HIGH COURT OF DELHI AT NEW DELHI

No.33/Genl-I/OC/THC/DHC
Dated 25.04.2022

NOTIFICATION

In exercise of powers conferred by Section 139(b) of the Code of Civil Procedure (Act V of 1908) as amended by Amendment Act No.104 of 1976 and Section 297(1)(b) of the Code of Criminal Procedure, 1973 (Act 2 of 1974) and Section 3(2)(a) of the Oaths Act, 1969, High Court of Delhi has been pleased to appoint the following advocates as Oath Commissioners in **Tis Hazari Courts, Delhi**, for a period of **two years** from the date of issue of this notification or until further orders of this Court, whichever be earlier, for administering oaths and affirmations to deponents of affidavits in accordance with terms specified in paragraph 5 of Chapter 12-B, Punjab High Court Rules and Orders Volume IV (read with Section 7 of the Delhi High Court Act, 1966) and subject to the conditions laid down in this Court's circular No. 332/Genl-II/DHC dated 14/9/2001 containing instructions to Oath Commissioners issued by this Court:-

Sl. No.	Name of Advocates
1.	Mr. Rakesh Kumar Jain
2.	Ms. Reeta

BY ORDER OF THE COURT

sd-/

(RAVINDER DUDEJA)
REGISTRAR GENERAL

Endst. No. 6640-42/Genl.-I/OC/THC/DHC Dated 25.04.2022

Copy of this Notification and copy of instructions dated 14.09.2001 forwarded to:-

1. the Principal District & Sessions Judge (Hqrs),Tis Hazari, Delhi, for information and necessary action. Applications alongwith enclosures received vide letter No.1910/OC/Admn.-I/THC/2021 dated 20.12.2021 are also returned herewith.
2. the President and Secretary, Delhi Bar Association, Tis Hazari Courts, Delhi with the remarks that these advocates will work as Oath Commissioners exclusively in Tis Hazari Courts, Delhi.
3. the following Oath Commissioners **through the Principal District & Sessions Judge(Hqrs.), Tis Hazari Courts, Delhi,** with the direction to the Oath Commissioners that they will send their specimen of seal to the Registrar (Genl.-Admn.-I) within a week. The Serial No. allocated to them should be incorporated in the seal and no seal except as prescribed in the instructions should be used. They are also directed to ensure that the age of the deponent is invariably indicated in the affidavit alongwith the name and parentage of the deponent :-

Sl. No.	Name and address of Oath Commissioner
1.	Mr. Rakesh Kumar Jain, R/o 2886, Gali Bata, Main Bazar, Subzi Mandi, Delhi-110007. Tel. No. 9810042289, Enrolment No. D/354/1984 (Sl. No.**391/2022**)
2.	Ms. Reeta, R/o House No. 3456, Gali No. 91"B" Block, Sant Nagar, Burari, Delhi-110084. Tel. No. 9560360547, Enrolment No. D/898/2012 (Sl. No.**392/2022**)

4. **It is also made clear that the Oath Commissioners shall attest the affidavits only in the presence of the deponent(s) and if any Oath Commissioner is found attesting the affidavits in absence of the deponent, his/her appointment as an Oath Commissioner will be terminated forthwith and strict action will be taken against him/her.**

(Ravinder Pahuja)
Joint Registrar (Genl. Admn.-I)

OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE (HQs): DELHI

No. 14425-14525 OC/Admn.I/THC/2022 Dated, Delhi the 04 MAY 2022

Copy forwarded for information and necessary action to :-

1. All the Ld. Judicial Officers, Tis Hazari Courts Complex, Delhi for information.
2. The Website Committee, Tis Hazari Courts, Delhi with the request to direct the quarter concerned to upload the same on the website of Delhi District Courts.
3. The Secretary, Delhi Bar Association, Tis Hazari Courts, Delhi for information and necessary action.
4. All the Advocates/Oath Commissioners concerned with the direction to submit specimen of their seal in this office within three days.
5. The Branch In-charge, Care-taking Branch, Central, Tis Hazari Courts, Delhi with the direction to affix the same on all the notice boards of Tis Hazari Courts Complex, Delhi.
6. The Personal Office of the Ld. Principal District & Sessions Judge, West, Tis Hazari Courts, Delhi for information.

(Charu Aggarwal)
Officer In-Charge, Administration Branch-I/
Addl. District Judge (Central)
O/o Principal District & Sessions Judge (HQs)
Tis Hazari Courts, Delhi

INSTRUCTIONS TO AN OATH COMMISSIONER

No.332/Genl.-II/DHC
Dated 14/09/2001

1. An Oath Commissioner is given a commission under the provisions of Section 139 of the Code of Civil Procedure, 1908, Section 297 of the Code of Criminal Procedure, 1973 and Section 3 of the Oaths Act, 1969 for attesting affidavits for judicial proceedings only. An Oath Commissioner cannot attest an affidavit which is intended to be filed for administrative purposes or before an executive authority.

2. An Oath Commissioner is appointed for a particular period and for a particular Court Complex. He/she is expected to be available in that particular Court Complex during the period of the commission.

3. Oath Commissioners will mutually decide, in consultation with the Bar Association of the Court Complex to which they have been appointed, the place or places where they (or any one of them) will be available for attesting an affidavit.

4. The Bar Association of the concerned Court Complex shall ensure that adequate space is available to an Oath Commissioner for attesting affidavits between 10.00 am and 5.00 pm on every working day.

5. At least one Oath Commissioner should be available for attesting affidavits at the place or places designated by the concerned Bar Association between 10.00 am to 5.00 pm on every working day.

6. The Bar Association of the concerned Court Complex shall ensure that all Oath Commissioners adhere to the timings prescribed for their availability.

7.(*) All Oath Commissioners are henceforth permitted to attest the affidavits from their respective offices including Chambers within the Court Complex, while maintaining the system of rotational duty in the designated Oath Commissioners' Room. There shall be, at-least, one Oath Commissioner available between 10.00 am and 5.00 pm on all working days in the Oath Commissioners Room by rotation. However, attestation work shall not be done within the precincts of the Court Buildings, including lobby area, Consultation room, Bar room, library, Lawyers Canteen etc. These instructions will be adhered to by Oath Commissioners in letter and spirit.

8. Between 10.00 am and 5.00 pm, every Oath Commissioner shall, while attesting an affidavit at the designated place or places, maintain the dress code prescribed by the High Court for practising advocates.

9. All Oath Commissioners shall (whether attesting affidavits at the designated place(s) or otherwise) maintain a register clearly giving the

(*) Substituted vide Circular No.148/Genl/DHC dated 21.02.2014.

following:-

(a) Date and Serial No. of the affidavit.

(b) Case No. for which the affidavit is being attested. In the event of a new case, the case number may be left blank.

(c) Name of the deponent.

(d) Name of the father/mother of the deponent.

(e) Address of the deponent as per the affidavit.

(f) Name of the person identifying the deponent.

(g) Signature of the deponent.

(Note: The Address of the person identifying the deponent should also be given – but this may prove cumbersome)

10. Every Oath Commissioner shall maintain three rubber stamps as prescribed by the High Court. These rubber stamps shall provide for the following:

(a) Name of the Oath Commissioner in block letters.

(b) Number given by the High Court to the Oath Commissioner.

(c) Period of of Commission.

(d) A statement that the Oath Commissioner has been appointed by the High Court.

(e) Space for the name, occupation and signature of the person identifying the deponent.

(f) The name of the deponent.

(g) The name of the father/mother of the deponent.

(h) The address of the deponent.

(i) Date and serial number of the affidavit.

(j) Space for the signature of the Oath Commissioner.

11. An Oath Commissioner attesting an affidavit shall scrutinize the document as to its correct form.

12. Where the deponent of an affidavit is known to the Oath Commissioner, he shall append on it a certificate to that effect.

13. Where the deponent of an affidavit is illiterate or is not conversant with the language in which the affidavit is written, the Oath Commissioner shall, before attesting the same, translate and interpret the contents of the affidavit to the deponent in the language known to the deponent and shall separately certify the fact of his/her having done so.

14. Where the deponent understands the language in which the affidavit is written, it is enough if the Oath Commissioner certifies that the contents of the affidavit has been duly read over by the deponent and that the deponent has duly acknowledged the same to be true and correct.

15. Where the deponent is a "Pardanashin" lady she shall, unless she is known to the person attesting the affidavit, be identified by a person to whom she is known and that person shall prove the identification by means of a separate affidavit.

16. Every exhibit annexed to an affidavit shall be marked, initialled and dated by the Oath Commissioner before it is sworn to or affirmed.

17.** The Register(s) maintained by an Oath Commissioner shall be deposited after expiry of his/her term with the District and Sessions Judge, or the High Court, as the case may be.

It is made explicitly clear to all Oath Commissioners that any violation of the above instructions will result in cancellation of the commission given to an Oath Commissioner.

This circular is issued in supersession of the circulars dated 4th August, 1967, No.61/Genl./G.I./OC/IX.B.2 dated 7th August, 1973, No.111/Genl.II/G.I. Dated 8th May, 1975, No.249 and 250/Genl./G.I./OC/DHC dated 22nd November, 1986 and other instructions issued from time to time and on the direction of the Delhi High Court.

Sd/-

REGISTRAR GENERAL

(**) Vide orders dated 13.07.2017 of this Court Clause 17. is re-produced as under:-

"The Register(s) maintained by an Oath Commissioner shall be deposited at the end of each Calendar year with the concerned District and Sessions Judge, Registrar General of Delhi High Court and Secretary General of Supreme Court of India, as the case may be."