From:

Registrar General,
High Court of Uttarakhand,
Nainital

To,

1. All the District & Sessions Judges, District Judiciary Uttarakhand.
2. Principal Judges/ Judges, Family Courts, State of Uttarakhand.
3. Principal Secretary (Law)-cum-,L.R., Government of Uttarakhand, Dehradun.
4. Principal Secretary, Legislative & Parliamentary Affairs, Government of Uttarakhand, Dehradun.
5. Director, Uttarakhand Judicial & Legal Academy, Bhowali, District Nainital.
6. Chairman, Commercial Tax Tribunal, F-6, Nehru Colony, Haridwar Road, Dehradun.
7. Chairman, State Transport Appellate Tribunal, 3/5 A, Race Course, Near Rinku Medicose, Dehradun.
8. Legal Advisor to Hon'ble the Governor, Rajbhawan, Dehradun.
9. Secretary, Lokayukta, 3/3, Industrial Area, Patel Nagar, Dehradun.
10. Registrar, State Consumer Redressal Commission, House No. 23/16, Circular Road, Dalanwala, Dehradun-248001.
11. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
12. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, District Nainital.
13. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, District Udham Singh Nagar.
14. Presiding Officer, Food Safety Appellate Tribunal, Dehradun and Haldwani (Nainital).
15. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
16. Secretary-cum-Registrar, State Level Police Complaint Authority, Dehradun.
17. Chairman, Permanent Lok Adalat, Almora, Dehradun, Haridwar, Nainital, Pauri Garhwal, Tehri Garhwal and Udham Singh Nagar.
18. Legal Advisor to Public Service Commission, Uttarakhand, Haridwar.

C.L. No. ~~27~~ 28/Admin.A-2/2026 Dated: Nov. 02, 2026

Subject: Compliance with Rule 13 of Chapter III of the General Rules (Criminal) and Rule 116 of Chapter IV of the General Rules (Civil) regarding service of summons upon Judicial Officers.

Sir/Madam,

It has come to the notice of the Hon'ble High Court that communications/applications are being forwarded to the High Court seeking permission for summoning Judicial Officers to appear before various Courts in the State for the purpose of giving evidence, making statements or being

examined as witnesses. In certain cases, requests are also being made to the High Court to direct the concerned Judicial Officers to appear before the summoning Court, without even enclosing a copy of the summons issued by such Court. Such communications are being forwarded despite the fact that the procedure governing the service of summons upon Government Officers is already prescribed under Rule 13 of Chapter III of the General Rules (Criminal), read with Appendix 'E' thereto, and Rule 116 of Chapter IV of the General Rules (Civil), read with Appendix '3' thereto.

2. The aforesaid Rules prescribe the procedure for service of summons upon Government Officers through their respective Heads of Offices. Accordingly, in terms of the entries contained in the respective Appendices, summons issued to District Judges and Additional District Judges are required to be served through the High Court, whereas summons issued to Civil Judges (Senior Division) and Civil Judges (Junior Division) are required to be served through the concerned District Judge.

3. It is clarified that the aforesaid provisions deal exclusively with the procedure for service of summons and do not, by themselves, contemplate either seeking prior permission of the High Court for issuance of summons or obtaining any direction from the High Court for securing the presence of a Judicial Officer before the summoning Court. It is pertinent to clarify that the power to summon any person as a witness, whose evidence is considered necessary for the adjudication of a matter, vests in the concerned Court, subject to the applicable procedural law.

4. Accordingly, all the District Judges, Heads of Judicial Offices, Heads of Quasi-Judicial Offices and Heads of Administrative Offices under whose administrative control Judicial Officers are working are hereby directed to ensure strict compliance with the procedure prescribed under Rule 13 of Chapter III of the General Rules (Criminal), read with Appendix 'E' thereto, and Rule 116 of Chapter IV of the General Rules (Civil), read with Appendix '3' thereto, in all applicable cases relating to service of summons upon Judicial Officers for their appearance before Courts for the purpose of giving evidence, making statements or being examined as witnesses.

5. For the sake of clarity, the procedure for service of summons shall be as follows:

Table-I

Rank of the Judicial Officer	**Authority through whom summons shall be served**
District Judges and Additional District Judges, including Judicial Officers posted in the Registry of the High Court, Family Courts, Uttarakhand State Legal Services Authority and Uttarakhand Judicial and Legal Academy.	High Court of Uttarakhand
Civil Judges (Senior Division) and Civil Judges (Junior Division), including Secretaries of District Legal Services Authorities.	Concerned District Judge

Table-II

Rank of the Judicial Officers	**Authority through whom summons shall be served**
District Judges and Additional District Judges posted on deputation to other departments, except those covered under Table-I in the respective ranks.	Head of the respective Department
Civil Judges (Senior Division) and Civil Judges (Junior Division) posted on deputation to other departments, except those covered under Table-I in the respective ranks.	Head of the concerned Office

6. It is further directed that communications/applications seeking prior permission of the High Court merely for issuance of summons to Judicial Officers, or requesting the High Court to direct their appearance before the concerned Court, shall not be forwarded to the High Court. The concerned Courts and authorities shall take necessary steps in accordance with the applicable legal provisions. The procedure prescribed under Rule 13 of the General Rules (Criminal) and Rule 116 of the General Rules (Civil) shall be followed only for the purpose of service of summons, wherever applicable

7. Copies of Rule 13 of Chapter III of the General Rules (Criminal), along with Appendix 'E' thereto, and Rule 116 of Chapter IV of the General Rules (Civil), along with Appendix '3' thereto, are enclosed herewith for ready reference and necessary compliance.

Yours sincerely,

(Kaushal Kishore Shukla)
Registrar General

No. 6944/UHC/Admin.A-2/F.No. 133/Circular Letters/2026 Dated: Nov. 02, 2026

Copy forwarded to:

1. P.P.S. of the Court for placing it before Hon'ble the Acting Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordships for kind perusal.
3. P.S. to Registrar General.
4. All the Registrars/CPC of the Court.
5. Secretary, HCLSC.
6. Librarian of the Court.
7. Deputy Registrar (IT), High Court of Uttarakhand, Nainital with a request to upload it on the Website of the Court.
8. Guard File.

Registrar General

G. R. Criminal)

13. Summons to Government Servants.—When under [Section 66(i)][8] of the Code a summon is to be served on a person in the active service of the State, the "head of the office" to whom the summons shall ordinarily be sent (in duplicate) shall in the case of a Person in the civil employ or a soldier, sailor or airman in the Defence Department, be the local head of the office or local officer in command of the corps or department in which such person may be serving at the time, and in the case of a local "head of the office", be the authority to which he is immediately subordinate.

A list of officers with their "head of offices" is given in Appendix E. In the case of officers not included in the list, summons shall be dealt with by the court in the light of the instructions contained in this rule after such enquiry, if any, as may be considered necessary.

When a gazetted officer is required to attend a court beyond the limits of the district or area in which he is serving, the court issuing the summons, unless the case is one of extreme urgency, shall allow sufficient time for arrangements to be made for the performance of the duties of such person during his absence.

14. Arrest of Government servants.—When circumstances permit notice of the intended arrest of a Government servant shall be given to the head of the office in which the Government servant is working, and in the case of a Government servant working in the Secretariat, to the Chief Secretary to Government so as to allow proper arrangement to be made to have such person relieved, deferring arrest until he is relieved.

15. Summons to a Member of Parliament or Legislature.—No summons shall be served upon a Member of Parliament or a Legislature while he is within the precincts of the 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.

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[8] Now Section 68(1) of Bharatiya Nagrik Suraksha Sanhita, 2023, vide notification No. S.O. 848(E) dated 23rd February, 2024.

G.K. (Criminal)

APPENDIX - "E"

Heads of offices through whom service may be made on Gazetted Officers in Uttar Pradesh (chapter III, Rule [12])

Column 1	Column 2
1	2
Head of Department	Government in the Administrative Department concerned.
Prohibition and Social Uplift Officers	Under Secretary to Government in the Excise Department.
[District Judges, Additional District Judges and Civil and Session Judges.]	The Chief Justice of the High Court of Judicature at Allahabad or the Senior Judge on duty.
[Civil Judge (Senior Division)s and [Civil Judge (Junior Division)]s.][221]	District Judges.
Judicial Members, Board of Revenue and Commissioners of Divisions.	Administrative Member, Board of Revenue.
Indian Civil Administrative Cadre Officers, State Civil Service Officers and all Gazetted Officers employed under the Land Reforms Commissioner.	Land Reforms Commissioner.
Additional Commissioners, District Magistrates, Additional District Magistrates (Judicial) and Official whole-time Chairman of Municipal Board).	Commissioners of Divisions.
Deputy Inspectors General of Police, Assistant Inspector General of Railway Police and Assistant to the Inspector General of Police	Inspector General of Police.
Superintendent of Police Headquarters.	Deputy Inspector General of Police, Headquarters and Railways.
Commandants of Provincial Armed Constabulary, Principal, Police Training College Moradabad, Provincial Wireless Officer, Lucknow and Staff Officers of the Deputy Inspector General of Police, Provincial Armed Constabulary and Training.	Deputy Inspector General of Police, Provincial Armed Constabulary and Training.

[221] Substituted by Notification No.324/UHC/Admin.A/2023, dated September 20, 2023.

G.R. (Civil)

fixed at less than 3 months after the date on which the documents are finally dispatched to the High Court. In the case of Iran the period shall ordinarily be not less than six months and in case of Thailand not less than eight months.

114. Deposit of expenses in summons to be sent to foreign countries.— (1) Where a process is issued to any Court outside India, the Court issuing the process shall require the party at whose instance the process is issued to pay in cash (and not in Court-fee stamps), such fee for service as required by the Court to which the process is to be sent, and shall transmit the same to such Court, together with, in the case of summons to a witness, reasonable travelling and other expenses.

(2) Similarly a process issued by any such Court shall only be served upon receipt of the process-fee chargeable under rule 365, Chapter XIII and of the expenses prescribed by rule of 105-A. The process fee thus received shall be expended in the purchase of Court-fee stamps to be affixed to the process.

B - Process to soldiers, etc., and other public officers

115. Summons to officers and soldiers.— A summons to an officer in the Military, Naval, or Air Force of the Union of India, as defendant or as witness, shall be sent direct to him for service and a summons to a soldier, sailor or airman, as defendant or as witness, shall be sent for service to his Commanding Officer. In such cases sufficient time shall be given to admit of arrangement being made for the relief of the person summoned.

116. Summons to public officers.— (1) A summon/notice to a public officer, as defendant or as witness, shall ordinarily be sent for service to the head* of the office in which he is employed.

***N.B.** —*For summoning or issue of commission for the examination of Finger Print Expert see G.O. No. 3716/VIII-520-45 of 27th June, 1946 and C. L. No. 121/VIII-f-B, dated 8th December, 1951. For summoning of a Finger Print Proficient consult Appendix 24. For summoning of Government Examiner of Questioned Documents, consult Appendix 18.*

(2) For service on Gazetted Officers in the ‡State the list given in Appendix 3 shows in column 2 the authority, through whom summons should be served.

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‡"State" mean "State of Uttarakhand" vide. Noti. no. 35/UHC/Admin.A/2013 dated 2nd March, 2013.

G.R. (Civil)

APPENDIX - 3

Heads of offices through whom service may be made on Gazetted Officers in Uttar Pradesh

Head of Department.	**Government in the administrative Department concerned.**
Prohibition and Social Uplift Officers	Under Secretary to Government in the Excise Department
District Judges, Additional District Judges and [1]	The Chief Justice of the High Court of Judicature at Allahabad or the Senior Judge on duty.
Civil Judges and Munsifs	District Judges
Judicial Members, Board of Revenue and Commissioners of Division	Administrative Member, Board of Revenue
Indian Civil Administrative Cadre Officers, State Civil Service Officers and all gazetted officers employed under the Land Reforms Commissioner	Land Reforms Commissioner
Additional Commissioners, District Magistrates, Additional District Magistrates (Judicial) and Official wholetime Chairman of Municipal Board.	Commissioners, of Divisions.
Deputy Inspectors General of Police, Assistant Inspector General of Railway Police and Assistant to the Inspector General of Police	Inspector General of Police.
Superintendent of Police Head-Quarters	Deputy Inspector General of Police, Headquarters and Railways.
Commandants of Provincial Armed Constabulary, Principal, Police Training College, Moradabad, Provincial Wireless Officer, Lucknow and Staff Officers of the Deputy Inspector General of Police, provincial Armed Constabulary and Training	Deputy Inspector General of Police, Provincial Armed Constabulary and Training
Superintendents of Police (with the concurrence of the District Magistrate)	Deputy Inspectors General of Police of Ranges

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[1] Reference to Civil & Sessions Judges has been omitted as that cadre has been abolished. Additional Sessions Judges should now be read – Ed.