     |     |  |    |                            |    |  |    |   |     |  |  |
| 3.                                     | Offences relating to the Army, Navy and Air Force  | VII   |                        |         |         |  |  |  |  |    |                     |     |  |    |                            |    |  |    |   |     |  |  |



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| 4.  | Offences against the public VIII<br>tranquillity   |     |                   | Offences Act, 2012' |
| 5.  | Offences by or relating to IX<br>public servants   |     |                   |                     |
| 6.  | Offences relating to IX-A<br>elections   |     |                   |                     |
| 7.  | Contempts of the lawful X<br>authority of public servants  |     |                   |                     |
| 8.  | False evidence and XI<br>offences against public<br>justice  |     |                   |                     |
| 9.  | Offences relating to coin XII<br>and Government stamps   |     |                   |                     |
| 10. | Offences relating to weight XIII<br>and measure  |     |                   |                     |
| 11. | Offences affecting the XIV<br>public health, safety,<br>convenience, decency and<br>morals                       |     |                   |                     |
| 12. | Offences relating to XV<br>religion  |     |                   |                     |
| 13. | Offences affecting life  |     | 302 to 309 & 311. |                     |
| 14. | Causing of miscarriage,<br>injuries to unborn children,<br>exposure of infants, and<br>the concealment of births |     | 312 to 318.       |                     |
| 15. | Hurt   |     | 323 to 338.       |                     |
| 16. | Wrongful restraint and<br>wrongful confinement   | XVI | 341 to 348.       |                     |
| 17. | Criminal force and assault   |     | 352 to 358.       |                     |
| 18. | Kidnapping, abduction,<br>slavery and forced labour  |     | 363 to 374.       |                     |
| 19. | Rape   |     | 376.              |                     |
| 20. | Unnatural Offence  |     | 377.              |                     |
| 21. | Theft  |     | 379 to<br>382.    |                     |
| 22. | Extortion  |     | 384 to<br>389.    |                     |
| 23. | Robbery and  |     | 392 to            |                     |

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|  | dacoity  |           | 402.           |
| 24.  | Criminal misappropriation of property                            |           | 403and<br>404  |
| 25.  | Criminal breach of trust   |           | 406 to<br>409. |
| 26.  | Receiving of stolen property                                     | XVII      | 411 to<br>414. |
| 27.  | Cheating   |           | 417 to<br>420. |
| 28.  | Fraudulent deed and disposition of property                      |           | 421 to<br>424. |
| 29.  | Mischief   |           | 426 to<br>440. |
| 30.  | Criminal trespass  |           | 447 to<br>462. |
| 31.  | Offences relating to documents and trade or property marks       | XVII<br>I |                |
| 32.  | Criminal breach of contracts of service                          | XIX       |                |
| 33.  | Offence relating to marriage                                     | XX        |                |
| 34.  | Defamation   | XXI       |                |
| 35.  | Criminal intimidation,insult and annoyance                       | XXII      |                |
| <b>II- Under the Code of Criminal Procedure</b>  |  |           |                |
| 36.  | Proceedings under Chapter VIII – security for keeping the peace. |           |                |
| 37.  | Proceedings under Chapter VIII – security for good behaviour.    |           |                |
| <b>III – Under special and local laws, e.g.,</b> |  |           |                |
| The Bengal Chaukidari Act, 1856.                 |  |           |                |
| The Opium Act, 1857.                             |  |           |                |
| The Police Act, 1861.                            |  |           |                |

The Stage Carriages Act, 1861.  
 The Public Gambling Act, 1867.  
 The Press and Registration of Books Act, 1867.  
 The Cattle Trespass Act, 1871.  
 The Northern India Canal and Drainage Act, 1873.  
 The North-Western Provinces Village and Road Police Act,  
 1873.  
 The Opium Act, 1878.  
 The Indian Arms Act, 1878.  
 The Northern India Ferries Act, 1878.  
 The Hackney Carriages Act, 1879.  
 The Legal Practitioners Act, 1879.  
 The Vaccination Act, 1880.  
 The Indian Telegraph Act, 1885.  
 The Births, Deaths and Marriages Registration Act, 1886.  
 The Police Act, 1888.  
 The Indian Railways Act, 1890.  
 The Prevention of Cruelty to Animals Act, 1890.  
 The Prisons Act, 1894.  
 The Reformatory Schools Act, 1897.  
 The Indian Stamp Act, 1899.  
 The Indian Railway Board Act, 1905.  
 The Explosive Substances Act, 1908.  
 The Indian Registration Act, 1908.  
 The Indian Electricity Act, 1910.  
 The Indian Emigration Act, 1922.  
 The Cantonments Act, 1924.  
 The Indian Forests Act 1927.  
 The Indian Press (Emergency Powers) Act, 1931.  
 The Indian Air Force Act, 1932.  
 The Children (Pledging of Labour) Act, 1933.  
 The Factories Act, 1934.  
 The Employment of Children Act, 1938.  
 The Central Excises and Salt Act, 1944.  
 The U.P. Water Works Act, 1891.  
 The U.P. Excise Act, 1910.  
 The U.P. Municipalities Act, 1916.  
 The U.P. District Board Act, 1922.

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|     | <p><b>IV – Abetments of any of the abovementioned or attempts to commit them</b></p> <p>The list under Part III is not exhaustive; only the more important Acts are mentioned. Every offence under any special or local law which creates a substantive offence should be entered in the same registers and statements in which an offence under the Indian Penal Code is entered.</p>  |   |
| 26. | <p><b>Rule No. 170</b> - The statements prescribed in the following rules, except those prescribed in rules 173 and 174, shall be prepared in the office of the District Magistrate for his own court and for all courts subordinate to him, and in the office of the District and Sessions Judge, or, in Districts where there is no District and Sessions Judge, the senior most Civil and Sessions Judge<sup>+</sup> for all Judges exercising jurisdiction in the District. For the District of Almora the statement shall be prepared by the District Judge of Kumaun and for the district of Garhwal and Tehri-Garhwal, they shall be prepared by the Civil and Sessions Judge<sup>+</sup> having jurisdiction in those districts.</p> <p>All such statements except those referred to in rule 176, shall be collected in the office of the District and Sessions Judge concerned who shall on the date fixed therefore, forward them to the High Court in accordance with the directions given in these rules.</p> | <p>In Rule 170, after the words 'exercising jurisdiction in the district', the sentence 'For the district of Almora....those districts.' are deleted.</p>   |
| 27. | <p><b>Rule No. 170</b> - The statements prescribed in the following rules, except those prescribed in rules 173 and 174, shall be prepared in the office of the District Magistrate for his own court and for all courts subordinate to him, and in the office of the District and Sessions Judge, or, in Districts where there is no District and Sessions Judge, the senior most Civil and Sessions Judge<sup>+</sup> for all Judges exercising jurisdiction in the District. For the District of Almora the statement shall be prepared by the District Judge of Kumaun and for the district of Garhwal and Tehri-Garhwal, they shall be prepared by the Civil and Sessions Judge<sup>+</sup> having jurisdiction in those districts.</p> <p>All such statements except those referred to in rule 176, shall be collected in the office of the District and Sessions Judge concerned who shall on the date fixed therefore, forward them to the High Court in accordance with the directions given in these rules.</p> | <p>In Rule 170, after the second paragraph, the following is added:</p> <p>'Quarterly and Half Yearly statements shall not be sent to the High Court and the monthly statements shall be sent as per the new formats provided by the High Court of Uttarakhand vide Circular Letter No. 06/XVII-23/D.R. (I)/ 2012 dated 16th June, 2012.'</p> <p>'The Statements, as far as possible, be prepared from the data available in the CIS Software and the National Judicial Data Grid.'</p> |
| 28. |   | <p>In Appendix C, form numbers 7, 20, 21, 22, 29, 30, 31, 32, 35, 36, 38, 39, 40, 41, 42, 44</p>  |

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|  |  | are deleted. (These form numbers relate to Register numbers) |
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These amendments will come into force with immediate effect.

**By order of the Court**

**HIGH COURT OF UTTARAKHAND, NAINITAL**  
**NOTIFICATION**

**No.35/UHC/Admin.A/2020**

**Dated: Nainital: 05<sup>th</sup> March, 2020.**

Hon'ble Shri Justice Ravi Vijaykumar Malimath, has assumed charge of the office of Judge of the High Court of Uttarakhand in the forenoon of 05<sup>th</sup> March, 2020 vide Notification No. K-13023/01/2020-US.I Dated 26.02.2020 issued by Government of India, Ministry of Law and Justice (Department of Justice).

**Registrar General**

**HIGH COURT OF UTTARAKHAND, NAINITAL****NOTIFICATION****No. 72/UHC/Admin.B/2020****Dated: Nainital: 16<sup>th</sup> March, 2020.**

Since, COVID-19 (Novel Corona Virus) has been declared as an epidemic in the State of Uttarakhand and The Uttarakhand Epidemic Diseases, COVID-19 Regulations, 2020 have been issued, therefore, Hon'ble the Chief Justice has been pleased to issue the following directions which shall be applicable till 31<sup>st</sup> March, 2020:

1. Court shall take up urgent matters apart from final hearing cases.
2. No case will be dismissed in the absence of Counsel.
3. No Litigant shall be permitted to enter the High Court Premises, unless his/her presence is required by the Court.
4. Advocates are requested to avoid usages of the Association Hall and the Canteen to prevent overcrowding.

**Registrar General**

**HIGH COURT OF UTTARAKHAND AT NAINITAL****NOTIFICATION**

No. 73 /UHC/Admin.A/2020

Dated: March 19, 2020

In exercise of the powers conferred by clause (2) of article 229 of the Constitution of India and all other powers enabling in that behalf, Hon'ble the Chief Justice has been pleased to make the following amendments in the High Court of Uttarakhand Information Technology (I.T.) Cadre Service Rules – 2019 (notified vide notification no. 167/UHC/Admin. A /2019 Dated: May 31, 2019).

**Amendments in High Court of Uttarakhand Information Technology Cadre (I.T.)  
Service Rules-2019.**

| Rule No.         | Existing Rule   |                           |                 |  | Amended Rule  |   |                        |  |
|------------------|---|---------------------------|-----------------|--|---|---|------------------------|--|
| PART-2<br>RULE-3 | <b>Recruitment:</b> The recruitment to the various posts in the service shall be as follows:- |                           |                 |  | <b>Recruitment:</b> The recruitment to the various posts in the service shall be as follows:- |   |                        |  |
|                  | S N   | Designation/<br>Pay Scale | No. of<br>Posts | Mode of Recruitment and<br>promotion criteria  | S N   | Designation   | Num<br>ber of<br>Posts | Mode of Recruitment and<br>promotion criteria  |
|                  |   |                           |                 |  | 1   | <b>System<br/>Assistant</b>                             | 15                     | Through direct recruitment.  |
| 1                | Assistant<br>Programmer   |                           | 8               | (i) 75%through direct<br>recruitment.<br><br>(ii) 25% through departmental<br>examination. | 2   | <b>Assistant<br/>Programmer/<br/>System<br/>Officer</b> | 22                     | (i) 25% posts will be filled-up by<br>promotion, on the basis of<br>seniority-cum-merit from<br>amongst the System<br>Assistants, who have<br>completed 5 years of<br>satisfactory service as<br>System Assistant.<br><br>(ii) 50% through direct<br>recruitment.<br><br>(iii) 25% through<br>departmental<br>examination. |

|   |  |                  |  |   |  |    |  |
|---|--|------------------|--|---|--|----|--|
| 2 | Programmer (Grade-II)                          | 4                | <p>(i) 50% posts will be filled by promotion, on the basis of seniority-cum-merit from amongst the Assistant Programmers who have completed 5 years of satisfactory service as Assistant Programmer.</p> <p>(ii) 50% posts will be filled by direct recruitment.</p> | 3 | Programmer (Grade-II)                          | 4  | <p>(i) 50% posts will be filled up by promotion, on the basis of seniority-cum-merit from amongst the Assistant Programmers/ System Officers, who have completed 5 years of satisfactory service as Assistant Programmer/ System Officer.</p> <p>(ii) 50% posts by direct recruitment.</p> |
| 3 | Programmer (Grade- I)                          | 3+1 <sup>a</sup> | By promotion, on the basis of seniority-cum-merit from amongst the Programmer(s) (Grade-II), who have completed 5 years of satisfactory service as Programmer (Grade-II).  | 4 | Programmer (Grade-I)/ Senior System Officer    | 5  | <p>(i) 80% posts will be filled-up by promotion, on the basis of seniority-cum-merit from amongst the Programmer(s) (Grade-II), who have completed 5 years of satisfactory service as Programmer (Grade-II).</p> <p>(ii) 20% posts by direct recruitment.</p>                              |
| 4 | Assistant Registrar (I.T.)/ System Analyst     | 1                | By promotion, on the basis of seniority from amongst such Programmer(s) (Grade-I), who have completed 3 years of satisfactory service as Programmer (Grade-I).   | 5 | Assistant Registrar I.T.) / System Analyst     | 1  | By promotion, on the basis of seniority-cum-suitability from amongst such Programmer(s) (Grade-I) / Senior System Officer, who have completed 3 years of satisfactory service as Programmer (Grade-I) / Senior System Officer.   |
| 5 | Deputy Registrar (I.T.)/ Senior System Analyst | 1                | By promotion, on the basis of seniority from amongst the Assistant Registrar (I.T.) / System Analyst, who have completed 3 years of satisfactory service as Assistant Registrar (I.T.) / System Analyst.   | 6 | Deputy Registrar (I.T.)/ Senior System Analyst | 1  | By promotion, on the basis of seniority from amongst the Assistant Registrar (I.T.) / System Analyst, who have completed 3 years of satisfactory service as Assistant Registrar (I.T.) / System Analyst.   |
|   |  | 18               |  |   |  | 48 |  |



|                         |   |   |                         |   |
|-------------------------|---|---|-------------------------|---|
| PART-2<br>RULE-3        | <p><b>Note:-</b></p> <p>a. The existing post of System Analyst at High Court of Uttarakhand, which was created vide G.O. No. 234/Nyaya Anubhag/2001 dated 02-05-2001, shall be renamed as Programmer (Grade-1) and merged in the I.T. Cadre of High Court of Uttarakhand as one time arrangement along with the length of service and pay protection. It shall be deemed that appointment in the existing post of System Analyst was made under these Rules.</p> <p>b. The number of posts and grade in the Cadre shall be as per Schedule-1 to these rules.</p>  | <p><b>Note:-</b></p> <p>a. The existing post of System Analyst at High Court of Uttarakhand, which was created vide G.O. No. 234/Nyaya Anubhag/2001 dated 02-05-2001, shall be renamed as Programmer (Grade-1)/Senior System Officer and shall be merged in the I.T. Cadre of High Court of Uttarakhand as one time arrangement along with the length of service and pay protection. It shall be deemed that appointment in the existing post of System Analyst was made under these Rules.</p> <p><b>b. The existing technical manpower working under eCourts Project as Senior System Officer, System Officer and System Assistant who were appointed through a selection process, shall be absorbed against the sanctioned posts vide G.O. No. 8-Do(2)/XXXVI(2)/2019-12-EK(2)06 dated 28-05-2019. This absorption shall be onetime measure and no recourse of this Rule shall be taken in the future.</b></p> <p>c. The number of posts and grade in the Cadre shall be as per Schedule-1 to these rules.</p>  |                         |   |
| PART-3<br>RULE-4        | <p><b>Qualifications:</b> The qualifications for the direct recruitment/departmental examination to the post of Assistant Programmer and Programmer Grade-II shall be as follows:-</p>  | <p><b>Qualifications:</b> The qualifications for the direct recruitment/departmental examination to the post of System Assistant, Assistant Programmer/System Officer, Programmer Grade-II and Programmer Grade-I/ Senior System officer shall be as follows:-</p> <table border="1" data-bbox="802 1048 1514 1845"> <tr> <td data-bbox="802 1048 978 1845"><b>System Assistant</b></td> <td data-bbox="978 1048 1514 1845"> <p>1. Minimum 10<sup>th</sup> (High School) with ITI Diploma in Electronics/Computers or Graduation with one year Diploma in Computer Sc. / Information Technology or equivalent from Government recognized University/Institution with minimum 2 (years) experience of an enterprise (any Institution or any other establishment or corporation or under taking or any other department) in the sphere of computer maintenance, network services and software maintenance.</p> <p>2. Proficient in troubleshooting Information Technology equipment's, network hardware handling, installation and good exposure of configuring network servers, android/iOS/windows based phone/tablet etc, switches and offering all kinds of maintenance, network and support services.</p> <p><b>3. Desirable:</b> CCNA/MCSE certification or other equivalent relevant certification.</p> </td> </tr> </table> | <b>System Assistant</b> | <p>1. Minimum 10<sup>th</sup> (High School) with ITI Diploma in Electronics/Computers or Graduation with one year Diploma in Computer Sc. / Information Technology or equivalent from Government recognized University/Institution with minimum 2 (years) experience of an enterprise (any Institution or any other establishment or corporation or under taking or any other department) in the sphere of computer maintenance, network services and software maintenance.</p> <p>2. Proficient in troubleshooting Information Technology equipment's, network hardware handling, installation and good exposure of configuring network servers, android/iOS/windows based phone/tablet etc, switches and offering all kinds of maintenance, network and support services.</p> <p><b>3. Desirable:</b> CCNA/MCSE certification or other equivalent relevant certification.</p> |
| <b>System Assistant</b> | <p>1. Minimum 10<sup>th</sup> (High School) with ITI Diploma in Electronics/Computers or Graduation with one year Diploma in Computer Sc. / Information Technology or equivalent from Government recognized University/Institution with minimum 2 (years) experience of an enterprise (any Institution or any other establishment or corporation or under taking or any other department) in the sphere of computer maintenance, network services and software maintenance.</p> <p>2. Proficient in troubleshooting Information Technology equipment's, network hardware handling, installation and good exposure of configuring network servers, android/iOS/windows based phone/tablet etc, switches and offering all kinds of maintenance, network and support services.</p> <p><b>3. Desirable:</b> CCNA/MCSE certification or other equivalent relevant certification.</p> |   |                         |   |

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|--|--|---|--|
| Assistant Programmer<br>(In case the selection is by direct recruitment) | <p>Knowledge of Unix/Linux, Open Source Software, PHP, JAVA, PostgreSql / MySql and other RDBMS packages, Programming languages with the following minimum educational qualification:</p> <p>1. M.C.A. / M.Sc. / B.E. / B.Tech. (Computer Science or Information Technology)/ DOEACC 'B' level or equivalent qualification from a Government recognized University/Institution/Board with minimum 2 (two) years experience of an enterprise (any Institution or any other establishment or corporation or under taking or any other department) in the sphere of computer maintenance, network services and software maintenance.</p> <p>OR</p> <p>3 years Diploma in Computers or IT from any recognized Polytechnic College or equivalent technical qualification from the recognized Institution/Board /University with minimum 4 (four) years experience of an enterprise (any Institution or any other establishment or corporation or under taking or any other department) in the sphere of computer maintenance, network services and software maintenance.</p> <p>OR</p> <p>Graduate/DOEACC 'A' level with minimum 5 (five) years experience as System Assistant under e-Court Mission Mode Project.</p> <p>2. (i) Proficient in Red Hat Linux/Ubuntu.</p> <p>(ii) Proficient in troubleshooting Information Technology equipments, network hardware handling, installation and good exposure of configuring network servers, android/iOS/windows based phone/tablet etc, switches and offering all kinds of maintenance, network and support services.</p> <p>3. Desirable : CCNA / MCSE certification or other equivalent relevant certification.</p> <p>4. Essential: Name of the candidate must be registered in any Employment Exchange in the State of Uttarakhand and his/ her registration should be valid on the last date of submission of application form</p> | Assistant Programmer / System Officer<br><br>(In case the selection is by direct recruitment) | <p>Knowledge of Unix/Linux, Open Source Software, PHP, JAVA, PostgreSql / MySql and other RDBMS packages, Programming languages with the following minimum educational qualification:</p> <p>1. M.C.A. / M.Sc. / B.E. / B.Tech. (Computer Science or Information Technology)/ DOEACC 'B' level or equivalent qualification from a Government recognized University/Institution/Board with minimum 2 (two) years experience of an enterprise (any Institution or any other establishment or corporation or under taking or any other department) in the sphere of computer maintenance, network services and software maintenance.</p> <p>OR</p> <p>3 years Diploma in Computers or IT from any recognized Polytechnic College or equivalent technical qualification from the recognized Institution/Board /University with minimum 4 (four) years experience of an enterprise (any Institution or any other establishment or corporation or under taking or any other department) in the sphere of computer maintenance, network services and software maintenance.</p> <p>OR</p> <p>Graduate/DOEACC 'A' level with minimum 5 (five) years experience as System Assistant under e-Court Mission Mode Project.</p> <p>2. (i) Proficient in Red Hat Linux/Ubuntu.</p> <p>(ii) Proficient in troubleshooting Information Technology equipment's, network hardware handling, installation and good exposure of configuring network servers, android/iOS/windows based phone/tablet etc, switches and offering all kinds of maintenance, network and support services.</p> <p>3. Desirable : CCNA / MCSE certification or other equivalent relevant certification.</p> <p>4. Essential: Name of the candidate must be registered in any Employment Exchange in the State of Uttarakhand and his/ her registration should be valid on the last date of submission of application form.<br/>Provided that any relaxation in the above</p> |
|--|--|---|--|

|  |  |  |   |
|--|--|--|---|
| Assistant Programmer<br>(In case the selection is by departmental examination) | 25% posts of Assistant Programmer shall be filled through departmental examination from willing regular employees of High Court having Knowledge of Unix/Linux, Open Source Software, PHP, JAVA, PostgreSQL / MySql and other RDBMS  | <b>Assistant Programmer / System Officer</b><br>(In case the selection is by departmental examination) | 25% posts of Assistant Programmer/system officer shall be filled through departmental examination from willing regular employees of High Court/District Court having Knowledge of Unix/Linux, Open Source Software, PHP, JAVA, PostgreSQL / MySql and other RDBMS packages, Programming languages with  |
|  | <p>packages, Programming languages with the following minimum educational qualification having M.C.A./M.Sc./B.E./ B.Tech. (Computer Science or Information Technology)/ DOEACC 'B' level/3 years Diploma in Computers or IT from any recognized Polytechnic College or equivalent technical qualification from a Government recognized University/Institution/Board.</p> <p>Provided that the above recruitment through departmental examination shall be deemed as fresh recruitment and in the event suitable candidates are not available through the departmental examination then the vacancies shall be filled through direct recruitment.</p>   |  | <p>the following minimum educational qualification having M.C.A./M.Sc./B.E./ B.Tech. (Computer Science or Information Technology)/ DOEACC 'B' level/3 years Diploma in Computers or IT from any recognized Polytechnic College or equivalent technical qualification from a Government recognized University/Institution/Board.</p> <p>Provided that the above recruitment through departmental examination shall be deemed as fresh recruitment and in the event suitable candidates are not available through the departmental examination then the vacancies shall be filled through direct recruitment.</p>   |
| Programmer (Grade-II)<br>(In case the selection is by direct recruitment)      | <p>Proficient knowledge of Unix/Linux, Open Source Software, PHP, JAVA, PostgreSQL/MySql and other RDBMS packages, Programming languages with the following minimum educational qualification: B.E./ B.Tech.(Computer Science or Information Technology) or M.C.A./ M.Sc. (Computer Science or Information Technology)/ DOEACC 'B' level or equivalent qualification from a Government recognize d University/Institution with minimum 3 (three) years experience in any Institution or any other establishment or corporation or under taking or any other department in the sphere of software development.</p> <p><b>OR</b></p> <p>B.Sc. (Computer Science or I.T.)/B.C.A./DOEACC 'A' level from a recognized University/Institute/Board with minimum 5 (five) years experience in any Institution or any other establishment or corporation or under taking or any other department in the sphere of software development.</p> | <b>Programmer (Grade-II)</b><br>(In case the selection is by direct recruitment)                       | <p>Proficient knowledge of Unix/Linux, Open Source Software, PHP, JAVA, PostgreSQL/MySql and other RDBMS packages, Programming languages with the following minimum educational qualification: B.E./ B.Tech.(Computer Science or Information Technology) or M.C.A./ M.Sc. (Computer Science or Information Technology)/ DOEACC 'B' level or equivalent qualification from a Government recognized University/Institution with minimum 3 (three) years experience in any Institution or any other establishment or corporation or under taking or any other department in the sphere of software development.</p> <p><b>OR</b></p> <p>B.Sc. (Computer Science or I.T.)/B.C.A./ DOEACC 'A' level from a recognized University/ Institute/Board with minimum 5 (five) years experience in any Institution or any other establishment or corporation or under taking or any other department in the sphere of software development.</p> |

|                      |   |   |  |   |
|----------------------|---|---|--|---|
|                      | Programmer (Grade - I)  | By promotion, on the basis of seniority-cum-merit from amongst the Programmer(s) (Grade-II), who have completed 5 years of satisfactory service as Programmer (Grade-II). | Programmer (Grade - I)/ Senior System Officer  | By promotion, on the basis of seniority-cum-merit from amongst the Programmer(s) (Grade-II), who have completed 5 years of satisfactory service as Programmer (Grade-II).   |
|                      |   |   | <b>Programmer (Grade - I)/ Senior System Officer</b><br><b>(In case the selection is by direct recruitment)</b>  | Proficient knowledge of Unix/Linux, Open Source Software, PHP, JAVA, PostgreSQL/MySQL and other RDBMS packages, Programming languages with the following minimum educational qualification: B.E./ B.Tech.(Computer Science or Information Technology) or M.C.A./ M.Sc. (Computer Science or Information Technology)/ DOEACC 'B' level or equivalent qualification from a Government recognized University/ Institution with minimum 5 (Five) years experience in any Institution or any other establishment or corporation or under taking or any other department in the sphere of software development. |
| <b>PART-3 RULE-6</b> | <b>Job Description :</b><br>The job description of the cadre shall be such as directed by Hon'ble the Chief Justice from time to time.  |   | <b>Job Description :</b><br>The job description of the cadre shall be such as directed by Hon'ble the Chief Justice from time to time.   |   |
|                      |   |   |  | Provided that there will be two types of job profile in IT Cadre i.e. at High Court and at Subordinate Court. Which will be as below-   |
|                      |   |   |  | <b>(i) High Court:-</b> ICT Development and implementation in the High Court, Supervision of ICT at Subordinate Courts.   |
|                      |   |   |  | <b>(ii) Subordinate Court:-</b> ICT Development and implementation at Subordinate Courts.   |
| <b>PART-3 RULE-7</b> | <b>Age:</b> In case of direct recruitment to the post of Assistant Programmer and Programmer (grade- II), candidates must have attained the age of 21 years as on 1 <sup>st</sup> of July of the year of recruitment and must not have attained the age of 42 years or such maximum age as may be determined by the Chief Justice to be fit, having regard to the orders issued by the State Government in this regard from time to time. |   | <b>Age:</b> In case of direct recruitment to the post of System Assistant, Assistant Programmer/system officer, Programmer (grade- II) and Programmer (grade- I)/ Senior System Officer, candidates must have attained the age of 21 years as on 1 <sup>st</sup> of July of the year of recruitment and must not have attained the age of 42 years or such maximum age as may be determined by the Chief Justice to be fit, having regard to the orders issued by the State Government in this regard from time to time. |   |
|                      | Provided that there may be relaxation in the upper age limit in accordance with the orders issued by the State Government in this regard.   |   | Provided that there may be relaxation in the upper age limit in accordance with the orders issued by the State Government in this regard.  |   |

|                                  |  |   |
|----------------------------------|--|---|
| <p><b>PART-5<br/>RULE-12</b></p> | <p><b><u>Seniority:</u></b></p> <p>(a) The Seniority shall be determined from the date of substantive appointment.</p> <p>(b) The seniority shall be determined according to the merit list prepared in the selection process.</p> <p>(c) These rules will not affect seniority of members of service as it existed prior to the date of enforcement of these rules.</p> | <p><b><u>Seniority:</u></b></p> <p>(a) The Seniority shall be determined from the date of substantive appointment.</p> <p>(b) The seniority shall be determined according to the merit list prepared in the selection process.</p> <p>(c) These rules will not affect seniority of members of service as it existed prior to the date of enforcement of these rules.</p> <p>(d) The inter-se seniority of existing Senior System Officer, System Officers and System Assistants, who are being absorbed under these Rules, shall be same as before notification of these rules, as per date of selection and marks obtained in the suitability test conducted by the Court. If the date of selection and marks obtained in the suitability test is same, then the candidate senior in age shall be placed above.</p> <p>(e) The existing members of service in their respective posts shall be deemed as senior to the members recruited in respective posts after notification of these Rules.</p> |
|----------------------------------|--|---|

| <p>PART-6<br/>RULE-16</p>                   | <p><b><u>Posting, Transfer and Control:</u></b></p> <p>a. It shall be the exclusive prerogative of Hon'ble the Chief Justice to post and transfer any member of the service of the I.T. Cadre in High Court as well as Courts subordinate to the High Court of Uttarakhand.</p> <p>b. Each member of the service shall be under the direct control of the Registrar General. However, the District Judge concerned shall also exercise the control over the employee of the I.T. Cadre posted in the District Court within the terms or directions to be issued by the High Court/appointing authority time to time.</p> | <p><b><u>Posting, Transfer and Control:</u></b></p> <p>a. It shall be the exclusive prerogative of Hon'ble the Chief Justice to post and transfer System Assistant and Assistant Programmer/System Officer of I.T. Cadre in High Court as well as Courts subordinate to the High Court of Uttarakhand.</p> <p>Provided that out of 22 posts of Assistant Programmer/System Officer, 9 will be posted at High Court and remaining 13 will be posted at Subordinate Courts as per their job description or as per directions of Hon'ble the Chief Justice.</p> <p>Provided that out of 15 posts of System Assistant, 2 will be posted at High Court and remaining 13 will be posted at Subordinate Courts or as per directions of Hon'ble the Chief Justice.</p> <p>b. Each member of the service shall be under the direct control of the Registrar General. However, the District Judge concerned shall also exercise the control over the employee of the I.T. Cadre posted in the District Court within the terms or directions to be issued by the High Court/appointing authority time to time.</p> <p>c. All the technical manpower recruited under these Rules shall be the employees of the High Court of Uttarakhand.</p> |                   |                   |                 |                   |   |  |   |      |   |   |  |   |      |   |  |    |             |              |                   |   |  |      |   |   |  |      |   |
|---|--|---|-------------------|-------------------|-----------------|-------------------|---|--|---|------|---|---|--|---|------|---|--|----|-------------|--------------|-------------------|---|--|------|---|---|--|------|---|
| <p>PART-6<br/>RULE-17</p>                   | <p><b>Disciplinary Authority:</b> The Appointing Authority shall be the disciplinary authority under these rules and the members of I.T. Cadre shall also be governed by the Conduct Rules as are applicable to the other employees of High Court.</p>   | <p><b>Disciplinary and Reporting Authority:</b> The Appointing Authority shall be the disciplinary authority under these rules and the members of I.T. Cadre shall also be governed by the Conduct Rules as are applicable to the other employees of High Court.</p> <p>The Registrar General shall be the Reporting Authority for the members of the service in High Court and the District and Sessions Judge of the concerned district shall be the Reporting Authority for the members of the service posted in the District Courts.</p>  |                   |                   |                 |                   |   |  |   |      |   |   |  |   |      |   |  |    |             |              |                   |   |  |      |   |   |  |      |   |
| <p>Schedule<br/>-1<br/>(See<br/>Rule-3)</p> | <p><b>Number of Posts : 18</b></p> <table border="1"> <thead> <tr> <th>S<br/>N</th> <th>Designation</th> <th>Existing<br/>Post</th> <th>Group/<br/>Grade</th> <th>Number<br/>of Post</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Deputy Registrar(I.T.)/<br/>Senior System Analyst</td> <td>-</td> <td>Gr-A</td> <td>1</td> </tr> <tr> <td>2</td> <td>Assistant Registrar(I.T.)/<br/>System Analyst</td> <td>-</td> <td>Gr-A</td> <td>1</td> </tr> </tbody> </table>   | S<br>N  | Designation       | Existing<br>Post  | Group/<br>Grade | Number<br>of Post | 1 | Deputy Registrar(I.T.)/<br>Senior System Analyst | - | Gr-A | 1 | 2 | Assistant Registrar(I.T.)/<br>System Analyst | - | Gr-A | 1 | <p><b>Number of Posts : 48</b></p> <table border="1"> <thead> <tr> <th>SN</th> <th>Designation</th> <th>Group/ Grade</th> <th>Number of<br/>Post</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Deputy Registrar(I.T.)/<br/>Senior System Analyst</td> <td>Gr-A</td> <td>1</td> </tr> <tr> <td>2</td> <td>Assistant Registrar(I.T.)/<br/>System Analyst</td> <td>Gr-A</td> <td>1</td> </tr> </tbody> </table> | SN | Designation | Group/ Grade | Number of<br>Post | 1 | Deputy Registrar(I.T.)/<br>Senior System Analyst | Gr-A | 1 | 2 | Assistant Registrar(I.T.)/<br>System Analyst | Gr-A | 1 |
| S<br>N                                      | Designation  | Existing<br>Post  | Group/<br>Grade   | Number<br>of Post |                 |                   |   |  |   |      |   |   |  |   |      |   |  |    |             |              |                   |   |  |      |   |   |  |      |   |
| 1   | Deputy Registrar(I.T.)/<br>Senior System Analyst   | -   | Gr-A              | 1                 |                 |                   |   |  |   |      |   |   |  |   |      |   |  |    |             |              |                   |   |  |      |   |   |  |      |   |
| 2   | Assistant Registrar(I.T.)/<br>System Analyst   | -   | Gr-A              | 1                 |                 |                   |   |  |   |      |   |   |  |   |      |   |  |    |             |              |                   |   |  |      |   |   |  |      |   |
| SN  | Designation  | Group/ Grade  | Number of<br>Post |                   |                 |                   |   |  |   |      |   |   |  |   |      |   |  |    |             |              |                   |   |  |      |   |   |  |      |   |
| 1   | Deputy Registrar(I.T.)/<br>Senior System Analyst   | Gr-A  | 1                 |                   |                 |                   |   |  |   |      |   |   |  |   |      |   |  |    |             |              |                   |   |  |      |   |   |  |      |   |
| 2   | Assistant Registrar(I.T.)/<br>System Analyst   | Gr-A  | 1                 |                   |                 |                   |   |  |   |      |   |   |  |   |      |   |  |    |             |              |                   |   |  |      |   |   |  |      |   |

|   |                       |                |      |       |   |  |      |    |
|---|-----------------------|----------------|------|-------|---|--|------|----|
| 3 | Programmer (Grade-I)  | System Analyst | Gr-B | 3+1=4 | 3 | Programmer (Grade-I)/<br>Senior System Officer | Gr-B | 5  |
| 4 | Programmer (Grade-II) | -              | Gr-B | 4     | 4 | Programmer (Grade-II)                          | Gr-B | 4  |
| 5 | Assistant Programmer  | -              | Gr-C | 8     | 5 | Assistant Programmer/<br>System Officer        | Gr-C | 22 |
|   |                       |                |      |       | 6 | System Assistant                               | Gr-C | 15 |

| Schedule<br>-2<br>(See<br>Rule-14) | S<br>N | Designation                                      | Pay Scales as<br>per 6 <sup>th</sup> Pay<br>commission | Grade Pay as<br>per 6 <sup>th</sup> Pay<br>commission | SN | Designation  | Pay Scales as<br>per 6 <sup>th</sup> Pay<br>commission | Grade Pay as<br>per 6 <sup>th</sup> Pay<br>commission |
|------------------------------------|--------|--|--|---|----|--|--|---|
|                                    | 1      | Deputy Registrar(I.T.)/<br>Senior System Analyst | 15600-39100<br>(PB-3)                                  | 7600/-  | 1  | Deputy Registrar(I.T.)/<br>Senior System Analyst   | 15600-39100<br>(PB-3)                                  | 7600/-  |
|                                    | 2      | Assistant<br>Registrar(I.T.)/<br>System Analyst  | 15600-39100<br>(PB-3)                                  | 6600/-  | 2  | Assistant<br>Registrar(I.T.)/<br>System<br>Analyst | 15600-39100<br>(PB-3)                                  | 6600/-  |
|                                    | 3      | Programmer (Grade-I)                             | 15600-39100<br>(PB-3)                                  | 5400/-  | 3  | Programmer (Grade-I)/<br>Senior System Officer     | 15600-39100<br>(PB-3)                                  | 5400/-  |
|                                    | 4      | Programmer(Grade-II)                             | 9300-34800<br>(PB-2)                                   | 4800/-  | 4  | Programmer (Grade-II)                              | 9300-34800<br>(PB-2)                                   | 4800/-  |
|                                    | 5      | Assistant Programmer                             | 9300-34800<br>(PB-2)                                   | 4200/-  | 5  | Assistant Programmer/<br>System Officer            | 9300-34800<br>(PB-2)                                   | 4200/-  |
|                                    |        |  |  |   | 6  | System Assistant                                   | 5200-20,200<br>(PB-1)                                  | 2400/-  |

**\* This amendment will come into force with immediate effect.**

**By the order of Hon'ble the Chief Justice**

# **HIGH COURT OF UTTARAKHAND**

## **NOTIFICATION**

**No. 74/UHC/Admin.B/2020**

**Dated: 19 March, 2020**

The spread of COVID-19 (Novel Corona Virus), in India and abroad, has caused serious health issues to human life. To avoid the spread of the said virus, both the Government of India and the State Government have issued advisories, including taking necessary and immediate measures like closure of Public Institutions, Offices, etc. In this regard, a representation dated 19.03.2020 has also been received from Advocates practising in this High Court seeking closure till 31<sup>st</sup> March, 2020 or to take-up fresh matters only.

Having regard to the safety of litigants, advocates, court staff, etc., and with a view to assist the efforts being made by both, the Government of India and the State Government, to prevent the spread of COVID-19 (Novel Corona Virus), and in continuation and in partial modification of the High Court of Uttarakhand Notification No. 72/UHC/Admin.B/202 dated 16.03.2020, the Hon'ble Chief Justice is pleased to issue the following directions, in larger public interest, regarding the conduct of business of the High Court, to be applicable with immediate effect and till further orders:

1. It is notified that the following category of cases shall be considered as urgent matters:
  - (i) Cases in which death penalty has been awarded;
  - (ii) Petitions for habeas corpus and matters relating thereto;
  - (iii) Cases relating to imminent apprehension of demolition of property;
  - (iv) Cases relating to dispossession / eviction;
  - (v) Cases relating to violation of human rights;
  - (vi) Cases relating to and of public importance;
  - (vii) Cases seeking bail / short-term bail, except bail in appeal against conviction; and
  - (viii) Cases filed against orders refusing bail / short-term bail, except bail in appeal against



conviction.

2. Apart from (1) above, other fresh cases seeking urgent and immediate relief, duly supported by an urgency application filed by the Advocate giving reasons in support of his / her claim that it is not a case which can wait till 15.04.2020, shall be entertained with the prior permission of the concerned Judge.

3. Urgent applications for urgent and immediate relief in any pending case, based on intervening events, duly supported by an urgency application filed by the Advocate specifically stating that it is not a case which can wait till 15.04.2020, may also be entertained with the prior approval of the concerned Judge.

4. Cases at item Nos. 2 & 3 shall either be mentioned before the concerned court, or a copy of the application shall be placed in the drop-box kept outside the Court-hall, as the concerned Judge may decide.

5. Except as decided by the concerned Judge, no pending case shall be listed for hearing; and all the pending cases already fixed for hearing (either date fixed or otherwise), shall stand adjourned.

**Registrar General**

## **HIGH COURT OF UTTARAKHAND, NAINITAL**

### **NOTIFICATION**

**No. 81 /UHC/Stationery/2020**

**Dated: March 21, 2020.**

The Hon'ble High Court of Uttarakhand has been pleased to declare 07<sup>th</sup>, 08<sup>th</sup> and 09<sup>th</sup> of April, 2020 as holidays in the High Court, as a step to prevent spreading of Corona Virus. In lieu thereof, 29<sup>th</sup> August, 03<sup>rd</sup> of October & 05<sup>th</sup> of December, 2020 (all Saturdays) shall be the Court Working days, for the High Court of Uttarakhand.

**By order of the Court,**

**HIGH COURT OF UTTARAKHAND, NAINITAL****NOTIFICATION****No. 82 /UHC/Stationery/2020****Dated: March 24, 2020.**

The Hon'ble High Court of Uttarakhand has been pleased to declare 26<sup>th</sup>, 27<sup>th</sup>, 30<sup>th</sup> and 31<sup>st</sup> of March and 01<sup>st</sup> of April 2020, as holidays, in the High Court, as a step to prevent spreading of Corona Virus. In lieu, thereof, 26<sup>th</sup> of December (Saturday) and 28<sup>th</sup> to 31<sup>st</sup> of December, 2020 shall be the Court Working days, for the High Court of Uttarakhand. Lock down of Court shall be treated as "closure" within the meaning of the Explanation appended to section 4 of the Limitation Act, 1963.

**By order of the Court,****HIGH COURT OF UTTARAKHAND, NAINITAL****NOTIFICATION****No. 83 /UHC/Stationery/2020****Dated: March 24, 2020.**

Having considered the safety measures already taken by High Court of Uttarakhand to combat the impending threat of COVID-19 (corona virus) and considering the prevalent situation in view of the lockdown of the State till 31.03.2020, declared by the State Government and in view of requests of Bar Associations in this regard, Hon'ble High Court of Uttarakhand, is pleased to close all the Subordinate Courts of the State w.e.f. 26<sup>th</sup> of March till 04.04.2020. However, the cases of utmost importance/urgency, the District Judge shall decide as to whether urgency exist or not and to take action, as per convenience.

Remands and Bails of the arrested person shall be done as per the holidays practice. In lieu of the closure of the Courts, during the aforesaid period, all the Courts shall be working in coming summer vacation/winter vacation and no recess will be admissible to the officers.

**By order of the Court,**

**HIGH COURT OF UTTARAKHAND AT**  
**NAINITAL**

**NOTIFICATION**

**No.84/UHC/Admin.A/2020**

**Dated: March 25, 2020.**

In compliance of the Judgment passed by Hon'ble Supreme Court of India in Civil Appeal No.1867 of 2006, "Malik Mazhar Sultan and another Vs. U.P. Public Service Commission and others", the High Court of Uttarakhand has determined vacancies (including vacancies likely to occur within one year) in Higher Judicial Service cadre to be filled through different sources for, the year 2020, the details thereof are as under:

| Sl. | Quota   | Vacant posts                          |
|-----|---|---------------------------------------|
| 1.  | Promotion from the cadre of Civil Judge (Senior Division) on the principle of merit- cum-seniority (65% of the total cadre strength). | 04                                    |
| 2.  | Promotion from the cadre of Civil Judge (Senior Division) through limited competitive examination (10% of the total cadre strength).  | 02                                    |
| 3.  | Direct recruitment from the eligible Advocates (25% of the total cadre strength).   | 02<br>[01 General(women)<br>& 01 EWS] |

**Registrar General**

## **INSTITUTION, DISPOSAL AND PENDENCY OF CASES**

### ➤ **HIGH COURT OF UTTARAKHAND (From 01.01.2020 to 31.03.2020)**

|  |                           |                              |   |                           |                           | <b>Pendency<br/>(As on 01.01.2020)</b> |                           |  |
|--|---------------------------|------------------------------|---|---------------------------|---------------------------|--|---------------------------|--|
|  |                           |                              |   |                           |                           | <b>Civil<br/>Cases</b>                 | <b>Criminal<br/>Cases</b> | <b>Total<br/>Pendency</b>                                      |
|  |                           |                              |   |                           |                           | <b>22288</b>                           | <b>13119</b>              | <b>35407</b>   |
| <b>Institution<br/>( 01.01.2020 to 31.03.2020)</b> |                           |                              | <b>Disposal<br/>( 01.01.2020 to 31.03.2020)</b> |                           |                           | <b>Pendency<br/>(As on 31.03.2020)</b> |                           |  |
| <b>Civil<br/>Cases</b>                             | <b>Criminal<br/>Cases</b> | <b>Total<br/>Institution</b> | <b>Civil<br/>Cases</b>                          | <b>Criminal<br/>Cases</b> | <b>Total<br/>Disposal</b> | <b>Civil<br/>Cases</b>                 | <b>Criminal<br/>Cases</b> | <b>Total<br/>Pendency<br/>at the end<br/>of<br/>31.03.2020</b> |
| <b>2319</b>  | <b>2447</b>               | <b>4766</b>                  | <b>1901</b>                                     | <b>1520</b>               | <b>3421</b>               | <b>22706</b>                           | <b>14046</b>              | <b>36752</b>   |

## District Courts

(From 01.01.2020 to 31.03.2020)

| SL. No | Name of the District | Civil Cases                    |                                       |                                    |                                 | Criminal Cases                 |                                       |                                    |                                 | Total Pendency at the end of 31.03.2020 |
|--------|----------------------|--------------------------------|---------------------------------------|------------------------------------|---------------------------------|--------------------------------|---------------------------------------|------------------------------------|---------------------------------|---|
|        |                      | Opening Balance as on 01.01.20 | Institution from 01.01.20 to 31.03.20 | Disposal from 01.01.20 to 31.03.20 | Pendency at the end of 31.03.20 | Opening Balance as on 01.01.20 | Institution from 01.01.20 to 31.03.20 | Disposal from 01.01.20 to 31.03.20 | Pendency at the end of 31.03.20 |   |
| 1.     | Almora               | 312                            | 86                                    | 92                                 | <b>306</b>                      | 844                            | 876                                   | 756                                | <b>964</b>                      | <b>1270</b>                             |
| 2.     | Bageshwar            | 116                            | 53                                    | 36                                 | <b>133</b>                      | 325                            | 253                                   | 283                                | <b>295</b>                      | <b>428</b>                              |
| 3.     | Chamoli              | 282                            | 67                                    | 68                                 | <b>281</b>                      | 752                            | 344                                   | 323                                | <b>773</b>                      | <b>1054</b>                             |
| 4.     | Champawat            | 194                            | 41                                    | 41                                 | <b>194</b>                      | 1088                           | 1009                                  | 851                                | <b>1246</b>                     | <b>1440</b>                             |
| 5.     | Dehradun             | 11030                          | 2388                                  | 2108                               | <b>11310</b>                    | 63277                          | 17156                                 | 11400                              | <b>69033</b>                    | <b>80343</b>                            |
| 6.     | Haridwar             | 9910                           | 1566                                  | 1364                               | <b>10112</b>                    | 44330                          | 9490                                  | 8680                               | <b>45140</b>                    | <b>55252</b>                            |
| 7.     | Nainital             | 2179                           | 440                                   | 444                                | <b>2175</b>                     | 13470                          | 7993                                  | 7132                               | <b>14331</b>                    | <b>16506</b>                            |
| 8.     | Pauri Garhwal        | 964                            | 211                                   | 219                                | <b>956</b>                      | 2782                           | 1907                                  | 1749                               | <b>2940</b>                     | <b>3896</b>                             |
| 9.     | Pithoragarh          | 471                            | 88                                    | 63                                 | <b>496</b>                      | 1244                           | 1603                                  | 1347                               | <b>1500</b>                     | <b>1996</b>                             |
| 10.    | Rudraprayag          | 94                             | 58                                    | 47                                 | <b>105</b>                      | 278                            | 203                                   | 148                                | <b>333</b>                      | <b>438</b>                              |
| 11.    | Tehri Garhwal        | 314                            | 59                                    | 36                                 | <b>337</b>                      | 1835                           | 1043                                  | 1011                               | <b>1867</b>                     | <b>2204</b>                             |
| 12.    | Udham Singh Nagar    | 5037                           | 1145                                  | 1193                               | <b>4989</b>                     | 32600                          | 7821                                  | 6774                               | <b>33647</b>                    | <b>38636</b>                            |
| 13.    | Uttarkashi           | 511                            | 94                                    | 66                                 | <b>539</b>                      | 1042                           | 610                                   | 421                                | <b>1231</b>                     | <b>1770</b>                             |
|        | <b>Total</b>         | <b>31414</b>                   | <b>6296</b>                           | <b>5777</b>                        | <b>31933</b>                    | <b>163867</b>                  | <b>50308</b>                          | <b>40875</b>                       | <b>173300</b>                   | <b>205233</b>                           |

**Family Courts****(From 01.01.2020 to 31.03.2020 )**

| SL. No | Name of the Family Court | Civil Cases                    |                                       |                                    |                                 | Criminal Cases                 |                                       |                                    |                                   | Total Pendency at the end of 31.03.2020 |
|--------|--------------------------|--------------------------------|---------------------------------------|------------------------------------|---------------------------------|--------------------------------|---------------------------------------|------------------------------------|-----------------------------------|---|
|        |                          | Opening Balance as on 01.01.20 | Institution from 01.01.20 to 31.03.20 | Disposal from 01.01.20 to 31.03.20 | Pendency at the end of 31.03.20 | Opening Balance as on 01.01.20 | Institution from 01.01.20 to 31.03.20 | Disposal from 01.01.20 to 31.03.20 | Pendency at the end of 31.03.2020 |   |
| 1.     | Almora                   | 69                             | 17                                    | 8                                  | <b>78</b>                       | 81                             | 22                                    | 6                                  | <b>97</b>                         | <b>175</b>                              |
| 2.     | Dehradun                 | 1651                           | 439                                   | 433                                | <b>1657</b>                     | 900                            | 205                                   | 178                                | <b>927</b>                        | <b>2584</b>                             |
| 3.     | Rishikesh                | 276                            | 49                                    | 47                                 | <b>278</b>                      | 205                            | 35                                    | 18                                 | <b>222</b>                        | <b>500</b>                              |
| 4.     | Vikasnagar               | 127                            | 36                                    | 33                                 | <b>130</b>                      | 208                            | 51                                    | 36                                 | <b>223</b>                        | <b>353</b>                              |
| 5.     | Nainital                 | 192                            | 61                                    | 42                                 | <b>211</b>                      | 282                            | 42                                    | 45                                 | <b>279</b>                        | <b>490</b>                              |
| 6.     | Haldwani                 | 482                            | 98                                    | 81                                 | <b>499</b>                      | 727                            | 104                                   | 102                                | <b>729</b>                        | <b>1228</b>                             |
| 7.     | Haridwar                 | 634                            | 170                                   | 121                                | <b>683</b>                      | 725                            | 159                                   | 104                                | <b>780</b>                        | <b>1463</b>                             |
| 8.     | Roorkee                  | 638                            | 164                                   | 160                                | <b>642</b>                      | 797                            | 156                                   | 116                                | <b>837</b>                        | <b>1479</b>                             |
| 9.     | Laksar                   | 76                             | 45                                    | 28                                 | <b>93</b>                       | 110                            | 28                                    | 27                                 | <b>111</b>                        | <b>204</b>                              |
| 10.    | Kotdwar                  | 262                            | 36                                    | 77                                 | <b>221</b>                      | 350                            | 55                                    | 59                                 | <b>346</b>                        | <b>567</b>                              |
| 11.    | Pauri Garhwal            | 91                             | 12                                    | 25                                 | <b>78</b>                       | 84                             | 27                                    | 16                                 | <b>95</b>                         | <b>173</b>                              |
| 12.    | Tehri Garhwal            | 68                             | 29                                    | 26                                 | <b>71</b>                       | 36                             | 11                                    | 4                                  | <b>43</b>                         | <b>114</b>                              |
| 13.    | U.S.Nagar                | 405                            | 127                                   | 127                                | <b>405</b>                      | 531                            | 76                                    | 80                                 | <b>527</b>                        | <b>932</b>                              |
| 14.    | Kashipur                 | 408                            | 90                                    | 98                                 | <b>400</b>                      | 461                            | 67                                    | 90                                 | <b>438</b>                        | <b>838</b>                              |
| 15.    | Khatima                  | 154                            | 81                                    | 66                                 | <b>169</b>                      | 192                            | 54                                    | 28                                 | <b>218</b>                        | <b>387</b>                              |
|        | <b>Total</b>             | <b>5533</b>                    | <b>1454</b>                           | <b>1372</b>                        | <b>5615</b>                     | <b>5689</b>                    | <b>1092</b>                           | <b>909</b>                         | <b>5872</b>                       | <b>11487</b>                            |

## Division Bench Judgments

1. *In WPSB No. 445 of 2016 , Union of India & another vs. Associations of Class I (Group 'A') Officer & others*, decided on 08.01.2020, the Bench observed that in order to have locus standi, an applicant should ordinarily be one who has a personal or individual right in the subject-matter of the application. In other words, as a general rule, infringement of some legal right, or prejudice to some legal interest, inhering in the petitioner is necessary to give him locus standi in the matter. Even assuming a wrong was committed, it alone would not create a right in favour of an applicant in the absence of a legal right followed by a legal injury. A legal right means an entitlement arising out of legal rules. A legal right is, in fact, a benefit conferred upon a person by the rule of law. Thus, a person who suffers from legal injury can only challenge the act or omission. There may be some harm or loss that may not be wrongful in the eye of the law because it may not result in injury to a legal right or legally protected interest of the complainant, but juridically harm of this description is called *damnum sine injuria*. In the context of locus standi, an applicant may ordinarily fall in any of these categories: (i) ,person aggrieved'; (ii) ,stranger'; (iii) busybody or meddlesome interloper. Persons in the last category are easily distinguishable from those coming under the first two categories. Such persons interfere in things which do not concern them. They masquerade as crusaders for justice. They pretend to act in the name of pro bono publico, though they have no interest of the public or even of their own to protect. They indulge in the pastime of meddling with the judicial process either by force of habit or from improper motives. Often, they are actuated by a desire to win notoriety or cheap popularity; and the ulterior intent, of some applicants in this category, may be no more than spoking the wheels of administration. The applications of such busy-bodies should be rejected at the threshold. A person, who raises a grievance, must show how he has suffered legal injury. Generally, a stranger having

no right whatsoever to any post or property, cannot be permitted to intervene in the affairs of others. Only a person who has suffered, or suffers from, a legal injury can challenge the act/action/order etc. in a court of law. When it is found that a person is not a person aggrieved, then, resultantly, he would lack locus standi to maintain the application.

2. ***In WPMS No. 853 of 2015, Mahadevi Kanya Pathshala College Society Vs. Commissioner, Garhwal Mandal, Pauri Garhwal with WPMS No.198 of 2016 Mahadevi Kanya Pathshala College Society Vs. State of Uttarakhand and another,*** decided on 08.01.2020, the Court observed that the allegation of fraud must be substantially proved. To prove fraud it must be proved that the representation made was false to the knowledge of the party making such representation. The degree of proof required in the allegation of fraud is extremely high. Mentioning of a wrong provision does not invalidate an order if the court or statutory authority had the requisite jurisdiction. The authority of review can be exercised by the administrative authority/body when power of review is conferred by statute and the said authority/body has got inherent authority to review its order, where order in question has been obtained by practicing fraud or misrepresentation or manipulation or is without jurisdiction, and on such facts being brought to the knowledge and notice of the authority that on earlier occasion such an order could not have been passed, the authority can review its earlier order.
  
3. ***In WPSB No. 78 of 2019 Madhu Bahuguna vs. Uttarakhand Public Service Commission & others with WPSB No. 82 of 2019 Smt. Rashmi Nautiyal Vs. Secretary, Uttarakhand Public Service Commission, Haridwar and others,*** decided on 09.01.2020, the Bench observed that it is not the function of the Court to scrutinize the relative merits of the candidates. Whether a candidate is fit for a particular post or not has to be decided by the duly constituted Selection Committee which has the expertise on the subject. The court has no such expertise. The decision of the Selection Committee can be interfered with only on



limited grounds, such as illegality or patent material irregularity in the constitution of the Committee or its procedure vitiating the selection, or proved mala fides affecting the selection etc. When a point which is ostensibly a point of law is required to be substantiated by facts, the party raising the point, if he is the writ petitioner, must plead and prove such facts by evidence which must appear from the writ petition and, if he is the respondent, from the counter-affidavit. If the facts are not pleaded or the evidence in support of such facts is not annexed to the writ petition or to the counter-affidavit, as the case may be, the Court will not entertain the point. There is a distinction between a pleading under the Code of Civil Procedure, and a writ petition or a counter-affidavit. While in a pleading i.e. a plaint or a written statement, the facts and not evidence are required to be pleaded, in a writ petition or in the counter-affidavit, not only the facts but also the evidence in proof of such facts have to be pleaded and annexed to it. The burden of establishing that the Act is not within the competence of the legislature, or that it has transgressed other constitutional mandates, such as those relating to fundamental rights, is always on the person who challenges its vires. If a case of violation of a constitutional provision is made out then the State must justify that the law can still be protected under a saving provision. The Courts strongly lean against reducing a statute or a statutory rule to a futility. As far as possible, the Courts shall act to make legislation effective and operative.

It is further observed that in examining the constitutionality of a statute or a statutory Rule, it must be assumed that the legislature or the Rule making authority understands and appreciates the need of the people and the laws/Rules it enacts are directed to problems which are made manifest by experience, and that the laws/Rules are enacted which are considered to be reasonable for the purpose for which they are enacted. Presumption is, therefore, in favour of the constitutionality of an enactment or Rule. The burden of proving all the facts, which are requisite for the constitutional invalidity, is thus upon the person who challenges the constitutionality.

It is only when there is a clear violation of a constitutional provision beyond reasonable doubt, that the Court should declare a statutory provision, be it plenary or subordinate, to be unconstitutional. The primary function of the Courts is to interpret and apply the laws according to the will of those who made them, and not to transgress into the legislative domain of policy-making. When there is variance in the advertisement, and in the statutory rules, it is the statutory rules which take precedence. After having taken part in the selection process, and having been found lower in merit, the applicant cannot, at that stage, be permitted to turn around and claim that the procedure adopted is illegal. Having taken part in the process of selection with full knowledge that the recruitment was being made as per the conditions of the advertisement, the applicant must be held to have waived her right to question the advertisement or the methodology adopted by the Board for making selection. The doctrine of acquiescence would, undoubtedly, apply and the writ petitioner would, therefore, not be entitled to be granted any relief on this score also.

It is further observed that the doctrine of acquiescence or waiver would not apply where fundamental rights are violated. No candidate has a legal right to be appointed. In terms of Article 16 of the Constitution of India, he has only a right to be considered for selection and appointment. The only right the employee has is a right of consideration. Under Article 16 of the Constitution, the right to be 'considered' for selection is alone a fundamental right. Every officer has a right to be considered for selection under Article 16 to a post subject to eligibility. The petitioner was considered for selection on the basis of the procedure prescribed by statutory rules, and the conditions stipulated in the advertisement. Her complaint of violation of her fundamental rights is not tenable, and the doctrine of acquiescence would apply disabling her from questioning the selection, being undertaken only by way of interview, after she was informed that she had not been selected. Having participated in the selection process, knowing fully well that selection of candidates was to be made entirely on the basis of marks awarded in the interview, the petitioner cannot turn around and challenge this condition, merely because she was

not selected. Bias, which would mean and imply “spite or ill will”, must be proved by raising requisite plea in this behalf, and by adducing cogent and sufficient evidence in support thereof. Bias is a state of mind, and it shows pre-disposition. General statements would not meet the requirements of law. If there are clear indicators that the decision-making process may have been compromised by bias, actual or apparent, this may lead to a decision, that has been reached, being challenged and nullified. The principal issue is not whether the decision itself is legitimate but whether the decision-maker ought to have taken the decision in the first place, as the possibility of bias would undermine its credibility. Even if a person believes that he is acting impartially and in good faith, his mind may be unconsciously affected by improper considerations that affect his judgment. In defining the scope of the rule against bias and its content, at least three requirements of public law are in play: The first seeks accuracy in public decision-making, the second seeks the absence of prejudice or partiality on the part of the decision-maker. An accurate decision is more likely to be achieved by a decision-maker who is in fact impartial or disinterested in the outcome of the decision, and who puts aside any personal prejudices. The third requirement is for public confidence in the decision-making process. Even though the decision-maker may in fact be scrupulously impartial, the appearance of bias can itself call into question the legitimacy of the decision-making process. The real question is not whether the member was biased. It is difficult to prove the state of mind of a person. It must, therefore, be seen whether there is reasonable ground for believing that he was likely to have been biased. A mere suspicion of bias is not sufficient. There must be a reasonable likelihood of bias. In deciding the question of bias, human probabilities and ordinary course of human conduct should be taken into consideration. The Court must look at the impression which other people have. This follows from the principle that justice must not only be done but must be seen to be done. If right minded persons would think that there is a real likelihood of bias on the part of a judge or a quasi-judicial authority, he must not conduct the proceedings--there must exist circumstances from which reasonable men would think it probable or likely that the

judge/quasi-judicial authority would be prejudiced. The court will not enquire whether he was really prejudiced. If a reasonable man would think, on the basis of existing circumstances, that he is likely to be prejudiced, that is sufficient to quash the decision. The scales of justice should not only be held even, but they must not even be seen to be inclined. A person having interest in the subject-matter of the cause is precluded from acting as a Judge. To put it differently, the test would be whether a reasonably intelligent man, fully apprised of all the facts, would have a serious apprehension of bias. In cases of non-pecuniary bias, the “real likelihood” test has been preferred over the “reasonable suspicion” test. In deciding the question of bias one has to take into consideration human probabilities and ordinary course of human conduct. Real likelihood of bias should appear not only from the material ascertained by the complaining party, but also from such other facts which it could have readily ascertained and easily verified by making reasonable inquiries.

4. *In WPSB No. 38 of 2020, Veerendra Singh Pundir Vs. State Uttarakhand and others*, decided on 25.02.2020, the Court observed that the power of suspension should, however, not be exercised in an arbitrary manner and without any reasonable ground or as a vindictive misuse of power. A suspension order cannot be actuated by mala fides, arbitrariness, or be passed for an ulterior purpose. An order of suspension is, ordinarily, passed to keep an employee away from duty till a departmental inquiry is caused to determine whether or not the delinquent employee is guilty of the charges leveled against him. The findings recorded in the preliminary inquiry are taken into consideration only to decide whether or not the delinquent employee should be placed under suspension, and whether disciplinary proceedings should be initiated against him, and nothing more. At the present stage, even before a charge sheet is issued against the petitioner, it would be wholly inappropriate for this Court, in the exercise of its extra-ordinary jurisdiction under Article 226 of the Constitution of India, to determine the guilt or otherwise of the petitioner with respect to the allegations levelled against him in the order of suspension. The power to place him under suspension, pending conclusion of the inquiry, is conferred on

the appointing authority in terms of the Rules made under the proviso to Article 309 of the Constitution of India. Such exercise of discretion by the appointing authority, to place the petitioner under suspension, would not warrant interference, save in cases where exercise of such a power is either *mala fide* or is manifestly arbitrary. The petitioner does not allege malice against the officials concerned. In the light of the reasons recorded in the order of suspension, we are satisfied that exercise of discretion, by the appointing authority under Rule 4, cannot be said either to be irrational or arbitrary warranting interference in proceedings under Article 226 of the Constitution of India. Viewed from any angle, we see no reason to interfere with the order of suspension.

## **Single Bench Judgments**

1. ***In WPMS No. 1806 of 2012, Abdul Rauf vs. State of Uttarakhand and others***, decided on 02.01.2020, the Bench observed that the entire proceedings initiated by the Collector by invoking the provisions contained under Section 47-A (2) in 2006 as against the petitioner would be barred by the provisions contained under Section 47-A (3), since being barred by the limitation and apart from there was no prior consent taken for drawing the proceedings, which otherwise could have been permissible, had the conditions contained therein of permission was taken.
2. ***In Civil Revision No. 62 of 2019, Krishan Kumar Singhal vs. Punjab Sindh Kshetra and another***, decided on 10.01.2020, the Bench observed that it is the statutory duty of the defendant to affix the proper stamp on the rent deed. Firstly he did not pay the stamp duty at the time of execution of the rent deed (paper no. 8C) and thus he cannot shift his burden saying that firstly the deficient stamp duty and penalty be recovered from the plaintiff and thereafter the same be included in the decree.
3. ***In WPSB No. 32 of 2020, Deepali Sharma vs. High Court of Uttarakhand through its Registrar General and another***, decided on 29.01.2020, the Bench observed that the scope and purpose of criminal proceedings as well as that of departmental enquiry are different. The standard of proof required in the departmental proceedings is not the same as that required to prove a criminal charge. Normally, the Court would not interfere in the proceedings of departmental enquiry and would not stay such proceedings unless inherent lack of jurisdiction in initiating the departmental enquiry or such compelling circumstances or on such other compelling ground the initiation or continuation of the departmental enquiry is shown to be illegal.
4. ***In FA No. 30 of 2015, M/s Bansi Automobile and others vs. Barnawa Agro***

**Industries and others**, decided on 10.02.2020, the Bench observed that for same relief successive applications are not maintainable. If the respondents were of the view that they have not narrated the correct facts in application (paper no. 21C) they should have withdrew the said application with permission to file afresh, but, the subsequent application was not maintainable in any manner.

5. **In FA No. 02 of 2020, Ramesh Singh vs. Vijay Sonkar and another**, decided on 12.02.2020, the Bench observed that the cross objections filed by the respondent no.1/plaintiff seeking quashing of findings on issue no. 5 and further relief that the decree of mesne profit/damages be passed in favour of the plaintiff/respondent is akin to filing of separate appeal.
  
6. **In WPMS No. 3919 of 2019, Ashwani Kumar and another vs. Ajanta Sharma and others**, decided on 27.02.2020, the Bench observed that the proceedings or the parameters which were procedurally governing the proceedings provided under the Revenue Court Manual; since is not having a statutory force and it only having a guiding factor would not mandatorily create a right in favour of the petitioners to avail an opportunity of cross examination as of right invariably in all the proceedings which are regulated under the provisions of Land Revenue Act and which are summary in nature. That where in the Note Clause of the manual, where its applicability has also been made applicable to the non judicial proceedings under the Act of 1901, it would automatically by itself exclude its applicability to the proceedings on the judicial side which are contemplated under the Land Revenue Act.
  
7. **In BAI No. 2787 of 2019, Narayan Singh Bisht vs. State of Uttarakhand**, decided on 27.02.2020, the Bench observed that the accusation in the present case is with regard to the commercial quantity. Once the public prosecutor opposes the application for bail to a person accused of the enumerated offences, in case, the Court proposes to grant bail to such a person, two conditions are to be mandatorily satisfied in

addition to the normal requirements under the provisions of the Code of Criminal Procedure, 1973 or any other enactment, (i) the Court must be satisfied that there are reasonable grounds for believing that the person is not guilty of such offence; (ii) that person is not likely to commit any offence while on bail. It is the mandate of the legislature which is required to be followed. The non-obstante clause with which this Section starts should be given its due meaning and clearly it is intended to restrict the powers to grant bail. To check the menace of dangers drugs and psychotropic substances flooding the market, the Parliament has provided that the person accused of the offences under the Act should not be released on bail during the trial unless the mandatory conditions provided under Section 37 of the Act, 1985 are satisfied.

8. ***In BAI No. 730 of 2019, Ram Singh vs. State of Uttarakhand***, decided on 28.02.2020, the Bench observed that while dealing with an application for bail, there is a need to indicate in the order, reasons for *prima facie* considering why bail is being granted particularly where an accused is charged of having committed a serious offence.
9. ***In BAI No. 1130 of 2019, Irshad Hussain vs. State of Uttarakhand***, decided on 02.03.2020, the Court observed in determining whether to grant bail, the seriousness of the charge should be taken into consideration. The order granting or refusing bail must reflect perfect balance between the conflicting interests, namely, sanctity of individual liberty and the interest the society.
10. ***In WPMS No. 1914 of 2019, Ram Singh vs. Sarvesh Kumar Mittal with WPMS NO. 1803 of 2019, Nandan Singh and others vs. Sarvesh Kumar Mittal***, decided on 03.03.2020, the Court observed that once the legislature consciously extracts the limited applicability of the procedural law, over special statute particularly the field of law which is covered by Entry 18 of List II of Schedule VII of the Constitution



of India, the applicability of the general procedural law governing the procedure of regular civil proceedings, would not be made attracted to be made applicable in the proceedings which is summary in nature and is emanating from a special statute, otherwise the legislature might not have consciously introduced Section 34 to be read with Rule 22 of Act No. 13 of 1972 and hence the argument as raised by the learned counsel for the petitioner is answered in negative, that the provisions CPC as a whole would be applicable. The general provisions of sub clause (aa) of Order 41 Rule 27 it has to be read with Allahabad High Court Amendment, made in clause (b), and it will not be applicable or extracted to be applied by overriding the State Amendment of clause (b) as introduced in the State of UP and made applicable under the Reorganization Act, in the State of Uttarakhand, where there is absolute divergence in the intention of sub clause (aa) of Order 41 Rule 27 then that of clause (b) as introduced by Allahabad High Court amendment.

It is further observed that the provision of Code of Civil Procedure will not be applicable in totality over the proceedings under Act No. 13 of 1972. The provisions of Order 41 Rule 27 of CPC would not be applicable in the proceedings of Appeal under Section 22 of the Act No. 13 of 1972, as the same has been excluded to be applied by the provisions contained under Rule 22 framed under Section 34 of the Act No. 13 of 1972. Even the application, which was filed under Order 41 Rule 27 of CPC, does not satisfy the parameters, which are the conditions precedent to be pleaded prior to filing of an application under Order 41 Rule 27 of CPC as contemplated under Order 41 Rule 27(aa) and (b), as introduced by the Allahabad High Court amendment. Even otherwise also all the documents which has been referred to in the list annexed with the application under Order 41 Rule 27 of CPC, were the documents which was in existence even prior to the initiation of the proceedings under Section 21(1)(a) under the Act No. 13 of 1972.

11. *In WPCRL No. 397 of 2020, Nizamuddin vs. State of Uttarakhand and others*, decided on 03.03.2020, the Court observed that the appeal filed by the respondent no.4 u/s 372 CrPC was maintainable and the Sessions Judge was very much competent to

hear the appeal and pass judgment thereon. Any order passed by the High Court in exercise of its revisional jurisdiction either u/s 397 or 401 CrPC is not appealable before this Court. The only remedy available to the aggrieved party is to prefer special leave to appeal before the Hon'ble Supreme Court. So far as the jurisdiction exercised by the Sessions Judge in entertaining the appeal against the order of acquittal under Section 372 of CrPC is concerned, it is to be examined by the revisional court in revisional proceedings, which is pending disposal before this Court. The petitioner cannot be permitted to avail two parallel remedies simultaneously for the same purpose.

12. *In BAI No. 357 of 2020, Sanjay Kumar Agarwal vs. State of Uttarakhand* , decided on 05.03.2020, the Bench observed that in determining whether to grant bail, both the seriousness of the charge and the severity of the punishment should be taken into consideration. While dealing with an application for bail, there is a need to indicate in the order, reasons for *prima facie* considering why bail is being granted particularly where an accused is charged of having committed a serious offence. Any order de hors reasons suffers from non- application of mind.
- 13 *In WPMS No. 411 of 2020, Janki Pandey vs. Lt. Col. Girjia Shankar Mungali and others*, decided on 11.03.2020, the Bench observed that the respondent/landlords are the best judge of their requirement and they cannot be guided by the tenants directives, as to in what manner they would accommodate their family and, particularly, when the landlord/respondent, herein after their retirement from armed forces wanted to accommodate their family in the residential accommodation in their native town amongst their relatives and friends residing in Municipal area, from where the landlord/respondent had spent their childhood. The said settlement of the family after the retirement itself has been treated as to be a bona fide requirement, which has been rightly and concurrently affirmed by both the Courts below. Now the issue which comes is with regard to the comparative hardship, as it has already been observed and proved that there is no evidence as such brought

on record or adduced by the petitioner/tenant to establish that she had ever made any efforts to look for an alternative accommodation since 2009 ie. filing of release, in accordance with the process contemplated under section 16 of the Act No. 13 of 1972, hence, it would be deemed that in an event of release of accommodation, in question, in favour of landlord/respondents, the comparative hardship, which the petitioner tenant would suffer would be of lesser magnitude than that of the landlord/respondent in an event of denial of the release application. The un rebutted evidence on record shows that the petitioner/tenant after her retirement from the official engagement permanently resides in Haldwani (Another Municipal Area) with her elder daughter, and that she occasionally visits the tenement in question, which is most of the time kept locked by her to harass the Landlord/respondent and obstruct the release of the tenement by creating hindrance, without there being actual need with her.

- 14. In Criminal Misc. Application No. 1162 of 2013, Sushri Suman Bahanji and three others vs. State of Uttarakhand and others**, decided on 16.03.2020, the Court observed that the inherent powers under Section 482 of the Code include powers to quash F.I.R., investigation or any criminal proceedings pending before any court subordinate to it. Such power can be exercised to secure ends of Justice, to prevent abuse of process of any court and to make such orders as may be necessary to give effect to any order under this Code, depending upon the facts of a given case.

## **Major Events & Initiatives**

- 1. Republic Day Celebration:** On 26<sup>th</sup> January, 2020, Republic Day was celebrated in the High Court premises with Great enthusiasm. On this occasion, National Flag was hosted by Hon'ble Mr. Justice Lok Pal Singh, Hon'ble Mr. Justice Sharad Kumar Sharma and Mr. Justice Ravindra Maithani graced the occasion. Officers, Officials of the Registry, Advocates were also present to mark the occasion.
- 2. Oath ceremony of Hon'ble Mr. Justice Ravi Malimath:** Hon'ble Mr. Justice Ravi Malimath, Judge, High Court of Uttarakhand has assumed charge of the office of Judge of the High Court of Uttarakhand in the forenoon of 05<sup>th</sup> March, 2020 vide Notification No. K-13023/01/2020-US.I Dated 26.02.2020 issued by Government of India, Ministry of Law and Justice (Department of Justice).

**Programmes attended by Hon'ble Judges ( From January 2020 to March, 2020)**

1. Hon'ble Mr. Justice Sharad Kumar Sharma visited National Judicial Academy, Bhopal to attend the workshop for High Court Justices on “**Goods and Services Tax (GST)**” during the period from 04.01.2020 to 05.01.2020.
2. Hon'ble Mr. Justice Alok Kumar Verma visited National Judicial Academy, Bhopal to attend the workshop for newly Elevate High Court Justices, during the period from 18.01.2020 to 19.01.2020

**ACTIVITIES OF SLSA FOR THE MONTH OF JANUARY, 2020 TO**  
**MARCH, 2020**  
**NATIONAL LOK ADALAT**

As per directions of National Legal Services Authority and under the valuable guidance of Hon'ble the Executive Chairman, Uttarakhand State Legal Services Authority, one National Lok Adalat was organized in the State of Uttarakhand from Tehsil Level to High Court Level in all the Courts and Quasi Judicial Authorities on 08.02.2020. In these said National Lok Adalat, apart from the money recovery cases, civil and criminal cases, the matters pertaining to labour disputes, revenue disputes, land acquisition act, family disputes, MACT, NI Act, water and electricity and all such matters which can be settled amicably were taken up.

In this National Lok Adalat, a total number of 7820 cases were taken up and out of them 3097 cases were settled amicably. Amount to the tune of Rs. 14,97,32,430 was also settled.

**LEGAL AWARENESS ON COMMEMORATIVE DAYS**

Between the months of January, 2020 to March, 2020, the National Youth Day, World Day on Social Justice and International Women's Day were observed throughout the State. During these occasions, 118 special legal literacy and awareness camps were organized wherein 6799 people got benefitted.

### **Legal Services/Empowerment Camps**

- (a) During the month of January, 2020 to March, 2020, **22** New Module Camps empowering the common masses about their legal rights are being held in association with the other Government Departments, such as District Administration, Social Welfare Department, Labour Department, Block Offices, Village Development Offices, Health Department, Police Department etc. The venues of these camps were Schools, Colleges, Villages, Community Centres etc.
- (b) Number of organization/departments participated : 07
- (c) Number of beneficiaries : 11243

### **Special New Module Multi-Purpose Legal Awareness Camp and Medical Camp**

Under the new module camp, a camp was organized on 14.01.2020 at Gend Mela, Block-Dugadda, District-Pauri Garhwal. In the said camp, Member Secretary and Officer on Special Duty, Uttarakhand State Legal Services Authority along with other Judicial officers and district administration were present. People were informed about the various schemes including the women welfare schemes and labour schemes. A medical camp was also organized by Hans Foundation wherein 220 people were medically checked up. 46 spectacles, 02 clutches and 22 ear machines were also distributed to needy people. 25 registered workers were also provided sewing machine, solar plant, blankets, umbrellas and sanitary pads by the Labour Department. Legal informative booklets prepared by NALSA were also distributed to 131 people. In the said camp about 500 people were benefitted.

## STATISTICAL INFORMATION

**Statement showing the progress of Lok Adalats held  
in the State of Uttarakhand  
for the period from January, 2020 to March, 2020**

| Sl. No. | Name of DLSA's    | No. of Lok Adalats Held | No. of Cases Taken up | No. of Cases Dispose d off | Compensation/ Settlement Amount | Amount Realized As Fine (in Rs.) | No. of Persons Benefited in Lok Adalat |
|---------|-------------------|-------------------------|-----------------------|----------------------------|---------------------------------|----------------------------------|--|
| 01      | ALMORA            | 01                      | 55                    | 13                         | 24,05,337                       | -                                | 13                                     |
| 02      | BAGESHWER         | 03                      | 34                    | 14                         | 3,38,000                        | 58,100                           | 14                                     |
| 03      | CHAMOLI           | 01                      | 22                    | 13                         | 10,74,000                       | -                                | 13                                     |
| 04      | CHAMPAWAT         | 01                      | 81                    | 35                         | 7,96,592                        | -                                | 35                                     |
| 05      | DEHRADUN          | 03                      | 3483                  | 1371                       | 28,22,840                       | 2,66,450                         | 1418                                   |
| 06      | HARDWAR           | 01                      | 879                   | 546                        | 53,00,502                       | 18,000                           | 546                                    |
| 07      | NAINITAL          | 02                      | 2131                  | 382                        | 10,40,078                       | 2,00,300                         | 382                                    |
| 08      | PAURI GARHWAL     | 01                      | 59                    | 23                         | 16,67,500                       | -                                | 23                                     |
| 09      | PITHORAGARH       | 04                      | 762                   | 130                        | 52,72,181                       | 1,50,100                         | 130                                    |
| 10      | RUDRAPARYAG       | 01                      | 36                    | 04                         | 6,11,463                        | -                                | 04                                     |
| 11      | TEHRI GARHWAL     | 02                      | 499                   | 94                         | 37,59,903                       | 2,40,000                         | 94                                     |
| 12      | UDHAM SINGH NAGAR | 03                      | 2382                  | 429                        | 1,44,87,050                     | 6,84,250                         | 430                                    |
| 13      | UTTARKASHI        | 01                      | 27                    | 27                         | 18,30,794                       | -                                | 27                                     |
| 14      | HCSLC, NAINITAL   | 02                      | 240                   | 47                         | 2,58,90,203                     | -                                | 47                                     |
| 15      | UKSLSA,NTL        | -                       | -                     | -                          | -                               | -                                | -                                      |
|         | <b>TOTAL :-</b>   | <b>26</b>               | <b>10690</b>          | <b>3128</b>                | <b>6,72,96,443</b>              | <b>16,17,200</b>                 | <b>3176</b>                            |



**Statement showing the progress of Camps organized in the State of  
Uttarakhand for the period from January, 2020 to March, 2020**

| <b>Sl. No.</b> | <b>Name of DLSA's</b> | <b>No. of Camps Organized</b> | <b>No. of Persons Benefited in Camps</b> |
|----------------|-----------------------|-------------------------------|--|
| 01             | ALMORA                | 73                            | 6914                                     |
| 02             | BAGESHWER             | 239                           | 5796                                     |
| 03             | CHAMOLI               | 151                           | 10942                                    |
| 04             | CHAMPAWAT             | 130                           | 9321                                     |
| 05             | DEHRADUN              | 40                            | 5390                                     |
| 06             | HARDWAR               | 235                           | 12664                                    |
| 07             | NAINITAL              | 133                           | 11581                                    |
| 08             | PAURI GARHWAL         | 38                            | 2739                                     |
| 09             | PITHORAGARH           | 349                           | 32857                                    |
| 10             | RUDRAPARYAG           | 42                            | 2721                                     |
| 11             | TEHRI GARHWAL         | 129                           | 5922                                     |
| 12             | UDHAM SINGH NAGAR     | 241                           | 28974                                    |
| 13             | UTTARKASHI            | 670                           | 10650                                    |
| 14             | HCLSC, Nainital       | -                             | -  |
| 15             | UKSLSA, Nainital      | -                             | -  |
|                | <b>Total</b>          | <b>2470</b>                   | <b>146471</b>                            |

**Statement showing the progress of Legal Aid and Advice/Counseling provided  
in the State of Uttarakhand  
for the period from January, 2020 to March, 2020**

| Sl. No. | Name of DLSA's        | No. of Persons Benefited through Legal Aid & Advice |                             |
|---------|-----------------------|---|-----------------------------|
|         |                       | Legal Aid   | Legal Advice/<br>Counseling |
| 01      | ALMORA                | 08  | 04                          |
| 02      | BAGESHWER             | 03  | -                           |
| 03      | CHAMOLI               | 03  | 06                          |
| 04      | CHAMPAWAT             | 03  | -                           |
| 05      | DEHRADUN              | 61  | 05                          |
| 06      | HARDWAR               | 114   | 05                          |
| 07      | NAINITAL              | 58  | 45                          |
| 08      | PAURI GARHWAL         | 32  | 19                          |
| 09      | PITHORAGARH           | 06  | 03                          |
| 10      | RUDRAPARYAG           | 02  | -                           |
| 11      | TEHRI GARHWAL         | 26  | 08                          |
| 12      | UDHAM SINGH NAGAR     | 157   | 68                          |
| 13      | UTTARKASHI            | 18  | 61                          |
| 14      | H.C.L.S.C., N.T.L.    | 55  | -                           |
| 15      | U.K. S.L.S.A., N.T.L. | -   | 15                          |
|         | <b>TOTAL</b>          | <b>546</b>  | <b>239</b>                  |

**UTTARAKHAND JUDICIAL AND LEGAL ACADEMY, BHOWALI, NAINITAL****Training Programmes held in the Month of  
January to March, 2020**

| <b>Sl. No.</b> | <b>Name of Training Programmes/<br/>Workshops</b>  | <b>Duration</b>                             |
|----------------|--|---|
| 1.             | Foundation Training Programme for Recently Promoted and Newly Appointed (directly recruited) Judicial Officers in the H.J.S. Cadre                                   | 02.01.2020<br>to<br>16.01.2020<br>(15 days) |
| 2.             | One Day Mediation Training Programme For Referral Judges<br>(for Additional District & Sessions Judges/<br>Uttarakhand HJS Cadre Officers)<br>at UJALA On 13.01.2020 | 13.01.2020<br>(One Day)                     |
| 3.             | One Day Training Programme for PLVs of District Bageshwar  | 22.01.2020<br>(One Day)                     |
| 4.             | One Day Training Programme for PLVs of District Pithoragarh  | 24.01.2020<br>(One Day)                     |
| 5.             | One Day Training Programme for PLVs of District Haridwar   | 07.02.2020<br>(One Day)                     |
| 6.             | Workshop on emerging trends and recent developments in Civil Laws for Civil Judge (Sr. Div. & Jr. Div.) (1 <sup>st</sup> phase)                                      | 13.02.2020 to 15.02.2020<br>(Three Days)    |
| 7.             | Holding of Judicial Colloquiums on Human Trafficking in Uttarakhand (Kumaun Division)  | 16.02.2020<br>(One Day)                     |
| 8.             | Workshop on emerging trends and recent developments in Civil Laws for Civil Judges (Sr. Div. & Jr. Div.) (2 <sup>nd</sup> phase)                                     | 24.02.2020 to 26.02.2020<br>(Three Days)    |
| 9.             | One Day Training Programme for PLVs of District Udham Singh Nagar  | 28.02.2020<br>(One Day)                     |
| 10.            | Holding of Judicial Colloquiums on Human Trafficking in Uttarakhand (Garhwal Division)   | 01.03.2020<br>(One Day)                     |

|            |  |   |
|------------|--|---|
| <b>11.</b> | Workshop on emerging trends and recent developments in Civil Laws for Civil Judges (Sr. Div. & Jr. Div.) (3 <sup>rd</sup> phase)   | 05.03.2020 to 07.03.2020<br>(Three Days)    |
| <b>12.</b> | Workshop on emerging trends and recent developments in Criminal Laws for CJM's/ACJM's/Judicial Magistrates (1 <sup>st</sup> phase) | 16.03.2020 to 18.03.2020<br>(Three Days)    |
| <b>13.</b> | Foundation Training Programme for Recently Promoted and Newly Appointed (directly recruited) Judicial Officers in the H.J.S. Cadre | 02.01.2020<br>to<br>16.01.2020<br>(15 days) |

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Hon'ble Mr. Justice Lok Pal Singh, hoisting the flag on the occasion of Republic Day (26th January, 2020)



Hon'ble Mr. Justice Ravi Malimath taking oath of the office of Judge of High Court of Uttarakhand on 05.03.2020.



Hon'ble the Chief Justice, High Court of Uttarakhand lightining the lamp on the occasion of Judicial Colloquium on Human Trafficking in Uttarakhand (Kumaun Division) on 16.02.2020.



Hon'ble the Chief Justice, Mr. Ramesh Ranganathan, High Court of Uttarakhand, Hon'ble Mr. Justice Sudhanshu Dhulia and Hon'ble Mr. Justice Lok Pal Singh, Judges High Court of Uttarakhand, on the occasion of Judicial Colloquim of Garhwal Division, on Human Trafficking in Uttarakhand held on 01.03.2020.



Foundation Training Programme for Recently Promoted and Newly Appointed (directly recruited) Judicial Officers in the H.J.S. Cadre from 02.01.2020 to 16.01.2020



One Day Mediation Training Programme For Referral Judges  
(for Additional District & Sessions Judges/  
Uttarakhand HJS Cadre Officers)  
at UJALA on 13.01.2020



Workshop on emerging trends and recent developments in Civil Laws for Civil Judge (Sr. Div. & Jr. Div.) (1<sup>st</sup> phase) from 13.02.2020 to 15.02.2020



Workshop on emerging trends and recent developments in Civil Laws for Civil Judges (Sr. Div. & Jr. Div.) (2<sup>nd</sup> phase) from 24.02.2020 to 26.02.2020



Workshop on emerging trends and recent developments in Criminal Laws for CJM's/ACJM's/Judicial Magistrates (1<sup>st</sup> phase) from 16.03.2020 to 18.03.2020.