PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HOME AFFAIRS AND JUSTICE

(JUDICIAL-1 BRANCH)

NOTIFICATION

The 26th August, 2024

No. G.S.R.,42/C.A.66/1984/S.23/Amd.(1)/2024.- In exercise of the powers conferred by section 23 of the Family Courts Act, 1984 (Central Act No. 66 of 1984), and all other powers enabling him in this behalf, the Governor of Punjab after consultation with the Punjab and Haryana High Court, is pleased to make the following rules, further to amend the Punjab Family Courts Rules, 2010, namely:-

RULES

1. (1) These rules may be called the Punjab Family Courts (Amendment) Rules, 2024.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

2. In the Punjab Family Courts Rules, 2010 (hereinafter referred to as the said rules), after rules 4, the following rule shall be inserted, namely:-

"4-A. Counselling Centre.- (1) There shall be a centre of counselling known as the "Counselling Centre" attached with every Family Court or group of Family Courts.

(2) The Counselling Centre(s) shall be located in the Family Court premises and/or such other place(s) as the High Court may direct.

(3) The Counselling Centre shall consist of such number of Counsellor(s) as the High Court may from time to time determine.

(4) The Counselling Centre shall be provided with such supporting staff as may be determined by the High Court for its day-to-day functioning."

3. In the said rules, for rules 5, 6 and 7, the following rules shall be substituted, namely:-

"5. Empanelment or removal of counsellors.- (1) The panel of counsellors shall be approved for a term of three years by the High Court on the recommendation of the Principal Judge of Family Court. The term of Counsellor(s) can be extended by the High Court from time to time on

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the recommendation of the Principal Judge of Family Court. In recommending the panel of Counsellors to the High Court, the Principal Judge of Family Court may seek help of the concerned District and Sessions Judge.

(2) The name of Counsellor(s) may be removed from the panel without any prior notice, by the High Court at any time before the expiry of term on the recommendation of the Principal Judge of Family Court.

"6. **Qualifications for empanelment as Counsellor:-** A person shall not be empanelled as a Counsellor unless,-

(a) He has attained the age of thirty five years;

(b) he has obtained a graduate degree of recognized university preferably with Social Science/Sociology, Psychology, Clinical Psychiatry as one of the subjects or law; and

(c) he has at least two years experience in the field of social work/ welfare or is associated with field work, research or teaching in Government Departments, College, University or a similar academic institute in the areas of welfare of family or problems of women and children.

"7. **Payment of honorarium to Counsellors.-** (1) A Counsellor shall be paid honorarium of six hundred rupees per sitting for every case at an appropriate stage (preferably on submission of report to the Court after counselling process) to be decided by the Judge of the Family Court subject to maximum of five sittings.

(2) For every reconciled case, the counsellor shall be paid, honorarium of seven thousand rupees after passing of final order by the Family Court. The honorarium of seven thousand rupees shall include the honorarium, if any, paid under sub-rule (1).

(3) Where the subject matter of dispute consists of two or more cases between the same parties, for the purpose of payment of honorarium, the same shall be considered to be one case.

(4) The honorarium payable to the Counsellor(s) shall be revisable from time to time as the High Court may determine, but not exceeding five years and in case no such determination takes place within five years, the honorarium shall stand increased by twenty per cent of the above rate, on completion of such five years from the date of commencement

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of the Punjab Family Courts (Amendment) Rules, 2024."

4. In the said rules, in rule 8, for the words "rupees two hundred" the words " one thousand five hundred rupees" shall be substituted.

5. In the said rules, in rule 9,-

(i) for the word "fee", whenever occurring, the word "honorarium" shall be substituted; and

(ii) in the proviso, for the words "rupees one thousand", the words "three thousand rupees" shall be substituted.

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