

Notification No. HHC/RULES-22(28)/84-
14711, Dated 9th November, 1984

NOTIFICATION

In exercise of the powers vested in them under Article 227 read with Article 235 of the Constitution of India and all other powers enabling them in this behalf, the Chief Justice and the Judges of the High Court of Himachal Pradesh are pleased to frame the following rules for the regulation and maintenance of Canteens in the precincts of Judicial Courts in Himachal Pradesh:-

Short title and Commencement:

- (a) These Rules shall be called the "Judicial Courts (Regulation and Maintenance of Canteens" Rules, 1984.
- (b) They shall come into force with immediate effect.

Definitions.

In these rules, unless there is anything repugnant to the subject or context:-

- a) 'Canteen' means the canteen in the precincts of Judicial Courts/complex.
- b) 'Chief Justice' means the Chief Justice of the High Court of Himachal Pradesh.
- c) ✓ 'Committee' means the Canteen Committee constituted under Rule 3 below.
- d) 'District and Sessions Judge' means the District & Sessions Judge of a Civil and Sessions Division.
- e) 'High Court' means the High Court of Himachal Pradesh.
- f) 'Licensee' means the person in whose favour a licence for running a canteen is granted under these rules.
- g) 'Medical Authority' means the Chief Medical Officer of the District or Block Medical Officer of the Sub Division, as the case may be.
- h) 'Registrar' means the Registrar of the High Court of Himachal Pradesh and includes the Registrar (Vigilance).

Committee;

3. There shall be a committee known as the 'Canteen Committee' consisting of the District and Sessions Judge, Addl District & Sessions Judge, if any, Senior Subordinate Judge-cum-Chief Judicial Magistrate and it shall also include the Subordin

4. Judge-cum-Judicial Magistrate of the Sub Division concerned
5. Licence is to be granted to run a Canteen in the precincts of
6. Sub Divisional Judicial Court.

Offers:

1. Offers in sealed covers shall be invited in the pre-
scribed form every year in the first week of March by the
District & Sessions Judge from parties interested in running
the Canteen in a Judicial complex on licence. Notices
inviting the offers within the stipulated period shall be dis-
played at conspicuous places such as the Notice Boards of the
District Court, Local Municipal Office, Bus Stand etc. Every
offerer shall be required to furnish a list of hot and cold be-
verages and foodstuffs, which he is agreeable to serve, show-
ing the rates of each item.

Opening of offer covers:

1. A date shall be fixed by the Committee for open-
ing the covers containing the offers and, on such date, of wh-
ich due intimation will be given to the officer, the covers
shall be opened by the District and Sessions Judge in the pre-
sence of such members of the Committee who may be avail-
able and the parties, if any, present.

Grant of Licence:

6(a) The Committee shall grant the licence to such an
offerer whose offer is the most suitable keeping in view the

standing, experience, variety of services offered and rates therefor, etc.

- (b) The process of granting the licence shall ordinarily be completed by 25th March every year.

Duration of the Licence:

7. The licence for running the canteen shall be granted ordinarily for a period of one year from 1st April to 31st March.

Provided that the Committee may, in its discretion, for reasons to be recorded, grant licence for a shorter or a longer period.

Appeal:

8. An appeal shall lie to the Hon'ble the Chief Justice from the decision of the Committee in respect of all matters connected with the grant of licence and all other matters ancillary thereto within a period of 30 days from the date of order (the period taken for supplying a copy of the order from the date of application till date of supply of copy being excluded).

Provided that the Hon'ble the Chief Justice, in his discretion, may extend the period of limitation for filing an appeal in appropriate cases.

Security:

9. The licensee shall be required to deposit a security in the sum of Rs. 1000/- before occupying the canteen premises.

pursuant to the grant of licence. The amount of such security shall be refundable to the licensee after adjustment of dues towards licence fee, electricity and water charges, if any, and subject to the provisions contained in Rule 23.

Timings:

10. The canteen shall be kept open on every day by the licensee from 9 AM to 6 PM except on Sundays and gazetted holidays for which it shall be discretionary for the licensee to do so unless otherwise directed by the Committee.

Workmen:

11. The licensee shall employ as many workmen for running the canteen as may be prescribed by the Committee from time to time.

Service Conditions:

12(a) The service conditions of the workmen employed by the licensee shall be governed by the law for the time being in force governing such workmen failing which as the terms and conditions which the Committee may prescribe from time to time.

(b) The Committee may require the licensee to dis-
pense with the services of any workman in case the District
and Sessions Judge is satisfied, after holding such inquiry as
he may think proper, that such workman is unfit to be retain-
ed as a workman for the canteen.

Antecedents:

13. The antecedents of every workman employed by the licensee shall be got verified by the licensee through the Police and such verification report(s) alongwith the photograph(s) of each one of them shall be submitted by the licensee to the District and Sessions Judge within ten days from the date of their employment.

Medical fitness certificate:

14. The licensee shall produce a medical fitness certificate in respect of himself as well as the workmen employed by him from the Medical Authority within 5 days from the date of grant of licence and/or the date of employment as the case may be.

Night Stay:

15. No member of the Canteen staff shall be allowed to stay for the night in the court premises without the express approval of the Committee.

Price List:

16. (a) The Committee shall, from time to time, prescribe the floor and ceiling price list for different varieties of hot and cold beverages and foodstuffs.

(b) The price list as prescribed by the Committee shall be displayed at conspicuous place by the licensee.

Furniture etc.:

17. The canteen premises shall be furnished by the licensee before starting the canteen and crockery and cutlery shall be provided by him for customers as may be prescribed by the Committee from time to time.

Quality of Foodstuffs etc.:

18. It shall be obligatory on the part of the licensee to prepare/serve hot and cold beverages and foodstuffs of good quality. The beverages and foodstuffs may be checked from time to time by the member(s) of the Committee themselves or with the help of Food Inspector of the area.

Cleanliness:

19. The licensee shall maintain absolute cleanliness in and around the canteen premises all the time and shall keep the utensils, crockery, cutlery, furniture etc. in hygienic and presentable condition.

Licence Fees:

20. The licence fee for the canteen premises shall be recoverable from the licensee as per the assessment made from time to time by the H.P.P.W.D. authorities.

Water and Electricity Charges:

21. The licensee shall, in addition, pay the electricity and water charges as per consumption.

Room Service:

22. The licensee shall provide room service to the officers in the complex on order.

Permission of Licence:

23 (a) The licence may be terminated at any time before the expiry of period by the District and Sessions Judge in consultation with the Committee on service of 24 hours' notice or by the licensee on giving one month's notice to the District & Sessions Judge.

(b) If the licensee terminates the licence at any time before the expiry of the full period of licence, except in the mode as provided hereinabove, the amount of security shall be liable to be forfeited to the District and Sessions Judge concerned.

Vacation of premises:

24. On the termination of licence by efflux of time or otherwise, the licensee shall vacate the canteen premises forthwith and not later than within 24 hours without any let or hindrance.

Residuary Powers of the Hon'ble the Chief Justice:

25. Nothing in these rules shall be deemed to affect the powers of the Hon'ble the Chief Justice to make such orders from time to time as he may deem fit in regard to all matters forming part of the subject matter of these rules and/or all

Form of offer Under Rule 4.

No. _____

1. Name: _____

2. Father's Name: _____

3. Permanent Address: _____

4. Address for correspondence: _____

5. Financial Status: _____

6. Experience as Licensee for running
a canteen with detailed particulars: _____

7. Do you sell hot and cold beverages and
food stuffs with rates thereof pro-
posed to be offered: _____

I have read the terms and conditions reproduced
overleaf and I agree to abide by the same.

The

OFFERER

(Terms and conditions to be re-produced
as contained in Rules No. 7 to 25).

District & Sessions Judge.