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CHAPTER-I

JUDICIAL OFFICERS

1. POSTING AND TRANSFERS

(i) Transfer Policy

C.L. No. 4238/XII-12/Admin.-A-Section/2003, Dated December 11,2003

Sub: **Annual Transfer of Judicial Officers.**

I am desired to say that the Hon'ble Court had laid down the following guidelines regarding annual transfer of Judicial Officers in Uttaranchal-

1. Except for the administrative reasons, ordinarily a Judicial Officer will be treated due for his transfer on completion of three years in a district.
2. Representations, if any, are invited by 15th of February from the Judicial Officers for premature transfers or over stay or for inclusion or exclusion of their names for exceptional reasons.
3. Though the Officers will be at liberty to express their choice of three places of postings on transfer but the Court will not be bound to accept the same.
4. No Judicial Officer shall be posted in his home district.
5. As far as possible the annual chain of transfers will be made effective by the 1st of June of the year.
6. The Officers transferred premature on their request and included in the annual chain may not be permitted the Transfer Traveling Allowances.
7. In the month of January while inviting the representations as mentioned in Point No. 2 the Officers will also be required to disclose their hometown and blood relations, the place where they had practiced, or had received education, by the end of 15th of February.
8. In view of the scattered geographical hilly area, there are no ZONES for transfers like in Uttar Pradesh, nor appears a need to make different period of posting in the Outlying Courts.

The Officers on deputation will also be due for their transfers on completion of three years of their posting. However, the Officers posted in Registry of the court and in Sachivalaya may continue at their places of posting at the pleasure of Hon'ble the Chief Justice even beyond the limit of period of three years. Also, it is made clear that for administrative reasons any officer can be withdrawn from the deputation at any time even before three years. It is, therefore, requested that the above policy of annual transfer may kindly be brought to the notice of all Judicial Offices working under you.

C.L. No. 03/XII-12/ Admin. A/ 2003 Dated April 21, 2005

Sub: **Annual Transfer of the Judicial Officers.**

I am directed to inform that the Hon'ble Court has laid down the following guidelines regarding annual transfer of Judicial Officers in Uttaranchal-

1. As far as possible the annual transfer will be made with effect from 1st of June of the year.

2. Ordinarily a Judicial Officer will be due for transfer on his / her completing three years in a district. However, a Judicial Officer will be liable to transfer at any time for administrative reasons or in the exigencies of service.
3. For premature transfer or for over stay beyond three years due to special reasons, Judicial Officers should submit their representations by 30th of April of the year.
4. Judicial Officers are at liberty to express their choice of three stations for transfer. However, the High Court will have the right to post the Judicial Officers at any other place.
5. No Judicial Officer will be posted in his/her home district.
6. When Officers are transferred prematurely on their request, they will not be allowed the transfer traveling allowance.
7. While submitting representation as mentioned in Clause 3, the Officers are required to furnish details like their hometown, blood relations, the place where they had practiced or had received education etc.
8. The Officers on deputation also will be due for transfer on completion of three years on deputation. However, the Officers posted in the Registry of the High Court and Secretariat (Sachivalaya) may be allowed to continue on deputation beyond the period of three years at the discretion of the Hon'ble Chief Justice.
9. An Officer on deputation may be recalled at any time even before completing the period of three years for administrative reasons or in the exigencies of service.

It is, therefore, requested that the above guidelines of annual transfer may kindly be brought to the notice of all Judicial Officers under your subordination.

(ii) Deputation of Officers

C.L. No. 01/Admin B Dated: February 18/22, 2002

All the District Judges are informed that the Hon'ble Court has been pleased to issue directions that the officers and the officials who make the representations to the other departments, these representations should be forwarded to the Court so that the court may make appropriated decisions in the matter. In case the other departments directly make the requests to the District Judge concerning the officers and the staff, such requests should be placed before the Court and thereafter the names for deputation or any other matter may be considered according to the directions of the Court.

All the District Judges are, therefore, requested to bring the above directions of the court to the notice of all concerned for strict compliance.

2. LEAVE

C.L. No. 2A / UHC Dated: Nainital Feb. 22, 2001

All the District Judges are requested to communicate to their subordinate officers that Special Casual Leave may be granted to the Judicial Officers participating in the 36th Annual Conference of the Judicial Officers Association to be held at Lucknow on 24th and 25th February, 2001.

C.L. No. 06 / U.H.C./Admin. -A, Dated: December 9, 2005.

I have been directed to inform the Private Secretaries of the Hon'ble Judges that whenever a Judge is unable to attend the Court on any working day due to reason other than some other official duty, he has to avail leave for such day and the application for

leave shall be forwarded to the office by the Private Secretary/Personal Assistant for maintaining the proper leave account.

You are, therefore, informed accordingly for necessary compliance.

C.L. No. 03 /XIV-2/Admn. (A)/2006 Dated May-16, 2006.

Sub: **Prior permission to leave the district and to avail the proposed leave.**

I am desired to say that it has come to notice of the court that the District Judges and other officers leave the station and avail the leave without prior sanction from the appropriate authority. The Hon'ble Court has considered the matter and has issued the following directions/ guidelines for strict compliance by the District Judges and Judicial Officers:-

1. The District Judge/Principal Judge/Judge, Family courts should not leave the district without prior permission from the High Court and in case of emergency such permission may be obtained on telephone also from the Hon'ble Administrative Judge of the district concerned.
2. The Judicial Officers should not avail earned leave unless sanctioned by the High Court. The application for earned should be submitted well in advance of the proposed leave and in case of emergency permission may be granted by the District Judge/Principal Judges, Family Courts to avail the leave under intimation to the High Court.
3. The leave rules should be strictly followed.

You are, therefore, requested to bring the contents of the above circular letter to notice of the officers working under your kind control.

C.L. No.03/UHC-2002, Dated: March 2, 2002

Sub: **Withdrawal of four days Extra Casual Leave.**

I am desired to say that the Hon'ble Court has been pleased to recall the C.L. No. 33/23-127 dated 03.05.1937 and C.L. No. 71/23-127, dated 30.07.1980 issued by the Allahabad High Court by which concession of four days' extra casual leave was allowed as journey time (for journeys to and from their homes) to the officers and staff belonging to the plains and posted in the Hill districts or belonging to the Hills and posted in the plains, shall be confined to the districts of Pithoragarh, Chamoli and Uttarkashi only. Hereinafter no officer and the staff belonging to the plains and posted in the hill districts or belonging to hills and posted in the plains will be entitled to the concession of four days' extra casual leave.

It is, therefore, requested that the above directions of the court be brought to the notice of all concerned.

3. RECESS DURING CIVIL COURTS VACATION

C.L. No.22./Admn. (A)-UHC/2002 Dated: December 20, 2002

In partial modification of C.L. No. 4 / W/Admin. (A) Dated 13th January, 1983 on the subject noted above, the Court has been pleased to allow 14 days recess instead of 10 days, during Civil court's vacation to the District & Sessions Judges, Additional District & Sessions Judges and Additional Sessions Judges, who do not belong to vacation department. Other terms and conditions of the said circular letter shall remain unchanged.

C.L. No. 11/Admn.A/2004 Dated: December 07, 2004

In continuation of court's C.L. No.22/Admn (A) UHC/2002, Dated 20.12.2002, on the subject noted above, I am desired to inform you that the Hon'ble Court has been pleased to allow 14 days recess during Civil Court's vacation to the Judges, Family Courts posted in Uttaranchal.

You are informed accordingly.

C.L. No. 03. UHC/Admin. A/2009 Dated: July 04,2009.

In continuation of earlier Circular Letters No. 4/W/Admin.(A) dated 13/01/1983 and No. 22/Admin.(A)- UHC/2002 dated 20/12/2002 and in supersession of Circular Letter No. 11/ Admin.A/2004 dated 07/12/2004, I am directed to inform as under:-

1. The Presiding Officers of the Labour Courts/ Tribunals are not entitled to avail recess.
2. Judges Family Court, as such, are not entitled to avail recess except as mentioned in point No. 3.
3. Only those Judges Family Courts, are entitled to avail recess during vacation, who have some additional charge, by virtue of which they are covered by Circular Letters No. 4/W/Admin. (A) dated 13/01/1983 and No.22/Admin.(A)- UHC/2002 dated 20/12/2002.

4. STANDARD (QUANTUM) OF WORK

C.L. No. 15 /Admin. A- out turn Dated: September 18,2002

Sub: **Quantum of work for Judicial Officers**

I am desired to say that the latest circular letters issued by the Allahabad High Court regarding quantum of work for Judicial Officers are G.L. No. 1/IV-h-14/90, dated 8-11-1990, C. No. C-10/IV-h-14/92, dated 27-1-1992, C.L. No. C-26/1994 dated March 15, 1994, G.L. no. 28/IV—14/96 dated June 1, 1996. The Allahabad High Court has issued C.L. No. 120/Admin (G) Dated December 9,1994 which prohibits that no credit be given to any Judicial Officer in his work quota for the month, on the ground that he was unable to attend court on any particular day, as he was on V.I.P. duty that day, unless he is specifically so deputed by the High Court. It has come to the notice of the court that the Judicial Officers have claimed quota for V.I.P. duties, for doing administrative work, for examination work, auction of tress and canteen. If any Judicial Officer is directed by the District Judge for the auction of the canteen and trees etc., this work may be done by the Presiding Officer after finishing the court work and no credit may be given for these works. Schedule E of the above C.L. dated 8-11-1990 provides that credit will be given to District

Judges for administrative work and work connected with admissions and bail and legal aid work and Lok Adalats. The Circular Letters do not provide to give credit in outturn for administrative work to any other Judicial Officer except the District Judges. The Judicial Officers have claimed credit for doing the non-Judicial enquiries, however, the Allahabad High Court under the above circular letter has provided no such credit.

Schedule 'F' to the above circular letter relates to miscellaneous work to the effect that Judicial Officers having miscellaneous work will be entitled to adjustment for the time devoted in the manner provided below.

1. Judge Small Causes Court having more than 320 suits and permanent Munsifs and District Judges; Judge Small Causes Court having 1500 suits, Civil Judges (SD) having 300 suits and Additional Civil Judge (JD) having 200 suits. 1½ days in a week.
2. Other Civil Judges (SD) or (JD), Judges Small Causes Court or other Addl. Civil Judges (SD or JD) 1 day in a week.
3. Miscellaneous work may be normally fixed on Saturday, Where a day and a half is permissible, work may also be fixed for another half a day on any other day of the week. Insolvency cases may be fixed on Fridays.

There is no court of Judge Small Causes Court in the State of Uttaranchal. There is not much pendency of miscellaneous cases in Uttaranchal. The Court has considered the matter and has issued the following directions:-

1. The General Letters/Circular letters bearing G.L. No. 1/IV-h-14/90 dated 8-11-1990, C. No. C-10/IV h-14/92, dated 27-1-1992, C.L. No. C-26/1994 dated March 15, 1994, G.L. No. 28/IV-14/96 dated June 1, 1996 and C.L. No. 120/Admn (G) Dated December 9, 1994 shall remain effective with the modification in the schedule 'E' of G.L. No. 1/IV-h-14/90, dated 8-11-1990 regarding miscellaneous work that only one day will be credited towards miscellaneous cases (both civil and criminal) in a week to the Judicial Officers who are having sufficient miscellaneous work. The miscellaneous work may be fixed on Saturday. If the Saturday is closed then the miscellaneous work may be fixed on Friday. In case, no miscellaneous case is disposed of by the Judicial Officer, he will take no credit.
2. No quota for doing administrative work, for examination work, auction of trees and canteen for the disposal of the non judicial enquiries etc. except the District Judge under schedule 'E' (3) of C.L. dated 8-11-1990 will be taken by the Judicial Officers. The Judicial Officers may do the above works after finishing court work.
3. In para no. (1) of schedule 'E' of C.L. dated 8-11-1990 the days for the inspections will be claimed as per C.L. No.14 dated 21-8-2002 and sub para (d) of para no. 2 of the schedule 'E' is modified accordingly.
4. No credit of quota will be taken for making the inspection of the vacant courts.

C.L. No. 05/X-b-16/Ins/2004 Dated: April 2, 2004

Sub: **Quantum of work for the Judicial Officers.**

I am directed to say that in supersession of Allahabad High Court's Circular letter G.L. No. 1/IV-h-14/90, dated 8.11.1990, C.L. No 10/IV-h-14/92, dated 27.01.92, C.L. No. C-26/1994 dated March 14, 1994, G.L. No. 28/IV-14/96 dated June 1, 1996, this Hon'ble court, after consideration, has consolidated and prescribed the quota for the Judicial Officers including Judges of the Family courts, for disposal of work as under:-

SCHEDULE 'A'

CRIMINAL WORK

(A) Sessions Trials:

- | | | |
|----|--|-------------------|
| 1. | Trials under Sections 302,304,395/397,396 and 399/402 I.P.C. and trials in which there is also a charge under Sections 147 I.P.C. or 148 I.P.C. or both. | 3½ days per case. |
| 2. | Trials under Sections 307, 366, 409, 417, 466, 477, and 477A I.P.C. | 3 days per case. |
| 3. | Other Sessions trials. | 2 days per case. |
| 4. | Section 75 I.P.C. cases where trials would otherwise be by a Magistrate. | 1 day per case. |

EXPLANATION : In all Sessions Trials :-

- | | | |
|-----|--|------------------|
| (a) | Where all accused are discharged under Section 227 Cr.P.C. | 4 cases per day. |
| (b) | Where all accused are convicted under Section 229 Cr.P.C. | 8 cases per day. |

NOTE :1. (a) No minimum out-turn is fixed for long cases which take six or more **whole** days. However, a note will be made in the statement of out-turn of work giving the total number of hours devoted, number of accused examined, number of witnesses of fact examined, number of formal witnesses examined, total number of pages of evidence and hours devoted for arguments.

(b) Cases under Section 6(1) of the Criminal Law Amendment Act, 1952 are triable by Special Judges. These cases should not be classed as Sessions Trials. A note, however, should be made in the return of the time spent over such cases with details as to their number and nature.

(c) All Sessions Trials, which are tried together, in which evidence is recorded only once and which are disposed of by one judgment will be counted as only one case for purpose of counting the number of days taken in their disposal. The time devoted to part heard Sessions Trials will be accounted for only in that financial year in which such cases are concluded.

(d) In part-heard cases which are not concluded in the same financial year, the Presiding Officer may make a note in the statement of out-turn indicating the precise work done and the time spent therein. In the case of an officer other than the District Judge, the District Judge shall vouch the correctness of the note by countersigning the same.

(B) Criminal Appeals, Revisions and References :

- | | | |
|-----------------------------------|---|-----------|
| 1. Represented Criminal Appeals : | | |
| (i) | Criminal Appeals against the order of Assistant Sessions Judges. | 1 per day |
| (ii) | Criminal Appeals against the order of Magistrates. | 3 per day |
| (iii) | Criminal Appeals against the orders of Magistrates in cases of conviction under Sections 408, 409, 466, 468, 471, 477 and 477A I.P.C. | 2 per day |

- NOTE:**
1. Criminal Appeals arising out of the same judgment or order will, for purposes of disposal, be counted as one appeal.
 2. Jail Appeals and Criminal Revisions admitted and heard after notice to State Counsel. 6 per day
 3. Criminal Revisions dismissed after hearing Counsel for the applicant at admission stage. 6 per day
- Note (i) This minimum out-turn has been fixed on the assumption that all Criminal Revisions will not be admitted as a matter of course.
- (ii) Jail Appeals in which the State Counsel is not heard, will not count towards disposal.
4. Reference under Section 122 Cr. P. C. 8 per day.

SCHEDULE 'B'

CIVIL WORK

(A) **Regular Suits:**

1. Suits valued up to Rs. 25,000/- and petitions under Hindu Marriage Act. 2½ days per contested case after full trial.
2. suits above Rs.25,000/- 3½ days per contested suit after full trial.
3. Cases decided ex-parte (except the cases dismissed in default). 10 cases per day.

- NOTE: (1) In Civil suits taking more than four **whole** days, credit will be given for the actual number of days taken, but a note shall be made in the remarks column of the statement of out-turn of work giving the valuation of the suit, the number of witnesses examined by each party, the number of pages of oral evidence recorded, the number of documents proved, the time devoted in recording evidence and the time devoted in arguments.
- (2) Suits for partition and accounts decided at the stage of preliminary decree will be treated as decided after full trial, and in case of further contest at the stage of final decree, the Presiding Officer will be allowed further credit of half of the time allowed at the stage of the preliminary decree in the cases.

(B) **Small Causes Suits:**

1. Suits decided after full trial by District Judges in exercise of powers u/s 25(2) of the Bengal, Agra and Assam Civil Courts Act or Ejectment Small Causes Suits decided by Judges Small Causes Courts after full trials. 2 days per contested case after full trial.
Provided that only half of the prescribed standard shall be counted in cases in which the relief of ejectment is refused on account of deposit made u/s 20(4) of U.P. Act No. 13 of 1972 applicable to Uttaranchal, there being no contest thereafter.

- | | | |
|----|--------------------------------------|----------------------------|
| 2. | Other S.C.C. suits after full trial. | 5 contested cases per day. |
| 3. | Small Cause suits decided otherwise. | 10 suits per day. |

(C) Other Civil Cases decided after full trial:

- | | | |
|----|--|--|
| 1. | Original suits cognizable by District Judges and not falling in the above Categories and Zila Parishad or Municipal Board/ Municipal corporation Election Petitions. | 3½ days per contested suit after full trial. |
| 2. | Petitions under the Indian Divorce Act and Special Marriage Act, Motor Accidents Claims cases and Election Petition relating to Kshettra Samities, Town Area and Notified Areas. | 2½ days per contested cases after full trial |
| 3. | Petitions for letters of administration and probate under Indian Succession Act, Land Acquisition References. Application Under Section 21 of U.P. Act No.13 of 1972 applicable in Uttaranchal and references under Waqfs Act. | 1½ days per contested case after full trial |

NOTE: Separate L.A claims made by different sets of claimants in land acquisition proceedings under the same notification will not be treated as separate cases but only one case.

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|----|--|-----------------|
| 4. | Application u/s 28 of U.P. Act No.21 of 1971 (application in Uttaranchal). | 5 cases per day |
|----|--|-----------------|

(D) APPEALS :

- | | | |
|----|---|------------------------------|
| 1. | Regular Appeals from decrees in suits passed by civil Judges (SD or JD), decided after contest, and Appeals under Section 22 of U.P. Act No. 13 of 1972 applicable to Uttaranchal decided after contest. | One contested appeal per day |
| 2. | Execution and insolvency appeals, regular appeal in suits decided under Order XVII Rule 3 C.P.C. and Ceiling Appeals under U.P. Act No. 1 of 1961 applicable to Uttaranchal and decided after contest Appeals under the Payment of Wages Act or U.P. Public Premises (Eviction of Unauthorized Occupants) Act, applicable to Uttaranchal decided after contest and other miscellaneous appeals decided after contest. | 2 contested Appeals per day. |
| 3. | Appeals under the U.P. Nagar Mahapalika Adhinyam 1959 applicable in Uttaranchal, Second Appeals under Section 476 of U.P. Mahapalika Adhinyam Applicable to Uttaranchal and other Miscellaneous appeals dismissed at admission stage after hearing counsels. | 10 per day. |

NOTE: If appeal is decided by remanding the case back to trial court, work standard shall be counted half of the prescribed standard.

(E) **REVISIONS :**

- | | | |
|----|--|--------------------------------|
| 1. | Revisions under Section 25 of Provincial Small Cause Courts Act decided after full Contest, revisions under Section 115 C.P.C. decided after full contest and Revision under Section 18 of U.P. Act No. 13 of 1972 decided after full contest (including Revisions u/s. 89 of U.P. Panchayat Raj Act applicable to Uttaranchal.) | 2 contested Revisions per day. |
| 2. | Revisions dismissed at the admissions stage after hearing counsel. | 10 Revisions per day. |

NOTE (1) If any contested suit is compromised or withdrawn after close of evidence, the suits will not be treated as decided after full trial, but half of the time prescribed for such cases will be counted towards standard. Similarly, suit decided on contest only on questions of interest or costs of both will be counted as half of the standard prescribed after full trial.

- (2) Appeals or revision decided on compromise or withdrawn will be counted towards standard at the rate of 20 cases per day.

(F) **MISCELLANEOUS WORK :**

Judicial Officers having Miscellaneous work will be entitled to adjustment for the time devoted in the manner provided below:

- | | | |
|----|---|-------------------------|
| 1. | To the Judicial Officers who are having sufficient miscellaneous work, like preparation of decrees, Preliminary enquiries, Reconstruction of records, Execution cases (other than decided in full satisfaction or in part satisfaction) etc. | 1 day in a month |
|----|---|-------------------------|

CONTESTED INTERLOCUTORY APPLICATION AND PRELIMINARY ISSUES FINALLY DISPOSED OF AFTER HEARING BOTH THE PARTIES IN PENDING SUITS:

- | | | |
|----|---|--|
| 1. | Temporary injunction applications, applications for appointment of receiver, application for permission to sue as Indigent person, application for substitution of legal representatives of deceased person, Plaint rejected under Order VII Rule II of C.P.C. (on application of defendant) and applications for amendment of pleadings under Order VI Rule XVII C.P.C. | 10 contested applications per day decided after hearing both the parties (may be in same or in different suits.) |
| 2 | Preliminary Issues. | Every 5 contested preliminary issues decided after hearing both parties (In different suits and not in same suit) per day. |

SCHEDULE 'C'

Quantum of disposal per working day for Chief Judicial Magistrates, Additional Chief Judicial Magistrates and Judicial Magistrates.

A. WARRANT CASES:

- | | | |
|--------|--|--|
| (i) | Cases in which the accused is convicted or acquitted after full trial under Sections 363, 408, 409, 467, 471, 477, and 477A I.P.C. | 2 days for one case |
| (ii) | Cases in which the accused is convicted or acquitted after full trial : | |
| | (a) Arms Act | 4 cases per day |
| | (b) Prevention of Food Adulteration Act. | 2 cases per day |
| | (c) Excise Act | 4 cases per day |
| | (d) Other Local and Special Acts. | 5 cases per day |
| (iii) | Other cases (including cases under Section 3 of the Railway Property (Unlawful Possession), Act 1966 in which the accused is convicted or acquitted after full trial). | 1 case per day |
| (iv) | Cases in which accused is either discharged under Section 239 or 249 Cr. P. C. or convicted under Section 241 or 246 (3) Cr.P.C. | 12 cases per day |
| (v) | Cases in which the accused is discharged under Section 245 Cr. P.C. | 5 cases per day |
| (vi) | Cases in which the accused is discharged under Section 249 Cr. P. C. without any evidence having been recorded. | 12 cases per day provided evidence recorded u/s 202 Cr. P. C. |
| (vii) | Cases where compounding under Section 320 Cr. P. C. take place after some evidence having been recorded. | 8 cases per day |
| (viii) | Cases under Section 299 Cr.P.C. | 12 Cases per day. |

B. SUMMONS CASES :

- | | | |
|-------|--|--|
| (i) | Cases u/s 125 Cr. P. C. | 1½ case per day. |
| (ii) | Cases in which the accused is Convicted u/s 252 Cr. P. C. | 12 cases per day. |
| (iii) | Cases in which the accused is acquitted u/s 256, 257, 258 Cr. P. C. after some evidence has been recorded. | 12 cases per day |
| (iv) | Cases in which the accused is acquitted u/s 256, 257, 258 Cr. P. C. without any evidence having been recorded. | 12 cases per day provided some evidence has been recorded u/s 202 Cr. P. C. |
| (v) | Cases decided after full trial | 1½ case per day. |
| (vi) | Cases dismissed u/s 203 Cr. P. C. | 12 cases per day. |

C. SUMMARY TRIAL CASES :

- | | |
|---|-------------------------|
| (A) Appealable cases : | |
| (i) Warrant cases | 6 cases per day |
| (ii) Summons cases | 6 cases per day |
| (B) Non appealable cases : | |
| (i) Warrant cases | 12 cases per day |
| (ii) Summons cases | 12 cases per day |
| (C) Cases where the accused pleads guilty at the commencement of the trial. | 25 cases per day |

NOTE : Cases triable summarily will not be given benefit of warrant cases or summons cases even if the Magistrates try them as regular summons or warrant cases except cases in which the accused is either a public servant or member of an elected public body and is charged with an offence involving moral turpitude.

- | | |
|--|---|
| (D) Appeals against conviction by Magistrates. | 5 cases per day |
| (E) Criminal Misc. Cases entered in Registers in Forms nos. 11 and 12 General Rules (Criminal) | 8% of the actual actual working days in a month |
| (F) Bails and Remands | One day in a month. |
| (G) Sessions Enquiry on Complaint u/s 202 Cr. P. C. | 8 cases per day |

- NOTE :** (1) The Magistrate who has done bail and remand duty on holidays shall be given one day extra work done in a month without addition of working days.
(2) The statement of out-turn of work will be submitted in the prescribed proforma, (Annexure A).

SCHEDULE 'D'

GENERAL

- (1) Judicial Officers are expected to inspect their offices once in a quarter. A District Judge is expected to inspect each subordinate court once in a year. The total time spent in inspection will be noted in the remarks column of the statement.
- (2) In calculating working days the following will be excluded:
 - (a) days on which courts are closed for the whole day or half day due to holidays or other causes.
 - (b) days on which the Presiding Officer is on earned leave or on casual leave.
 - (c) days spent in inspection of the office of subordinate courts.
- (3) Credit will be given to District Judges for administrative work and work connected with admissions and bail and legal aid work.

(a) in districts having less than 20 courts	15%
(b) in districts having more than 20 courts	20%
- (4) Credit will be given to the Member/Secretary of the District Legal Services Authority in their quota to the tune of 10%. He shall, however, make a reference in the quarterly statement of out-turn duly verified by the District Judge.

- (5)
- | | | |
|-----|---|----------------------------|
| (a) | Credit will be given to the Judicial Officers for disposal of execution Cases in full or part satisfaction | 2 cases per day |
| (b) | Objections disposed of under section 47 C. P.C. or Under Order XXI C. P. C. | 2 cases per day |
| (c) | Miscellaneous cases disposed of Under Order IX Rule 9, Under Order IX rule 13 C. P. C. or any Other Civil Miscellaneous of any Category. | 10 cases per day |
| (d) | For disposal of departmental enquiries (final) | 2 enquiries per day |
- (6) No quota for doing administrative work, for examination work, auction of trees and canteen for the disposal of non-judicial preliminary inquiries etc. The Judicial Officers may do the above works after finishing court work.
- (7) No credit will be given to the Judicial Officer in his work quota for the month, on the ground that he was unable to attend court on any particular day, as he was on VIP duty that day, unless he is specially so deputed by the High Court. The officers should keep it in mind that Judicial work with integrity and devotion is their supreme duty.
- (8) Only one day will be claimed in the out-turn for making the inspection by the District Judge for one court and the departments.
- (9) The other Presiding Officers will claim only one day for making the inspection of their office.
- (10) The civil Judge (JD)/Magistrate provided with a stenographer will give disposal at the enhanced quota as under:-
- | | |
|---|------|
| Chief Judicial Magistrate/Additional | 120% |
| Chief Judicial Magistrate / civil | |
| Judges (JD)/Judicial Magistrates | |
- (11) **The Fast Track courts will dispose of 14 sessions trials in a month or 20 cases other than sessions cases per month.**
- (12) **The cases disposed of in the Lok Adalat by the Judicial Officers during holidays shall be treated to have been done on working days for the calculation of work done, as per the Schedule.**

The above prescribed out turn shall be applicable for the year 2004-05 and onwards.

ANNEXURE 'A'

Statement showing out turn of the Presiding Officer of the Magisterial courts of district.....for the quarter ending.....

1.	Name and designation of the PRESIDING OFFICER.
2.	Cases in which the accused was convicted or acquitted after full trial U/Ss 408,409, 466 to 468, 471 and 477A I. P. C.
3.	Cases in which the accused was convicted or acquitted after full trial under :- (a) Arms Act. (b) Prevention of Food Adulteration Act. (c) Excise Act. (d) Other Local and Special Acts.
4.	Other cases in which the accused was convicted or acquitted after full trial.
5.	Cases in which the accused was discharged u/s 239 or 249 Cr. P. C. or convicted u/s 241 or 246 (3) Cr. P. C.
6.	Cases in which the accused was discharged u/s 245 Cr. P. C.
7.	Cases in which compounding u/s 320 Cr. P.C. took place after some evidence having been recorded.
8.	Cases u/s 299 Cr. P.C.
9.	Appealable Cases
10.	Non-appealable cases.
11.	Cases under Section 125 Cr. P. C.
12.	Cases in which accused was convicted u/s 252 Cr. P.C.
13.	Cases in which accused was acquitted U/Ss 256, 257, & 258 Cr. P. C. after some evidence.
14.	Cases decided after full trial.
15.	Cases dismissed u/s 203 Cr. P. C.
16.	Appealable cases.
17.	Non-appealable cases.
18.	Appealable cases.
19.	Non-appealable cases.
20.	Appealable cases.
21.	Non-appealable cases.
22.	Cases where the accused pleaded guilty at the commencement of the trial.
23.	Cases under U.P. Motor Vehicle Act etc. in which the accused pleaded guilty.
24.	Appeals against conviction by Magistrates.
25.	Sessions enquiry on complaint under Section 202 Cr. P. C.
26.	Cases in which appeal lies under Section 378 Cr. P. C.
27.	Number of days devoted to the disposal of Criminal miscellaneous cases, bails and remands.
28.	Number of days devoted to inspections.
29.	Number of days on casual and other leave.
30.	Actual number of working days.
31.	Number of days according to the standard.
32.	Remarks.

C.L. No. 07/X-b-16/Ins/2004 Dated: April 28, 2004

Sub: **Quantum of work for the Judicial Officers corrigendum- C.L. No. 05/X-b-16/Ins/2004 Dated: April 2, 2004.**

I am desired to say that in C.L. No. 05/X-b-16/Ins/2004 Dated: April 2, 2004 at page 10 in schedule –D(1) words "twice in a year" be read in place of "once in a quarter".

It is, therefore, requested that the above corrigendum in C.L. No. 05/X-b-16/Ins/2004 Dated: April 2, 2004 be brought to the notice of all the Judicial Officers.

5. ANNUAL CONFIDENTIAL REMARKS

C.L. No. 03 : Dated March 12, 2001

Sub: **Annual Confidential Remarks for the year 2000-2001**

It directs all the District Judges that the Annual Remarks about the work and conduct of the Officers of their Judgeship for the year 2000-2001 may kindly be sent to the Court in requisite proforma Annexure 'A' by 15th of April, 2001.

In this connection it is emphasized that the following instructions may kindly be followed strictly while recording the annual remarks in respect of the Officers working in their Judgeship:-

1. The annual remarks should be recorded in respect of all the Officers whose work and conduct was seen for three months or more during the year.
2. Even if an officer has worked at the station for the period of less than three months during the year, the District Judge should send the figures of his disposal for that part of the year, so that his full figures of disposal during the whole year may be worked out.
3. In case the annual remarks in respect of any officer are adverse, wholly or in part, the whole of the remarks should be communication to the officer concerned and note to that effect should be incorporated at the end of the annual remarks before dispatching the same to the Court.
4. While recording annual remarks in respect of the Addl. District & Sessions Judges, the District Judge should examine some records handled by them as well as the judgments delivered by them in the cases and should assess the quality of their judicial work and form his opinion on the basis thereof in column no. (f) at the time of recording the annual remarks.
5. While sending his own self-assessment form, the District Judge, should attach to it a statement pertaining to column no. 9 "Inspections made" and he will send the particulars in the annexed proforma- Annexure 'B'.
6. While recoding annual remarks about the Chief Judicial Magistrate, Additional chief Judicial Magistrate, Judicial Magistrate and Civil Judge(Junior Division), he should mention specifically in Column No. (g) whether or not the officer was provided with stenographer and whether he was required to give increased out turn at the rate of 30% in the case of Chief Judicial Magistrate/Additional Chief Judicial Magistrate, and 20% in the case of Judicial Magistrate /Civil Judge (J.D.).
7. The self assessment form shall be filled in by the officer of the prescribed form- Annexure "C", in triplicate, one copy is to be retained by him and the other two copies are to be submitted to the District Judge who will in turn, retain one copy with him and send the other copy to the Court. The period of 'self -assessment form' will be from 1st of April to March 31, every year.
8. The period of recording the Annual Remarks shall be form April 1, to March 31, also.

Annual Confidential Remarks
For the year

Name of the Officer.

Length of service.

Post held during the year.

1. Remarks by the District Judge regarding:
 - (a) Integrity of the officer-whether beyond doubt, doubtful or positively lacking.
 - (b) If he is fair and impartial in dealing with the public and bar.
 - (c) If he is cool-minded and does not lose temper in court.
 - (d) His private character, if such as to lower him in the estimation of the public and adversely affects the discharge of his official duties.
 - (e) Control over the file in the matter of.
 - (i) Proper fixation of cause list;
 - (ii) Avoidance of unnecessary adjournments;
 - (iii) Disposal of old cases;
 - (iv) Progress and disposal of execution cases;
 - (v) Interim orders, injunctions being granted, refused or retained for sufficient reasons;
 - (vi) Cases being remanded on substantial grounds.
 - (f) Whether judgments on facts and law are on the whole sound, well reasoned and expressed in good language.
 - (g) Whether disposal of work is adequate (give percentage and reasons for short disposal, if any)

Working Days	Work done	Percentage.
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 - (h) Control over the office and administrative capacity and tact.
 - (i) Relations with members of the Bar (Mention incidents, if any).
 - (j) Behavior in relation to brother Officers (Mention incidents, if any).
 - (k) Whether the officer has made regular inspections of his court and the offices in his charge during the year and whether such inspections were full and effective.
 - (l) His punctuality in sitting in the court.
 - (m) Whether amenable to advice of District Judge and other superior Officers.
2. Overall assessment of the merit of the officer, outstanding, very good, good fair, poor.
3. Other remarks, if any.

SELF-ASSESSMENT FORM
For the year 2000...

(To be filled in by the officer reported upon)

1. Name of the Officer.
2. Designation.
3. Place of posting.
4. Any other charge held by you.
5. Fill the following for each category of cases separately.

		Year-wise break up
(a) Original suit		20.....20.....20.....20.....
Pending on 1 st April	:	
Additions during the year	:	
Disposal (after contest)	:	
Disposal (otherwise)	:	
Pending on next 31 st March		
(b)-----		
(c)-----		
and so on		

NOTE: The year wise break-up to begin with oldest cases pending.

6. In how many cases have you framed issues?
7. Number of cases in which judgment was not delivered within 15 days of conclusion of argument?
8. (For officers deciding civil appeals)
Percentage of appeals remanded by the officer.
9. Inspections made:
Quarters
Dates
10. Remarks, if any, received during the year from the High Court/Appellate Courts
(whether commendatory or critical should be included)
11. Only for the District Judge.

The District Judges, while filing in their self-assessment form for being submitted to the Court, should indicate therein that they have discharged their responsibilities effectively in achieving the representation of Scheduled Castes/ Scheduled Tribes in the ministerial services of the subordinate courts and in implementing the various Government Orders on the subject.

Proforma-C

Proforma to be attached by the District Judge with his own self-assessment form

Courts and Offices existing in the Judgeship during the year or the period under report	Name of Courts and offices inspected by the District Judge, with dates of inspections.	Name of Courts and offices inspected by the Additional District Judges as authorized by the District Judge, with dates of inspections.	Remarks, if any
1	2	3	4

C.L. No. 5, Dated: March 15, 2002

Sub: **Annual Confidential Remarks for the year 2001-2002**

I am directed to request that the Annual Remarks about the work and conduct of the Officers of your Judgeship for the year 2001-2002 may kindly be sent to the Court in the requisite proforma- Annexure 'A' latest by 15th of April, 2002.

In this connection, I am to emphasize that the following instructions may kindly be followed strictly while recording the annual remarks in respect of the Officers working in your Judgeship:-

1. The annual remarks should be recorded in respect of all the Officers whose work and conduct was seen for three months or more during the year.
2. Even if an officer has worked at the station for the period of less than three months during the year, the District Judge should send the figures of his disposal for that part of the year, so that his full figures of disposal during the whole year may be worked out. The District Judge will also send his opinion about his work and conduct.
3. In Case the annual remarks in respect of any officer are adverse, wholly or in part, the whole of the remarks should be communicated to the officer concerned and a

note to that effect should be incorporated at the end of the annual remarks before despatching the same to the Court.

4. While recording annual remarks in respect of the Addl. District and Sessions Judges, the District Judge should examine some records handled by them as well as the judgments delivered by them in the cases and should assess the quality of their judicial work and form his opinion. The District Judge should also record his opinion on the basis thereof in column No. (f) at the time of recording the annual remarks.
5. While sending his own self-assessment form, the District Judge, should attached to it a statement pertaining to column No. 9 "Inspections made" and he will send the particulars in the annexed proforma- Annexure "B".
6. While recording annual remarks about the Chief Judicial Magistrate, Additional Chief Judicial Magistrate, Judicial Magistrate and Civil Judge (Junior Division), he should mention specifically in Column No.(g) whether or not the officer was provided with stenographer and whether he was required to give increased out turn at the rate of 30% in the case of Chief Judicial Magistrate/Additional Chief Judicial Magistrate, and 20% in the case of Judicial Magistrate/Civil Judge (J.D).
7. The Self-assessment form shall be filled in by the officer on the prescribed form- Annexure "C", in triplicate, one copy is to be retained by him and the other two copies are to be submitted to the District Judge who will in turn, retain one copy with him and send the other copy to the Court. The period of 'self-assessment form' will be from 1st of April to March 31, every year.
8. The period of recording the Annual Remarks shall be from April 1, to March 31, also.

Proforma- A

Annual Confidential Remarks
For the year

Name of the Officer.

Length of service.

Post held during the year.

1. Remarks by the District Judge regarding:
 - (a) Integrity of the officer-whether beyond doubt, doubtful or positively lacking.
 - (b) If he is fair and impartial in dealing with the public and bar.
 - (c) If he is cool-minded and does not lose temper in court.
 - (d) His private character, if such as to lower him in the estimation of the public and adversely affects the discharge of his official duties.
 - (e) Control over the file in the matter of.
 - (i) Proper fixation of cause list;
 - (ii) Avoidance of unnecessary adjournments;
 - (iii) Disposal of old cases;
 - (iv) Progress and disposal of execution cases;
 - (v) Interim orders, injunctions being granted, refused or retained for sufficient reasons;
 - (vi) Cases being remanded on substantial grounds.
 - (f) Whether judgments on facts and law are on the whole sound, well reasoned and expressed in good language.
 - (g) Whether disposal of work is adequate (Give percentage and reasons for short disposal, if any) Working days Work Done Percentage.
 - (h) Control over the office and administrative capacity and tact.
 - (i) Relations with members of the Bar (Mention incidents, if any).
 - (j) Behaviour in relation to brother Officers (Mention incidents, if any).
 - (k) Whether the officer has made regular inspections of his court and the offices in his charge during the year and whether such inspections were full and effective.
 - (l) His punctuality in sitting in the court.

- (m) Whether amenable to advice of District Judge and other superior Officers.
2. Overall assessment of the merit of the officer, outstanding, very good, good, fair, poor.
 3. Other remarks, if any.

Proforma-B

SELF –ASSESSMENT FORM
For the year 2000-----
(To be filled in by the officer reported upon)

1. Name of the Officer.
2. Designation.
3. Place of posting.
4. Any other charge held by you.
5. Fill the following for each category of cases separately.

(a) Original suit	:	Year-wise break up
Pending on 1 st April	:	20....20....20....20....
Additions during the year	:	
Disposal (after contested)	:	
Disposal (otherwise)	:	
Pending on next 31 st March	:	
(b)	:	
(c).....	:	
and so on.		

Note: The year wise break-up to begin with oldest cases pending.

6. In how many cases have you framed issues?
7. Number of cases in which judgment was not delivered within 15 days of conclusion of arguments?
8. (For officers deciding civil appeals)
Percentage of appeals remanded by the officer.
9. Inspections made:
Quarters
Dates
10. Remarks, if any, received during the year from the High Court/Appellate Courts (whether commendatory or critical should be included)
11. Only for the District Judge.

The District Judge, while filling in his own self-assessment form should indicate therein that he has discharged his responsibilities effectively in achieving the representations of Scheduled Castes/Scheduled Tribes in the ministerial services of the subordinate court and in implementing the various Government Orders on the subject.

Proforma-C

Proforma to be attached by the District Judge with his own self-assessment form

Courts and Offices existing in the Judgeship during the year or the period under report.	Name of Courts and offices inspected by the District Judge, with dates of inspections.	Name of Courts and offices inspected by the Additional District Judges as authorized by the District Judge, with dates of inspections.	Remarks, if any.
1	2	3	4

C.L. No. 1, Dated: March 24, 2003.

Sub: **Annual Confidential Remarks for the year 2002-2003.**

I am directed to request that the Annual Remarks about the work and conduct of the Officers of Your Judgeship for the year 2002-2003 may kindly be sent to the Court in the requisite proforma Annexure 'A' by 15th of April, 2003.

In this connection, I am to emphasize that the following instructions may kindly be followed strictly while recording the annual remarks in respect of the Officers working in your Judgeship:

1. The annual remarks should be awarded in respect of all the Officers whose work and conduct was seen for three months or more during the year.
2. Even if an officer has worked at the station for the period of less than three months during the year, the District Judge should send the figures of his disposal for that part of the year, so that his full figures of disposal during the whole year may be worked out. The District Judge will also send his opinion about his work and conduct.
3. In case the annual remarks in respect of any officer are adverse, wholly or in part, the whole of the remarks should be communicated to the officer concerned and a note to that effect should be incorporated at the end of the annual remarks before despatching the same to the Court.
4. While recording annual remarks in respect of the Addl. District and Sessions Judges, the District Judge should examine some records handled by them as well as the judgment delivered by them in the cases and should assess the quality of their judicial work and form his opinion. The District Judge should also record his opinion on the basis thereof in column No.(f) at the time of recording the annual remarks.
5. While sending his own self-assessment form, the District Judge, should attach to it a statement pertaining to column No.9 "*Inspection made*" and he will send the particulars in the annexed proforma- Annexure "B".
6. The self-assessment form shall be filled in by the officer on the prescribed form Annexure "C", in triplicate, one copy is to be retained by him and the other two copies are to be submitted to the District Judge who will in turn, retain one copy with him and send the other copy to the Court. The period of self-assessment form will be from 1st of April to March 31.
7. The period of recording the Annual Remarks shall be from April 1, to March 31, also.

Proforma- A

Annual Confidential Remarks
For the year.

1. Name of the Officer
Length of service.
Post held during the year.
Remarks by the District Judge regarding:
 - a) Integrity of the Officer- whether beyond doubt, doubtful or positively lacking.
 - b) If he is fair and impartial in dealing with the public and bar.
 - c) If he is cool-minded and does not lose temper in court.
 - d) His private character, if such as to lower him in the estimation of the public and adversely affects the discharge of his official duties.
 - e) Control over the file in the matter of
 - I. Proper fixation of cause list;
 - II. Avoidance of unnecessary adjournments;
 - III. Disposal of old cases;
 - IV. Progress and disposal of execution cases;
 - V. Interim orders, injunctions being granted, refused or retained for sufficient reasons;

- VI. Cases being remanded on substantial grounds.
- f) Whether judgment on facts and law are on the whole sound, well reasoned and expressed in good language.
 - g) Whether disposal of work is adequate Working Days Work Done Percentage
(Give percentage and reasons for short disposal, if any)
 - h) Control over the office and administrative capacity and tact.
 - i) Relation with members of the Bar (Mention incidents, if any).
 - j) Behaviour in relation to brother Officers (Mention incidents, if any).
 - k) Whether the officer has made regular inspections of his court and the offices in his charge during the year and whether such inspections were full and effective.
 - l) His punctuality in sitting in the court.
 - m) Whether amenable to advice of District Judge and other superior Officers.
2. Overall assessment of the merit of the officer, outstanding, very good, good, fair, poor.
 3. Other remarks, if any.

Proforma –B

SELF-ASSESSMENT FORM
For the year 2002-2003
(To be filled in by the officer reported upon)

1. Name of the Officer.
2. Designation.
3. Place of posting.
4. Any other charge held by you.
5. Fill the following for each category of cases separately.

<p>(a) Original Suit</p> <p>Pending on 1st April</p> <p>Additions during the year</p> <p>Disposal (after contested)</p> <p>Disposal(otherwise)</p> <p>Pending on next 31st March</p> <p>(b).....</p> <p>(c).....</p> <p>and so on.</p>	<p>Year-wise break up</p> <p>20....20....20....20....</p>
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NOTE: The year wise break-up to begin with oldest cases pending.

6. In how many cases have you framed issues?
7. Number of cases in which judgment was not delivered within 15 days of conclusion of argument?

8. (For officers deciding civil appeals)
Percentage of appeals remanded by the officer.
9. Inspections made:
Quarters
Dates
10. Remarks, if any, received during the year from the High Court/Appellate Courts
(whether commendatory or critical should be included).
11. Only for the District Judge.

The District Judge, while framing in his own self-assessment form for being submitted to the Court, should indicate therein that he has discharged his responsibilities effectively in achieving the representation of Scheduled Castes/Scheduled Tribes in the ministerial services of the subordinate court and in implementing the various Government Orders on the subject.

Proforma-C

Proforma to be attached by the District Judge with his own self-assessment form

Courts and Offices existing in the Judgeship during the year or the period under report.	Name of Courts and offices inspected by the District Judge, with dates of inspections.	Name of Courts and offices inspected by the Additional District Judges as authorized by the District Judge, with dates of inspections.	Remarks, if any.
1	2	3	4

C.L. No.2, Dated: March 12, 2004.

Sub: **Annual Confidential Remarks**

I am directed to request that the Annual Remarks about the work and conduct of the Officers of your Judgeship may kindly be sent to the Court in the requisite proforma Annexure 'A' by 15th of April of each year.

In this connection, I am desired to emphasize that the following instructions may kindly be followed strictly while recording the annual remarks in respect of the Officers working in your Judgeship:

1. The annual remarks should be awarded in respect of all the Officers whose work and conduct was seen for three months or more during the year.
2. If an officer has worked in a district for the period of less than three months during the year, the District Judge should send only the figures of his disposal for that part of the year, so that his full figures of disposal during the whole year may be worked out by the court.
3. In case the annual remarks in respect of any officer are adverse, wholly or in part, the whole of the remarks should be communicated to the officer concerned and a note to that effect should be incorporated at the end of the annual remarks before despatching the same to the Court.
4. While recording annual remarks in respect of the Addl. District and Sessions Judges, the District Judge should examine some record handled by them as well as the judgments delivered by them and should assess the quality of their judicial work

and for his opinion. The District Judge should also record his opinion on the basis thereof in column No.(f) at the time of recording the annual remarks.

5. While sending his own self-assessment form, the District Judge, should attached to it a statement pertaining to column no.9 "Inspection made" and he will send the particulars in the annexed proforma- Annexure "B".
6. The Self-assessment form shall be filled in by the officer on the prescribed form Annexure "C", in triplicate, one copy is to be retained by him and the other two copies are to be submitted to the District Judge who will in turn, retain one copy with him and send the other copy to the Court.
7. The period of recording the Annual Remarks shall be from April 1, to March 31, next.

Proforma-A

Annual Confidential Remarks
For the year

- 1- Name of the Officer.
Length of service.
Post held during the year.
Remarks by the District Judge regarding:
 - a) Integrity of the Officer-whether beyond doubt, doubtful or positively lacking.
 - b) If he is fair and impartial in dealing with the public and bar.
 - c) If he is cool-minded and does not lose temper in court.
 - d) His private character, if such as to lower him in the estimation of the public and adversely affects the discharge of his official duties.
 - e) Control over the file in the matter of:
 - i. Proper fixation of cause list;
 - ii. Avoidance of unnecessary adjournments;
 - iii. Disposal of old cases;
 - iv. Progress and disposal of execution cases;
 - v. Interim orders, injunctions being granted, refused or retained for sufficient reasons.
 - vi. Cases being remanded on substantial grounds.
 - f) Whether judgments on facts and law are on the whole sound, well reasoned and expressed in good language.
 - g) Whether disposal of work is adequate Working Days Work Done Percentage
(Give percentage and reasons for short disposal, if any)
 - h) Control over the office and administrative capacity and tact.
 - i) Relation with member of the Bar(Mention incidents, if any).
 - j) Behaviour in relation to brother Officers (Mention incidents, if any).
 - k) Whether the officer has made regular inspections of his court and the offices in his charge during the year and whether such inspections were full and effective.
 - l) His punctuality in sitting in the court.
 - m) Whether amenable to advice of District Judge and other superior Officer.
- 2- Overall assessment of the merit of the officer, outstanding, very good, good, fair, poor.
- 3- Other remarks, if any.

SELF-ASSESSMENT FORM
For the year 2003-2004
(To be filled in by the officer reported upon)

1. Name of the Officer.
2. Designation.
3. Place of posting.
4. Any other charge held by you.
5. Fill the following for each category of cases separately.

(a) Original Suit Pending on 1 st April Additions during the year Disposal (after contested) Disposal (otherwise) Pending on next 31 st March (b)..... (c)..... and so on.	Year-wise break up 20....20....20....20....
--	--

NOTE: The year wise break-up to begin with oldest cases pending.

6. In how many cases have you framed issues?
7. Number of cases in which judgment was not delivered within 15 days of conclusion of argument?
8. (For officers deciding civil appeals)
Percentage of appeals remanded by the officer.
9. Inspections made:
Quarters
Dates
10. Remarks, if any, received during the year from the High Court/Appellate Courts (Whether commendatory or critical should be included).
11. Only for the District Judge

The District Judge, while filling in his own self-assessment form should indicate therein that he has discharged his responsibilities effectively in achieving the representations of Scheduled Castes/Scheduled Tribes in the ministerial services of the subordinate courts and in implementing the various Government Orders on the subject.

Proforma to be attached by the District Judge with his own self-assessment form.

Courts and Offices existing in the Judgeship during the year or the period under report.	Name of Courts and offices inspected by the District Judge, with dates of inspections.	Name of Courts and offices inspected by the Additional District Judges as authorized by the District Judge, with dates of inspections.	Remarks, if any.
1	2	3	4

C.L. No. 01/Admn. A, Dated March 7th 2006.

Sub: **Annual Confidential Remarks for the year 2005-2006.**

In continuation of court's C.L. No. 02 dated 12-03-2004, I am directed to request you that the Annual Remarks for the year 2005-2006 about the work and Conduct of the officers under your supervision may kindly be sent to the court on the prescribed proforma by 15th of April 2006.

In this connection, I am desired to emphasize that the following instructions may kindly be followed strictly while preparing the self-assessment and recording the annual remarks in respect of the officers working in your Judgeship.

1. The period of recording the Annual Remarks shall be from 1st of April to March 31st.
2. The quantum of work should be calculated strictly in accordance with C.L. No. 05/X-b-16/Ins/2004 dated 02-04-2004.
3. The annual remarks should be awarded in respect of all the officers whose work and conduct was seen for three or more months during the year.
4. In cases an officer has worked for the period of less than three months in the district during the year, the District Judge should send only the figures of disposal of judicial work for that period only to the court.
5. In case, the annual remarks in respect of any officer are adverse, wholly or in part, the whole of the remarks should be communicated to the officer concerned and a note to that effect should be incorporated at the end of the annual remarks before submitting it to the court.
6. While recording annual remarks in respect of the officers, the District Judge should examine some records handled as well as the judgments delivered by the officer concerned. The District Judge should also record his opinion on the basis thereof in column no.(f) of the prescribed form.
7. The Additional Judge, Family Courts shall submit self-assessments to the Principal Judge. While recording Annual Confidential Remarks in respect of the Additional Judge, Family Court, the Principal Judge, Family Court, should examine some records handled as well as the judgments delivered by the officer concerned. The Principal Judge, should also record his opinion on the basis thereof in column no. (f) of the prescribed form.
8. The District Judges and the Principal Judge, Family Court will send their own self-assessments duly filled in on the prescribed proforma by 15th of April 2006 to the Court.
9. While sending his own self-assessment form, the District Judge, should attach to it, a statement pertaining to Column No. 9 "Inspection made" on the prescribed proforma.
10. The Self-Assessment form shall be filled in by the officer on the prescribed form in triplicate, one copy shall be retained by the officer and the other two copies will be submitted to the District Judge who will in turn, retain one copy and submit one copy to the court with the Annual Confidential Remarks.
11. It will be the personal responsibility of the officer concerned to see that the statements so prepared are absolutely correct.
12. The District Judge should ensure that the statements are prepared correctly.

You are, therefore, requested to bring the contents of the above circular letter to the notice of all the Judicial Officers posted in your judgeship.

C.L. No.01/Admn A, Dated: March 30, 2007.

Sub: **Annual Confidential Remarks for the year 2006-2007.**

In continuation of court's C.L. No. 02 dated 12-03-2004, I am directed to request you that the Annual Remarks for the year 2006-07 about the work and Conduct of the officers under your supervision may kindly be sent to the court on the prescribed proforma by 15th of April 2007.

In this connection, I am desired to emphasize that the following instructions may kindly be followed strictly while preparing the self-assessment and recording the annual remarks in respect of the officers working in your Judgeship.

1. The period of recording the Annual Remarks shall be from 1st of April to March 31st.
2. The quantum of work should be calculated strictly in accordance with C.L. No. 05/X-b-16/Ins/2004 dated 02-04-2004.
3. The annual remarks should be awarded in respect of all the officers whose work and conduct was seen for three or more months during the year.
4. In case an officer has worked for the period of less than three months in the district during the year, the District Judge should send only the figures of disposal of judicial work for that period only to the court.
5. In case, the annual remarks in respect of any officer are adverse, wholly or in part, the whole of the remarks should be communicated to the officer concerned and a note to that effect should be incorporated at the end of the annual remarks before submitting it to the court.
6. While recording annual remarks in respect of the officers, the District Judge should examine some records handled as well as the judgments delivered by the officer concerned. The District Judge should also record his opinion on the basis thereof in column No. (f) of the prescribed form.
7. The District Judges and the Principal Judge, Family Court will send their own self-assessments duly filled in on the prescribed proforma by 15th of April 2007 to the court.
8. While sending his own self-assessment form, the District Judge, should attach to it, a statement pertaining to column no. 9 "Inspection made" on the prescribed proforma.
9. The Self-Assessment form shall be filled in by the officer on the prescribed form in triplicate, one copy shall be retained by the officer and the other two copies will be submitted to the District Judge who will in turn, retain one copy and submit one copy to the court with the Annual Confidential Remarks.
10. It will be the personal responsibility of the Officer concerned to see that the statements so prepared are absolutely correct.
11. The District Judge should ensure that the statements are prepared correctly.

You are, therefore, requested to bring the contents of the above circular letter to the notice of all the Judicial Officers posted in your judgeship.

C.L. No. 07/XIII-I-i/Admn. A dated: March, 14 2008.

Sub:- **Annual Confidential Remarks for the year 2007-2008.**

With regard to the subject noted above, I am directed to request you to submit the Annual Confidential Remarks about the work and Conduct of the Judicial Officers working under your supervision for the year 2007-2008 by 15th of April 2008 on the proforma prescribed vide C.L. No. 2 dated 2-3-2004.

In this connection, I am further directed to emphasize that while recording the Annual Confidential Remarks in respect of the Judicial Officers working in your Judgeship the following instructions may kindly be strictly followed:-

1. The Annual Remarks should be recorded for the period with effect from 1st April 2007 to 31st March 2008.
2. The quantum of work should be calculated strictly in accordance with C.L. No.05/X-b-16/Ins/2004 dated 02-04-2004.
3. The annual remarks should be recorded in respect of all Judicial Officers whose work and conduct was observed at least for three or more months during the year in question.
4. In case, a Judicial Officer has worked for the period of less than three months under your supervision during the year in question, the District Judge should send the figures of disposal of judicial work to the court for that period only.
5. In case, the annual remarks is adverse in respect of any Judicial Officer, it should be ensured that whole of the Annual Confidential Remarks and not only the adverse portion is communicated to the officer concerned and a note to that effect should specifically be recorded in the Annual Confidential Remarks of the officer concerned, while submitting to the Court.
6. While recording Annual Confidential Remarks in respect of the Judicial Officers, the District Judge/Principal Judge, Family court may examine some records handled as well as the judgments delivered by the officer concerned. The District Judge/Principal Judge, Family Court should also record his opinion on the basis thereof in column No.(f) of the prescribed form.
7. The District Judge/Principal Judge, Family Court will also send their own self-assessments duly filled in on the prescribed proforma by 15th April 2008 to the Court.
8. The District Judge should enclose a statement of "Inspections made" pertaining to column No.9 on the Proforma prescribed under C.L. No. C-63/1981 dated 15.10.1981.
9. The statement of out turn of work will bear the name and designation of the official who prepares the same and also the official who checks the same.
10. It will be the personal responsibility of the Presiding Officer concerned to see that the statement, so submitted, is absolutely correct.
11. The District Judge should ensure that the statements are properly and correctly prepared. Severe action should be taken against officials preparing wrong statements.

You are, therefore, requested to bring the contents of the above circular letter to the notice of all the Judicial Officers posted in your Judgeship.

6. RESIDENCE

C.L. No. 2/Nainital: Dated Nov. 24, 2000

Sub:- **Details of Government accommodation, residential and non-residential including such accommodation in out-lying Courts.**

All the District Judges are requested to furnish tabulated details of Government accommodation (residential and non-residential including such accommodation in out-lying Courts) and also to state as to how many of the Officers posted in their Judgeship are without Government residential accommodation. The desired information may be furnished to the Court on or before 07-12-2000.

7. CONDUCT OF JUDICIAL OFFICERS ON THE VISIT OF HON'BLE THE CHIEF JUSTICE /OTHER HON'BLE JUDGES TO THE DISTRICTS

C.L No. 09/Admn. B/2004 Dated: September 09,2004

In continuation of Allahabad High Court's circular letter No. 8/IC-7, dated January 16, 1986 and C.L. No.26/IC-7 dated April 23, 1992, I am desired to say that the directions issued in the above circular letters are not complied with by the Judicial Officers. I have further been directed to inform you that during the visit in the district by Hon'ble the Chief Justice or any other Hon'ble Judge, no Judicial Officer should reach to receive or see-off His Lordship at the out-skirt or border of the district/town during working hours or after sun-set unless otherwise specifically instructed.

You are, therefore, requested that the aforesaid directions be brought to the notice of all the judicial Officers posted under your control for strict compliance.

C.L. No. 08/UHC-Admn.B, dated: May16/17, 2008

Sub: **Regarding the visit of judicial dignitaries in the district.**

With regard to subject noted above and in continuation of earlier Circular Letter No. 09/Admn. B/2004 dated September 09,2004 on the above-noted subject, I have been directed again to inform that the practice of the C.J.Ms. or other Judicial Officers doing protocol duty, except in some specified cases, such as receiving only and seeing off only to the specified dignitaries be done away forthwith and without any exception. No Judicial Officer whether he is a District Judge or C.J.M. apart from receiving or seeing off specified dignitaries to be notified by the High Court shall do any other protocol duty. No Judicial Officer either during working hours, non-working hours, working days or holidays should remain with the dignitaries.

You are, therefore, requested to kindly circulate the aforesaid directions among Judicial Officers posted in your district for strict compliance.

C.L. No. 10/UHC/Admn.A/2008 Dated July 24, 2008.

Sub: **Code of Conduct for subordinate judicial officers in connection with the visits of the Chief Justice and Judges of the High Court.**

In continuation of earlier C.L. No. 26/IC-7, dated 23-04-1992, C.L. No. 09/Admin.B/2004 dated 09-09-2004 and C.L. NO. 8/UHC-Admin.B, dated 17-05-2008, the court is pleased to issue the following instructions to be followed strictly by the Judicial Officers:

1. No Judicial Officer shall receive, see-off or visit the visiting Chief Justice/Judges during Court hours.
2. A senior Non-Judicial Administrative Officer will receive and see-off the visiting Chief Justice/Judges during official visits and provide protocol services to them as per norms.
3. If the visiting Chief Justice/Judge of the High Court wants to hold a meeting or address the Judicial Officers, it will be done either before or after Court hours.
4. If the visiting Chief Justice/Judge wants to call a Judicial Officer for official purposes, he will be called either before or after the Court hours.
5. No Judicial Officer will visit the visiting Chief Justice/Judge unless called for official purposes.

6. No arrangement for any private visit of the Chief Justice/Judges shall be made by any Judicial Officer.
7. If arrangements in connection with an official visit of Chief Justice/Judges are required to be made by the District Judge or the Chief Judicial Magistrate, all the bills shall be raised in the name of and the payment shall be made directly by the High Court, to the extent permitted under the Rules. Personal funds will not be used by any Judicial Officer for this purpose.
8. No Judicial Officer shall arrange any private trip including any excursion trip or visit to a religious place for the visiting Chief Justice/Judges.
9. No Judicial Officer will arrange hotel, food or transport for the visiting Chief Justice/Judge, their staff members and security personnel.
10. No Judicial Officer or Court Servant will offer or provide any gift or hospitality to the Chief Justice/Judges.
11. No function will be organized by Judicial Officer(s) during the visit of the Chief Justice/Judges except official functions organized on written directions and at the cost of the Government.
12. Any violation of these instructions will be considered as gross misconduct rendering the concerned Judicial Officer to strict disciplinary action.

8. PUNCTUALITY: TIMINGS OF COURT

C.L. No. 6392./Admn.(A)-UHC/2002 Dated December 20,2002

Under Rule 10 of General Rules (Civil) the daily sitting of civil courts for judicial work is ordinarily extend from 10.30 AM to 4.00 PM with a recess from 1.30 PM to 2.00 PM. In consonance with the recommendations of National Judicial Pay Commission, the Court has been pleased to direct that all the Judicial Officers will start their administrative work, writing judgments and other allied judicial work at 10.00AM in their chambers before sitting on the dais at 10.30 AM. Thus all the Judicial Officers shall be in the court building not later then 10.00 AM. The District Judges shall ensure compliance of the directions of the Court.

9. CALLING ON HON'BLE THE CHIEF JUSTICE

C.L. No. 12/UHC-2001, Dated: November 07,2001

It has come to the notice of the court that the District Judges and the Judicial Officers come to the Court to see Hon'ble the Chief Justice without prior permission. In this connection, the Court has issued the following directions:-

- 1- The District Judges, who wish to visit the Hon'ble the Chief Justice to bring to his Lordship's notice some problems or difficulties of the Judgeship, may obtain prior permission of the Court. The District Judge will mention the purpose of visiting the Court.
- 2- If any Judicial Officer intends to see Hon'ble the Chief Justice regarding some problems or difficulties in service matters, or for some emergent official work, he will submit a representation to the District Judge concerned apprising the purpose of visit. The District Judge, if thinks proper, may forward the representation of the Officer to seek the appointment through the Registrar, with his comments on the request.

All the District Judges are therefore requested to note and bring the above directions of the Court to the notice of all the Judicial Officers of the Judgeship for strict compliance.

C.L. No. 8/Admn.B/2004, Dated: August 12, 2004

Sub: Appointment with Hon'ble the Chief Justice

I am desired to say that it has come to the notice of the Court that the District Judges and the Judicial Officers while coming to the Court for any other purpose seek the appointment to see His Lordship through the P.P.S. or P.R.O. In this connection the Court has already issued C.L. No.12/UHC/2001 dated 07-11-2001, in which the court has issued directions to all the District and Sessions Judges, State Judiciary, Uttaranchal as under:

1. The District Judge, who wish to visit the Hon'ble the Chief Justice to bring to His Lordship's notice some problems or difficulties of the Judgeship may obtain prior permission of the Court. The District Judge will mention the purpose of visiting the court.
2. If any Judicial Officer intents to see Hon'ble the Chief Justice regarding some problems or difficulties in service matters, or for some emergent official work, he will submit a representation to the District Judge concerned apprising the purpose of visit. The District Judge, if thinks proper, may forward the representation of the officer to seek the appointment through the Registrar, with his comments on the request.

Hon'ble the Chief Justice has further directed that in addition to the directions contained in above circular letter the District Judge or any other Judicial Officer will not seek appointment to see Hon'ble the Chief Justice through P.P.S/P.R.O./any officer/employee of the Court except the Registrar General.

You are, therefore, requested to note and bring the above directions of the court to the notice of all the Judicial Officers of the Judgeship for strict compliance.

10. CONFERRING POWERS TO JUDICIAL OFFICERS

C.L. No.4/2001: Dated March 13, 2001

All the District and Session Judges are informed that Hon'ble Court has been pleased to confer the power of Assistant Sessions Judge ex officio under Section 9 of the Code of Criminal Procedure on the Presiding Officers of the Civil Judges (Senior Division), Addl. Civil Judges (Senior Division), the courts created under U.P. Bengal, Agra and Assam Civil Courts Act (Act No. XII of 1887) in the State of Uttaranchal.

The Hon'ble Court has further been pleased to recall the C.L. No. 30/IV/g-27, dated 21-05-1994, for the State of Uttaranchal, issued by the Hon'ble High Court of Judicature at Allahabad conferring the power u/s 11 Cr.P.C. to all the Civil Judges to function as Judicial Magistrate, created the U.P. Bengal, Agra, and Assam Act, 1887 and the C.L. No. 26/IV-28 dated 23-03-1949 has been restored for the State of Uttaranchal.

They are requested to bring the above to the notice of all concerned.

C.L. No. 5/UHC-2001, Dated Nainital March 13, 2001

All the District Judges are informed that they have been conferred the powers to draw their T.A. Bills from the treasury without obtaining the countersignatures of the Hon'ble Court. It has come to the notice of the Court that the programme of the District

Judges regarding their official visit does not come to the Court for the Court's perusal. Now the Court has laid down the following guidelines regarding the official travelling of the District Judges:-

1. In case the District Judge visits any place out of the headquarter, he shall take prior permission of the leaving of the headquarter.
2. In case the District Judge is of the opinion that his visit out of the headquarter is very essential at a short time and he has no time to take the prior permission, he will intimate the Court at an earliest.
3. The District Judges will submit a duplicate copy of their T.A. Bills, which they are drawing at the District level within a period of seven days after receiving the payment of the T.A. Bills.
4. The District Judges will submit the copy of the Log Book of the car at the end of each month. Such directions were already made earlier by Hon'ble Allahabad High Court as well as by the Government, but the District Judges are not complying the orders in that regard.

The District Judges will also send the details in each month of the official visits made by them by the official car along with kilometers.

C.L. No. 12/UHC.Admn. Section, Dated: July 09,2002

Pursuant to the Notification No. 94 dated 08-07-2002 whereby all the Additional District Judges of the State Judiciary, Uttaranchal have been conferred the powers to try and dispose of the Original Suits to any valuation or any proceedings cognizable by the Courts of Civil Judges of the State, I am desired to say that the cases pertaining to the jurisdiction of the Court of Civil Judges be generally decided by the Courts of Civil Judges. If the District Judge thinks proper the cases of higher valuation may be assigned to the Additional District Judges, preferably those cases in which appeal would lie to High Court if the case had been disposed of by the Civil Judge.

C.L. No. 11/UHC/Admin.A/2010 Dated: August 31, 2010

Reference: Circular Letter No. 4/2001 dated 13-03-2001

With regard to Circular letter cited above, Hon'ble Court is pleased to revoke the powers of Assistant Sessions Judge ex-officio under section 9 of the Cr. P.C., conferred upon Presiding Officers of the Courts of Civil Judge (Sr. Div.)/Addl. Civil Judge (Sr. Div.) vide aforesaid Circular Letter.

Notification regarding conferment of powers of 1st Class Judicial Magistrate upon Civil Judges (Sr. Div.)/Addl. Civil Judges (Sr. Div.) under section 11(3) of Cr. P.C. is being issued separately.

You are, therefore, informed accordingly.

11. PERMISSION TO PURSUE THE LL.M. Course.

C.L. No. 08/UHC/Admin.A/2010 Dated: February 19,2010

On the subject noted above, I am directed to inform that the Hon'ble Court has decided that:

1. At one point of time not more than 10% members of the Uttarakhand Higher Judicial Officers shall be permitted to pursue the LL.M. Course. Likewise not more than 10% of the cadre of the Subordinate Judicial Services shall be permitted to undergo the Course.
2. Request for undertaking the LL.M. Course should be submitted by all the interested Judicial Officers on or before 30th of April every year.
3. Short-listing of the candidates will be based on seniority in their respective cadres. The senior shall be entitled to preference.
4. Permission to pursue the LL.M. Course shall be granted, subjected to the condition, that the degree pursued, is such which is recognized for appointment to a service under the Government or University in Uttarakhand.

It is, therefore, requested that the above contents be brought to the notice of all Judicial Officers posted under your kind control.

CHAPTER-II

STAFF

1. SANCTIONED STRENGTH

C.L. No. 1/ Nainital: Dated Nov, 24, 2000

Sub: **Sanctioned strength of Courts and staff attached therewith.**

All the District Judges are requested to submit a statement showing sanctioned strength of Courts and the staff attached therewith together with the remaining staff of all Judgeships so as to reach this Court on or before 07-12-2000 positively.

Kindly ensure strict compliance.

2. RECRUITMENT TO CLASS-III AND CLASS IV POSTS OF JUDGESHIPS AND OTHER FINANCIAL MATTERS.

C.L. No. 3/Nainital: Dated Nov, 24, 2000

All the District Judges are directed that pending further orders of the Court no fresh recruitment to any posts of Class-III and Class-IV staff of their Judgeship, including posts lying vacant or recently created, shall be made/carried out in any of the Judgeships subordinate to the Court and further that no financial liabilities shall be freshly incurred by the District Judges. The aforesaid decision may, therefore, be noted for strict compliance.

C.L. No. 10/UHC-2001 Dated: June 14, 2001

All the District Judges are informed that the Court has been pleased to adopt the Government Notification No. 18/2/81-Ka-2/2000 dated 21-01-2000, raising the upper age limit for recruitment to all such services and posts under the rule making powers of the Governor to 35 years. Accordingly, the upper age limit for recruitment to the ministerial establishment and also for recruitment to the Inferior Establishment (Class III and Class IV employees) of the Subordinate Civil Courts shall be 35 years and it shall be deemed to have been raised from 32 to 35 years under rule 6 of the subordinate Civil Courts Ministerial Establishment Rules, 1947 and under Rule 8 of the Subordinate Civil Courts Inferior Establishment Rules, 1955.

It is, therefore, requested that the above instructions may be given effect to while making recruitment to the Class III and Class IV employees.

C.L. No. 14/2001/UHC/Dated: Nainital: November 23, 2001

All the District Judges are permitted to engage the casual labour for maximum period of one month at a time as and when necessity arises at the rate of Rs. 42.00 per day to meet the exigency, against the vacancies available in Class IV cadre. The limit

should not exceed more than five percent of the total Class IV strength. You will also demand the budget for this purpose under appropriate head.

C.L. No. 02/UHC/Dated: February 22, 2002

Vide Court's Circular letter No. 14/2001 dated 23-11-2001, the Court has permitted all the District Judges to engage casual labour for a maximum period of one month at a time as and when necessity arises at the rate of Rs. 42.00 per day to meet the exigency, against the vacancies available in Class IV cadre.

The Court has further directed that the recruitment of Class-IV employees against the vacant posts be made according to the Rules applicable to Uttaranchal. These posts will be inclusive of 5% of the total sanctioned strength for engaging the casual labours for a maximum period of one month as and when required, as directed in the above C.L.

It is further desired that no ad-hoc appointment in Class IV cadre be made.

All the District Judges are, therefore, requested to strictly comply with the above-mentioned directions.

C.L. No. 04/UHC/Admin. Section, Dated: March 14, 2002

I am desired to say that C.L. No. 7/Ve-4/Admin. 'D' Sec. Dated 1-4-1999 issued by the Allahabad High Court provides that the matter of regulating the services of Class-III and Class-IV employees appointed in Family Court in the State of Uttar Pradesh was in consideration of the Hon'ble Court. Now the Hon'ble High Court of Uttaranchal has taken a decision that while holding the competitive examination for the recruitment of the employees in the Civil Court, the vacant posts of employees in Family Courts be also included in it. The Select list in respect of the vacant posts of employees in Family Courts be also prepared in consultation with the Judge Family Court, and the candidate of the select list be sent to him for making the appointments of the employees by him.

You are, therefore, requested to strictly comply with the abovementioned directions.

C.L. No.06/UHC/ Nainital: Dated: April 09/11,2002

I am desired to say that the Hon'ble court has been pleased to recall the C.L. No. 03 dated 24-11-2000 banning the recruitment on the posts of Class-III in the Judgeship. Further, the Hon'ble Court has been pleased to direct you to make the recruitment of Class-III employees, under the rules, with the condition that no ad-hoc appointments be made in any of the categories of employees. The aforesaid decision, may, therefore, be noted for strict compliance.

C.L. No. 11/UHC/Admin. Section, dated: June 20/21,2002

All the District Judges are directed not to make any recruitment in Class III cadre till fresh set of rules are framed by the court and they may utilize the staff of the vacant courts.

C.L. No. 04/UHC/Admn. B/2003 dated October 01,2003

In supersession of the C.L. No. 11, dated 20/21.06.2002, I am directed to inform you that the Court has been pleased to accord permission to fill up the vacant posts in Class III and Class IV cadre in the Judgeships after holding exams under the Rules and provisions of Uttar Pradesh Subordinate Civil Courts Ministerial Establishment Rules, 1947 as amended by 'Uttaranchal (Uttar Pradesh Subordinate Civil Courts Ministerial Establishment Rules, 1947) (Amendment) Rules, 2003' and U.P. Subordinate Civil Courts Inferior Establishment Rules, 1955 as amended by 'Uttaranchal (Uttar Pradesh Subordinate Civil Court's inferior establishment Rules 1955) (Amendment) Rules, 2003' and no appointments shall be made on ad-hoc basis.

You are, therefore, requested to strictly follow the recruitment Rules.

3. AD HOC APPOINTMENT

C.L. No. 02/Admn-B/2006/dated: March-23, 2006

I have been directed to draw your attention to Court's C.L. No. 06/UHC/Nainital dated 11-04-2002 and C.L. No. 04/UHC/Admn.-B/2003 dated 01-10-2003 by which directions were issued that no appointments shall be made in Class III and Class IV cadres on ad hoc basis. But it has come to the notice of the Court that ad hoc appointments are still being made in violation of aforesaid circular letters. The Hon'ble Court has been pleased to direct to comply the aforesaid circular letters and not to make any appointment on ad hoc basis. The Hon'ble Court has further directed that in case of violation of the directions contained in the aforesaid circular letters, strict action shall follow.

You are, therefore, informed accordingly.

4. TRANSFER POLICY FOR THE STAFF OF SUBORDINATE COURTS

C.L No. 12/08 Dated: November 18/20, 2008

Sub: **Regarding transfer policy for the staff of Subordinate Courts.**

I am directed to request you that the following instructions may kindly be strictly followed with regard to the subject noted above:

" In continuation & partial modification of C.L. No. 26/Ve-4 dated 10th April, 1950, it is directed that the Class III employee of the judgeship be transferred from their seat after completion of three years, if not before unless transfer to another post be impracticable. As far as possible it may also be ensured that transfer is made to a seat having different kind of work & in different department viz. an employee of Court (reader/Ahalmad etc.) to Record Rooms/ Copying Department/ Nazarat/ Library/ Stationery/Amanat/ Administrative Office etc. & vice-versa. Sufficient time should be given to such employee to give charge of records with them so that in case of loss of records responsibility may be easily fixed."

5. DEPUTATION OF OFFICERS/OFFICIALS TO OTHER DEPARTMENTS

C.L. No. 01/Admin B Dated: February 18/22,2002

All the District Judges are informed that the Hon'ble Court has been pleased to issue directions that the officers and the officials who make the representations to the other departments, these representations should be forwarded to the Court so that the court may make appropriated decisions in the matter. In case the other departments directly make the requests to the District Judge concerning the officers and the staff, such requests should be placed before the Court and thereafter the names for deputation or any other matter may be considered according to the directions of the Court.

All the District Judges are, therefore, requested to bring the above directions of the court to the notice of all concerned for strict compliance.

6. WITHDRAWAL OF FOUR DAYS EXTRA CASUAL LEAVE

C.L. No. 03/UHC-2002, Dated: March 2, 2002

I am desired to say that the Hon'ble Court has been pleased to recall the C.L. No. 33/23-127 dated 03-05-1937 and C.L. No. 71/23-127, dated 30-07-1980 issued by the Allahabad High Court by which concession of four days' extra casual leave was allowed as journey time (For journeys to and from their homes) to the officers and staff belonging to the plains and posted in the Hill districts or belonging to the Hills and posted in the plains, shall be confined to the districts of Pithoragarh, Chamoli and Uttarkashi only. Hereinafter no officer and the staff belonging to the plains and posted in the hill districts or belonging to hills and posted in the plains will be entitled to the concession of four days' extra casual leave.

It is therefore, requested that the above directions of the court be brought to the notice of all concerned.

CHAPTER-III

JUDICIAL MISCELLANEOUS

1. CONSIGNMENT

C.L. No. 06 X-C-i/Admn. B/2008 Dated: March 07,2008

Sub: **Consignment of record of cases decided by the Family Courts.**

On the subject noted above, I am desired to say that there appears no permanent arrangement for consignment of record of cases decided by the Family Courts. On inspection, it has been found that the records of decided cases are lying in racks of the offices of the Family Courts without proper maintenance. There appears no arrangement even for weeding out of records.

Hon'ble the Chief Justice after consideration in the above matter has issued directions that the records decided by the Family Court be consigned to the Record Room of the Judgeship concerned as per the provisions of General Rules (Civil) and General Rules (Criminal). The District Judge concerned will allot separate and sufficient accommodation in the record room of the Judgeship for the consignment of decided records of the Family Court. The records consigned by the Family Court will be dealt with by the Record Keeper of the Judgeship as per the provisions of General Rules (Civil) and General Rules (Criminal) as regard to maintenance, weeding out, inspection and copies is concerned.

You are, therefore, requested to do the needful accordingly.

2. MAINTENANCE OF RECORD

C.L. No. 20/UHC-2002, Dated: December 10,2002

I am desired to inform you that the Court while deciding Criminal Appeals noticed that the record of trial Courts is not properly being maintained. General Index of Exhibits was not prepared according to Rule 23 of General Rules (Criminal) 1977. Papers were not marked as belonging to file A or B. Exhibits are also not marked properly.

The Court has been pleased to issue directions that it will be the joint responsibility of the Reader and Clerk in-charge of Record that the records are maintained properly according to Rules provided under Chapter IV of General Rules (Criminal). The record of every case shall be kept in a wrapper and it should bear the Certificate of the Reader as prescribed under Rule 32 of the General Rules (Criminal).

All the District Judges shall ensure that strict compliance of the Rules 20 to 34-A of the General Rules (Criminal) be made by all the Courts subordinate to them. Any lapses in this regard will be viewed seriously. The Presiding Officer of the Court has the supervising responsibility.

It is, therefore, requested that the above directions of the Court be brought to the notice of all concerned.

3. PENDENCY

C.L. No. 5/ Nainital: Dated Nov. 24, 2000

Sub: **Year-wise pendency of all kinds of cases pending in the Courts of the Judgeship on 30-09-2000**

All the District Judges are requested to submit a statement of year-wise pendency of all kinds of cases pending in the Courts as on 30-09-2000 in the enclosed prescribed proforma so as to reach the Court on or before 08-12-2000.

Proforma for year wise pendency of all kinds of cases pending as on 30-09-2000.

Class of court & name of the Presiding Officer.	Year wise pendency of cases as on 30.09.2000	Total number of cases pending as on 30.09.2000	Remarks.
1.	2.	3.	4.

C.L. No. 5/XVII-58/Admin.B/2005 Dated October 05, 2005

Sub: **High Pendency of cases in the Courts.**

With reference to the subject noted above, I have been directed to inform that Hon'ble the Law Minister, Government of India, in his letter D.O. No. 15019/6/2005/Jus (M)/702 dated August 2, 2005 addressed to Hon'ble Chief Justice, High Court of Uttaranchal regarding the high pendency of cases has made the following observation:

"The matter has been examined and it has been found that one of the reasons for high pendency of cases is artificial arrears in the High Courts and subordinate courts. Such artificial arrears include frivolous litigations. This is encourages by delay in dispensing justice and is used mainly as a means to harass the opposite party. It will automatically decrease with speedy justice. Secondly, a large number of criminal cases are lodged mainly for statistical purpose and are really false cases. Thirdly, there are exhausted cases where the need and compulsion for full trial and conviction may have been exhausted for various reasons, for instance, the accused may have already suffered enough punishment as an undertrial prisoner."

The above observations are hereby brought to the notice of all the judicial Officers for doing the needful to reduce the pendency.

4. EXPEDITIOUS DISPOSAL OF CASES

C.L. No. 2/UHC/ Dated: Nainital March. 01, 2001

Sub: **Disposal of old cases, cases belonging to senior citizens, under-trial prisoners and delay in delivery of reserved judgments.**

All the District Judges are required to focus attention of the Judicial Officers towards the delayed disposal of matters, which are more than seven years old, in which Senior citizens are parties and undertrial prisoners are involved in petty offences. They are required to submit regular monthly returns as per enclosed proforma.

Prescribed Proforma
Designation of the Court-
Name of the Presiding Officer-

Number of the civil cases more than seven years old		Number of criminal cases more than seven years old		Number of cases involving senior citizens with age exceeding 65 years.		Number of undertrial prisoners		Number of undertrial prisoners in petty cases		Number of Special Courts held in Jail during the year	Number of Cases in which judgment pronounced later than a fortnight after hearing arguments
1		2		3		4		5		6	7
A. Pendency	B. Disposal since submission of last monthly statement	A. Pendency	B. Disposal since submission of last monthly statement	A. Pendency	B. Disposal since submission of last monthly statement	A. Pendency	B. Disposal since submission of last monthly statement	A. Pendency	B. Disposal since submission of last monthly statement		

C.L. No. 7 / 2001. Dated: April 10, 2001

All the Judicial Officers are impressed upon to pronounce the judgments within 14 days after the conclusion of the arguments. The Hon'ble Court has directed as under:-

- 1- The judgment after the conclusion of the arguments/ evidence shall be pronounced by the Presiding Officers within fourteen days as required under Rule 94 of the General Rules (Civil), 1957.
- 2- In case the judgment is not pronounced within fourteen days of the conclusion of arguments, and the case is fixed for re-hearing on some grounds or the other, a statement be sent to the District Judge concerned who will scrutinize the reasons for fixing the case for re-hearing. The District Judge may call the record of the case to verify the reasons for fixing the date for re-hearing.
- 3- The District Judge may bring the above facts to the notice of the Hon'ble court.

The District Judges are requested to bring the above directions of the Hon'ble court to all the Judicial Officers working under them for strict compliance failing which adverse view will be taken against the defaulting officer.

C.L. No. 8 / 2001, Dated: April 13, 2001

I am desired to enclose herewith a copy of the judgment of the Hon'ble Supreme Court of India, in Criminal Appeal No. 392 of 2001 (arising out of S. L. P. (Crl.) No. 3380 of 2000), State of U. P. versus Shambhu Nath Singh and others for the instructions contained therein to be complied with by all the Judicial Officers working under you. The following directions on administrative side are issued by the court for compliance by the Presiding Officers: -

- 1- The inquiry or trial shall be held as expeditiously as possible in accordance with the provisions of section 309 Cr. P.C.
- 2- Once examination of the witnesses starts the Court has to continue the trial from day to day until all witnesses in attendance have been examined (except those whom the party has given up).
- 3- The inquiry or trial after the commencement can only be postponed or adjourned for special reasons to be recorded in writing as per the provisions of section 309 Cr.P. C.
- 4- If a witness is present in court, he must be examined on that day. If not examined on the same day, reasons will be recorded in writing and the District Judge will be sent a copy of the reasons recorded by the Judicial Officer concerned.

- 5- If the witness / witnesses is/are present in the court for evidence in any Case and the Presiding Officer is on leave, the District & Sessions Judge will withdraw the case in the morning and will transfer the case to other competent court, whose Presiding Officer is Present. The transferee court will record the evidence of the witnesses on the same day.
- 6- The adjournments should not frequently be granted to suit the convenience of the Advocate concerned as inconvenience of an Advocate is not a 'special reason'.

It is, therefore, requested that the above directions issued by the court may kindly be brought to the notice of all concerned. Any lapse on the part of the Presiding Officers be reported to the court for strict action.

C.L. No. 11/UHC-2001 Dated: August 06, 2001

In continuation of the court's C.L. No. 2 dated 1.3.2001 and subsequent C.L. No. 1704/UHC – 2001, dated 19-4-2001, regarding disposal of more than seven years old cases in different courts, speedy disposal of cases pertaining to senior citizens and holding of special courts in Jails for providing relief to under trial prisoners, I am desired to convey the following directions of the Hon'ble court in this regards for strict compliance by all concerned.

- 1- All the District Judges are requested to direct all the Judicial Officers under their kind control to decide more than seven years (up to 1994) old cases of different kinds and also the cases belonging to senior citizens on top priority basis and that long dates be not given in oldest cases and the cases belonging to senior citizens and not to adjourn these cases more than a week. If the case is adjourned, the Presiding Officer will record in writing the reasons thereof.
- 2- All the District Judges are further requested to direct the Chief Judicial Magistrate to hold his court twice in a month in Jail itself to take up the cases of those under trial prisoners, who are involved in petty offences and are keen to confess their guilt. All the Judicial Officers be further directed to decide the cases of under-trial prisoners on top priority basis. In case the prosecution does not produce the evidence on the date fixed, the District Magistrate and S.S.P. be requested to produce the evidence positively by next date fixed.
- 3- All the District Judges are further requested to hold the monthly meetings of the Judicial Officers regularly in the first week of every month in which the position regarding disposal of oldest cases, cases belonging to senior citizens and under – trial prisoners and other matters be scrutinized by them and all the Judicial Officers be impressed upon to dispose of these case on top priority basis and a copy of the minutes of the meeting be sent to the court.
- 4- All the District Judges are further requested to hold Lok Adalats once in a month at the head quarter and the out-lying courts to settle amicably the cases of matrimonial cases, M.A.C., petty offences and other kinds of cases which may amicably be settled in Lok Adalats, without prior permission of the court and the court be informed about the number of cases decided through the Lok Adalats immediately.
- 5- All the District Judges are further requested to furnish the details of the cases decided in Lok Adalats and how many Lok Adalats were held during the period from November 2000 to 30.06.2001.
- 6- All the District Judges are further requested to furnish the details of the cases settled by the Special Courts holding court in Jail from November 2000 to 30.06.2001.
- 7- The oldest cases upto the year 1994 be taken up on top priority basis.

All the District Judges are therefore requested to bring the above directions of the Hon'ble court to the notice of all concerned for strict compliance.

C.L. No. 02/Admin-B/2005 Dated: February 28, 2005.

I am desired to say that the Civil Appeals instituted u/s 96 of the Code of Civil Procedure are not decided expeditiously and remain pending for a long time. The Hon'ble Court after due consideration has directed that the Civil Appeals instituted u/s 96 C. P. C. upto 01-03-2005 be decided by 31-12-2005 positively failing which strict view shall be taken.

Kindly bring it to the notice of all concerned Courts in your Judgeship for strict compliance.

C.L. No. 04 /Admin. (B)/2006 Dated May 25, 2006.

Sub: **Disposal of cases relating to Intellectual Property Rights.**

I am desired to say that cases relating to Intellectual Property Rights pending in different courts be identified and be taken for hearing on priority basis.

You are, therefore, requested to direct all the courts under your control to ensure strict compliance of the above directions and steps taken in this regard be also intimated to the Court at the earliest.

C.L. No. 06/ Admin. (B)/2006 Dated May 25, 2006.

Sub: **Expeditious Disposal of cases of certain kinds.**

I am desired to say that it has been resolved in the Chief Justices' conference that the cases in which proceedings before the Trial court/Fast Track Courts, Sessions Cases in which accused are in jail for more than three years and civil cases in which injunctions/Stay orders have been granted by subordinate Courts be identified and disposed of expeditiously.

You are, therefore, requested to direct all the courts under your control to ensure strict compliance of the above directions.

C.L. No. 07/Admin.(B)/2006 Dated May 26, 2006.

Sub: **Regarding expeditious disposal of cases relating to rape & sexual harassment.**

In continuation of C.L. No. 16 VIIIh-13/Admin. "G"/dated March 23, 1996 on the subject noted above I am desired to request you that cases of rape and sexual harassment be decided on priority basis.

You are, therefore, requested to direct all the concerned courts under your control to ensure strict compliance of the above directions.

C.L. No. 12/UHC/XVII-29/D.R.(I) 2010 dated: September 14, 2010

In continuation of this Court's C.L. No. 11/UHC/-2001 dated 06.08.2001 regarding disposal of old cases and cases pertaining to undertrial prisoners, I am desired to say that:-

1. Cases (Civil and Criminal) pending for more than 05 years, cases relating to women, cases relating to old citizens be decided on priority basis and if possible to do so for each of such cases a plan be prepared for their disposal.
2. Cases where accused is in jail be also decided on priority basis and again wherever, if possible to do so, for each of such cases a plan be prepared for their disposal.
3. Possibility of organizing special courts in jail for disposal of petty cases, where accused is detained in jail be also explored, so that, such cases may not remain pending for a long.
4. Status of cases, in which proceedings are stayed in the Superior Courts, be also ascertained from time to time, so that as soon as, stay is vacated, such cases are taken up and decided accordingly.
5. District Judges of each judgship in its monthly meeting monitor the progress of aforementioned cases and wherever, required, extend assistance to a Judicial Officer to achieve the objectives.

You are, therefore, requested to inform all the Judicial Officers of your Judgship accordingly and ensure that the guidelines of the Court are observed to ensure speedy justice.

5. PRIOR PERMISSION TO HOLD LOK ADALATS

C.L. No. 9 / UHC –2001, Dated April 19, 2001

Sub: **Prior Permission to hold Lok Adalat/ Legal Aid Camp etc., and the statement of budget, expenditure pertaining to the District Legal Services Authority in the district.**

All the District Judges are directed that while holding Lok Adalat/ Legal Aid Camp in the district, prior permission well advance in time with details of the programmes should reach the Court. Hon'ble the Chief Justice, the Patron-in-chief of the State Legal Services Authority has also desired the following information to be submitted at an earliest:-

1. Allocation of the budget for the year 2000-2001.
2. The funds, which are available with the District Authority.
3. Details of the statement of the expenditure incurred during the year 2000-2001 in holding the Lok Adalat.
4. The chart of the Lok Adalats, which were held during the last year and expenditure incurred thereon.

It is, therefore requested that the above information may kindly be made available to this Court within a week.

6. LEGAL AID

C.L. No. 01 /09/UHC/Admin-B/XVII-94-2003, Dated: 17 April, 2009

Sub: **Printing of information about Free Legal Service on the notices/summons/warrants of the Courts.**

With reference to the subject noted above, I am directed to request you that the following information be also printed on court process(es) after the body of such process(es) (Model form is enclosed).

"You are hereby informed that the Free Legal Services from the State Legal Services Authorities, High Court Legal Services committee, District Legal Services Authorities and Taluka Legal Services Committees, as per eligibility criteria are available to you and in case you are eligible and desire to avail of the Free Legal Services, you may contact any of the above Legal Services Authorities/ Committees".

You are, further requested to bring the contents of this letter to the notice of all the Judicial Officers for compliance.

Annexure 'A'

IN THE COURT OF

NOTICE/ SUMMONS/WARRANTS

(After the body of Notice/ summons / Warrants)

" You are hereby informed that the free legal services from the State Legal Services Authorities, High court Legal Services committees, District Legal Services Authorities and Taluka Legal Services Committees, as per eligibility criteria, are available to you and in case you are eligible and desire to avail of the free legal services, you may contact any of the above legal Services Authorities/ Committees".

7. MOTOR ACCIDENT CLAIM CASES

C.L. No. 11/XVII-64/Admin. A/2008 Dated: August 22, 2008.

Sub: **Regarding the amount of awards in M.A.C. Cases.**

With regard to subject noted above and in continuation of earlier C.L. No 3/vff-69/ Admin (G) dated Alld. 22/01/1997, which is applicable to the courts of Uttarakhand also, (Copy enclosed), I am directed to reiterate that Motor Accident Claim Tribunals should open a separate account for each case in any Nationalized Bank for deposit of amount regarding Motor Accident Claim Cases. The account should be closed after payment of the amount including the amount of interest to the rightful claimants. The procedure of opening of single account for all cases, if prevalent in any district, should be stopped at once.

You are, therefore, requested to kindly ensure the strict compliance of the direction mentioned above.

8. SERVING OF SUMMONS ETC.

C.L. No. 13/UHC-2001, Admin. 'B', Dated: November 20, 2001

Sub: **Service of summonses/warrants etc. on Member.**

Attention of the District Judges and Principal Judges, Family Court is invited to Rule 121 of General Rules (Civil), Rule 15 of General rules (Criminal) and the following circular letters, issued by the Allahabad High court, applicable to Uttaranchal,

1. G. L. No. 4/VIIIb – 28 dated 12-09-1953
2. C.L. No. 16/VIII –28 dated 20-03-68
3. C.L. No. 32/VIII –26 G dated 07-05-1984
4. C.L. No. 64/VIII – 3-24 dated 23-07-1959
5. C.L. No. 3/VIII- 24 /Admin.(G-2)dated 13-01-1993

and it is brought to their notice that it has repeatedly been emphasized in the circular letters mentioned above, that it is not desirable that courts should attempt to serve summons upon any member of the House through the Presiding Officer or through Parliament Secretariat. It has also been envisaged that summonses should be served directly upon the members outside the precincts of the House of Parliament or State Legislature, as the case may be, i.e. at their residences or at some other place as required by the provisions of General Rules (Civil) and General Rules (Criminal).

I am to add that it has come to the notice of the court that inspite of instructions contained in General Rules (Civil) and General Rules (Criminal) and aforementioned circular letters in this respect, subordinate courts send summonses to be served upon the members of the House or State Legislature through the Presiding Officer of the House or State Legislature.

The Copy of Rules of Procedure and Conduct of Business in Lok Sabha and Legislature, is also enclosed for guidance.

All the District Judges are requested to kindly ensure that in future service of summons upon any member of the House or Sate Legislature be not served through the Presiding Officer of the House or State Legislature. The Officers posted in the Judgeship be apprised of the instructions issued already from time to time in this respect and it may be ensure that such situation does not arise again, otherwise the Court will take serious view for the non-compliance of the instructions already issued.

9. REGARDING THE INFORMATION OF PROVISIONS OF PLEA BARGAINING

C.L. No. 03 UHC/ Admin (B)/2008, dated 07 Jan, 2008.

Sub: **Regarding the information of provisions of Plea Bargaining to accused persons at the time of issue of summons.**

With regard to subject noted above, I am directed to request you that it be ensured by all criminal courts in your Judgeship to furnish the following information to the accused at the time of sending of summons.

“You are hereby informed that you can take recourse to the provisions of plea bargaining contained in Chapter XXIA of the Code of Criminal Procedure.”

You are, therefore, requested to bring it to the notice of all the Judicial Officers for compliance.

10. TIME FRAME FOR FILING WRITTEN STATEMENT

C.L. No. 04 UHC / Admin (B)/ 2008, Dated 07 Jan 2008.

Sub: **Regarding the adherence of time frame for Filing of Written Statements.**

With regard to subject noted above and keeping in view the delay in filing written statements, I am desired to direct the Civil Courts to adhere strictly to the time frame specified in order VIII Rule 1 of Code of civil Procedure for filing of written statements.

You are, therefore, requested to bring it to the notice of all the Judicial Officers for compliance.

11. FOLLOWING THE PROVISIONS OF CODE OF CIVIL PROCEDURE

C.L. No. 05/ Admin. (B)/ 2005 Dated May- 25, 2006.

Sub: **To follow the provisions of Code of Civil Procedure in certain matters.**

I am desired to say that it has been resolved in the Chief Justices' conference that the provisions of Code of Civil Procedure in the matters of service of process, filing of written statement, use of ADR methods, imposing of costs, admission/denial of documents, examination of parties, discovery and inspection of documents, framing of issues, granting of adjournments, productions of witness and granting of ex-parte injunction/ stay orders be followed up strictly.

You are, therefore, requested to direct all the courts under your control to follow up the aforesaid directions in the above matters strictly.

12. IRREGULARITIES COMMITTED ON ISSUING WARRANTS, USE OF RUBBER STAMP SEAL ETC.

C.L. No. 01. D.R. (I)/2004 Dated: February 27, 2004

It has come to the notice of the court that the following irregularities are committed by some of the subordinate courts in issuing warrants etc.:-

- (a) Warrants are being issued in petty offences without ensuring the service of the summonses on the accused.
- (b) The rubber stamp seal is being used in petty offences while passing judicial orders and only the amount of fine is being written.
- (c) After issuing notices to the complainant on the final reports received from the police order sheet and the order passed by the learned Magistrates are handed over to the police.

- (d) Remand papers are kept by the Court-Moharrir and are not attached with the bail applications and charge sheet.
- (e) Surrender applications are not entered in any register.

The court has considered and has been pleased to issue the following directions:-

1. **Issuance of warrants:**

While passing the order of issuing the warrants the orders be not written in the hands of the Reader or the Ahalmad of the court nor the rubber stamp be used. The order regarding issuance of warrant should be by the hand of the Presiding Officer or it may be got typed. The order issuing warrant against the accused in any case should not be passed in routine manner and the Presiding Officer should apply his mind. If the service of the summons is not affected by the police, thereafter the summons may be sent through registered post. The warrants be entered in register of processes (form No. 11A) in red ink.

2. **Use of rubber stamps seal:**

While passing the judicial orders, the affixing of stamp seal should be stopped. The order may be got typed or written in legible by hand. It is highly improper to use stamp for passing orders.

3. **Final reports:**

The documents on which the orders are passed by the Court become the judicial papers. Final reports should not be sent to the police. C.L. No. 134 B dated 29.11.1978 issued by the Allahabad High Court provides that the Presiding Officers should invariably return the case diary to the police after being made use of by the court, and the case diaries should not be made part of the judicial record. The final report should be entered as miscellaneous criminal cases in the registrar in form No. 11.

4. **Remand Papers:**

The court-Moharrir is not the assistant of the court. The remand papers should be put up before the court by the assistant of the court for orders and will be kept by the Ahamad of the court. The remand papers will be attached with the bail applications and if the charge sheet is received, the same will be attached with it. In case the final report has been received, the remand papers and the bail applications should be attached with the final report.

5. **Surrender applications:**

The surrender applications if accompanied with bail applications should be entered in the register of bail applications, and to identify against the number in bracket "S" should be written.

6. On receiving the charge sheet the remand papers, surrender applications, bail applications, bail bonds etc. be attached with the charge sheet. In a case where the final report is received the remand papers, bail applications, bail bonds etc. be attached with the final report.

It is, therefore, requested that the above directions be brought to the notice of all the Presiding Officers working under your control.

C.L. No. 01 UHC/ 2008, Dated 07 Jan, 2008.

It has come to the notice of the Court that some times orders under section 202 Cr. P.C. are passed in very casual manner, simply by putting the rubber stamps, which is highly improper.

In this regard, attention of all the Judicial Officers is drawn towards the C.L. No. 1 DR (I)/2004, dated February 27,2004 on the subject and the relevant portion is reproduced as under.

"Use of rubber stamps seal

While passing the judicial orders the affixing of stamp seal should be stopped. The order may be got typed or written in legible by hand. It is highly improper to use stamp for passing orders."

I have been directed to emphasize again upon the Judicial Officers that speaking orders should be passed under Section 202 Cr. P.C. and such orders in no case be passed simply by putting the rubber stamps. If such practice still exists, it should be stopped forthwith. Any violation shall be viewed seriously.

It is, therefore, requested that the above directions be brought to the notice of all the Presiding Officers working under your control for compliance.

13. APPLICATION OF MIND BY JUDICIAL OFFICERS.

C.L. No. 01/Admn.B/2005 Dated: February 9,2005.

Sub: **Disposal of application u/s 156(3) of Cr.P.C.**

I am desired to say that it has come to the notice of the High Court that while exercising powers under Section 156(3) Cr.P.C. the Chief Judicial Magistrates and the Judicial Magistrates do not apply their mind to the contents of the report and mechanically forward the same for registering the crime. This is an improper use of power. The concerned Magistrate must apply his mind fully to the contents of the complaint and direct the registration as only and only if he finds the necessary ingredients of the offence. A mere mention of the section in the compliant is not sufficient. The concerned Magistrate must examine as to whether there is a justifiable material in the compliant so that it could be registered as an offence.

It has been found that because of the casual approach of the Magistrates in these matters, at times, even the matters, which are essentially of civil nature, are converted into criminal matters.

This has to be avoided and all the Magistrates are directed to be vigilant about this aspect while exercising power under section 156(3) Cr.P.C.

You are requested to bring the above contents to the notice of Chief Judicial Magistrate and Judicial Magistrates working under your control.

C.L. No. 04/Admin. B/2009 Dated: July 16, 2009

Sub: **Cognizance on the complaints**

In continuation of court's C.L. No. 01/Admin-B/2005 dated 09-02-2005, I am directed to state that it has been again noticed by Hon'ble High Court on the judicial side that pure and simple transactions of Civil nature are being made the subject matters of criminal complaints and unfortunately, the Magistrates either without any application of mind or knowingly, allow themselves to be used in passing patently illegal orders, summoning the accused to stand trials for offences, even though the transactions forming the subject matter of the complaints are of a pure civil nature. This is a gross abuse of the process of law.

The Magistrates accordingly are hereby directed to apply their minds fully to the contents of the compliant cases and must not pass summoning orders in mechanical and routine manner.

You are, therefore, requested to get this circular letter circulated among all the Judicial Officers, posted in the judgeship.

14. SUBMISSION OF RESUME BY THE JUDICIAL OFFICERS AFTER TRAINING PROGRAMMES/WORKSHOPS.

C.L. No. 09/UHC/Admin.A/2010 Dated: February 26, 2010

Nominations of Judicial Officers are made for various training programmes/workshops etc., organized by National Judicial Academy, Bhopal and other institutions, but the participating officers do not submit resume of such programmes, which deprives the further dissemination of knowledge.

Therefore, I have been directed to request you that henceforth every Judicial Officer participating in any training programme, workshops etc., shall, on completion of it, submit resume of such programme, to this Court, for being used to impart training to the Judicial Officers at Uttarakhand Judicial And Legal Academy.

15. MONTHLY MEETING OF JUDICIAL OFFICERS.

C.L. No. 19/Admn. (A)-UHC/2002 Dated: December 05/07,2002

Sub: **Monthly meeting of Judicial Officers.**

With reference to the circular letters noted marginally, the Court has noticed after perusal of minutes of monthly meetings sent by the District Judges to the Court from time to time that such reports are stereotyped. The Court has issued the following directions:

C.L. No. 129/Admn.(B) Dated 8 th Oct, 1975 C.L. No. 4 dated 3 rd Feb. 1976 C.L. No. 86 dated 31 st May 1976
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1. The District Judges should indicate in the minutes of monthly meeting the judgment of Hon'ble Supreme Court, High Court and circular letter numbers of the High Court, which were discussed in the meeting.

2. The District Judges should call the statement of undertrial prisoners from the Presiding Officers of the courts and should discuss the causes of delay in disposal of such cases. There should be mention of such discussion in the minutes of meeting with details of cases and directions issued in the individual case.
3. The District Judges should also call statement of cases pertaining to the Senior Citizens in the monthly meeting from the Presiding Officers of the judgship and should discuss the cases and to issue suitable directions for early disposal of such cases in which the District Judge feels that there is delay on the part of the court. The details of the cases, discussions made and direction issued by the District Judge should also be contained in the minutes of the meeting.
4. The District Judge should ask the Presiding Officers of his Judgship to bring statement of the cases in which prosecution is not producing the evidence. Such cases should be discussed in the meeting and the Chief Judicial Magistrate of the District, who also being the Secretary, Monitoring Cell, may be directed to collect all the figures and place it in the meeting of Monitoring Cell. The District Judge should also take such matters with the District Administration.
5. It has been observed by the Court that the oldest cases should be disposed of at the earliest. A statement was also obtained by the Court from the District Judges regarding the old cases till 1994, but thereafter the District Judges are not sending regular reports with regard to disposal of old cases. The District Judges should ask the Presiding Officers to furnish list of old cases in the monthly meeting and should scrutinize such cases by himself or by a senior officer and each such case should be discussed in the meeting. Case numbers, progress of each case and steps taken by the District Judge should be mentioned in the minutes of meeting.
6. The District Judge should also impress upon the officers that they should keep their courts, offices and chambers clean and hygienic. The District Judges should also take report of Central Nazir as well as Officer Incharge of Nazarat that the Court building and compound is clean and toilets, and other facilities of public utility are kept clean and hygienic. It should also be mentioned in the minutes of meeting that how many surprise rounds of the Court Campus have been taken by the District Judge and how many rounds were taken by the Officer Incharge, Nazarat, Sr. Administrative Officer and Sadar Munsarim. Green trees and flowers should be planted in the Court compound. The process servers while without work should be deputed with Malies for gardening in the court compound. Proper lighting arrangement in the Court compound during night should also be ensured. The property of the Court shall be protected from encroachments and immediate steps should be taken for removal of encroachment. A note in this regard should also be mentioned in the minutes of monthly meeting.

You are, therefore, requested to send detailed minutes of monthly meeting to the court indicating the above facts in the monthly meeting apart from other matters taken in the meeting.

16. TRIAL OF CASES UNDER JUVENILE JUSTICE ACT

C.L. No. 21./Admn. (A)/UHC/2002, Nainital: December 14, 2002

Sub: **Trials of cases under Juvenile Justice (Care and Protection of Children) Rules 2002.**

I am desired to inform you that the Government of Uttaranchal vide notification No. M.Ka.-020104 (Mahila Kalyan)/2002 dated November 8, 2002 has constituted the Juvenile

Justice Boards in each District of Uttaranchal to work as Juvenile Courts hence in supersession of High Court C.L. No. 62/Admn. A-3, dated Allahabad 3rd December 1998, applicable in Uttaranchal also, all the cases pending in Special Courts established at Divisional Head-quarter under Juvenile Justice Act, 1986 in which cognizance has been taken or not may be transferred to Juvenile Justice Boards/Courts of the respective districts.

You are, therefore, requested to do needful in the matter.

17. REGARDING SCRUTINY OF THE AFFIDAVITS OF WITNESSES.

C.L. No. 02 UHC/Admin (B)/2008, Dated 7 January, 2008.

Sub: **Regarding the Scrutiny of the Affidavits of Witnesses.**

With regard to subject noted above I am directed to draw the attention of Judicial Officers towards the fact that for want of scrutiny of affidavits of witnesses, unnecessary and irrelevant facts are included in the affidavits, this is not only improper but some times causes confusion also, so I have been directed to emphasize upon the Judicial Officers to carefully scrutinize the affidavits of witnesses, so as to confine them to the facts required to be proved.

You are, therefore, requested to bring it to the notice of all the Presiding Officers for compliance.

CHAPTER-IV

MISCELLANEOUS- ADMINISTRATIVE

1. COMMUNICATION BY JUDICIAL OFFICERS.

C.L. No. 07/UHC.-2002, Admin. Section, Dated: April 24, 2002

I am desired to say that it has come to the notice of the Court that many representations of Judicial Officers, officials and class-IV employees and other correspondence is being sent to this Court by the District Judges without mentioning their opinion/ applicable rules/provisions and without their comments. They are only simply writing 'Forwarded' due to which the costly time of the Court is unnecessarily wasted and unnecessary correspondence is being made.

In this connection, I am further desired to inform you that the Hon'ble Court has been pleased to direct you that whenever any correspondence is made to this Court on administrative side, the District Judge will examine the correspondence and the District Judges will also disclose the facts/circumstances and clear-cut comments along-with the relevant papers. The Court may dispose of important matters immediately if the clear-cut report/comments are received from the District Judges touching all the relevant aspects.

You are, therefore, requested to comply with the above mentioned directions of the court and bring it to the notice of all concerned for strict compliance.

2. JUDICIOUS USE OF FAX.

C.L. 17/Admn (A) Sec. Dated October 05, 2002.

Sub: Communication by Fax.

It has been noticed that large correspondence is received in the Court from subordinate Courts by Fax and it has become a practice that such matters are transmitted to the Court by Fax which are neither urgently required by the Court nor so important to be communicated by Fax due to which a heavy burden is causing on the Government exchequer by way of telephone bills and maintenance of Fax machines.

In this connection, I am desired to say that only the matters, which are required by the Court to be communicated by Fax or such information, which in the opinion of the District Judge is so urgent and important to be transmitted to the Court at once, only be communicated by Fax.

3. USE OF RED/BLUE LIGHTS BY JUDICIAL OFFICERS.

C.L. No. 13/Admn. Staff car dated July 25, 2002

Sub: Use of red/blue lights by the Judicial Officers.

While enclosing a copy of the judgment/order dated 24-08-1993 passed by Hon'ble Allahabad High Court in writ petition No.29356 of 1993 in which the Hon'ble Court has directed that the District Judge as well as the Registrar of the court and other officers of the rank of the District Judge will be permitted to use red light on their staff cars and the Chief Judicial Magistrates may use blue light above the wind screen of their staff cars, I am desired to say that it has come to the notice of the court that the directions of the

above order are not being complied with by the Judicial Officers. The Allahabad High Court has also issued C.L. No. C-82/Confidential/1993 dated December 22, 1993 to the effect that the Judicial Officers will not use the name-plates and lights on their private vehicles and scooters. Hon'ble the Chief Justice has issued the following directions in the above matter:

1. The District Judges are directed to bring the contents of the above judgment of each Judicial Officer posted in the Judgeship that only the District Judges may use the red light on their staff cars and the Chief Judicial Magistrates may use blue light above the wind screen of their staff cars. If the person using the staff car is not entitled for the red/blue light, the lights will be covered by a cloth. The red light/blue light will not be used on the pooled cars unless the person sitting in it is entitled to use the same.
2. No judicial Officer will use the lights and name plates on the private cars. The District Judges will keep a vigil and ensure that no Judicial Officer will use the lights/name plates on the private cars. If any Judicial Officer is found using the lights/name plates on the private cars, the District Judge will submit a report to the court without any delay.
3. Only the name-plate of " Judicial Department-Judgeship....." (Mention the name of the district) may be used on the pooled cars.

C.L. No. 04/2004/DR (Ins) Dated: March 25, 2004

Sub: **Use of red/blue lights by the Judicial Officers.**

I am desired to say that it has come to the notice of the Court that some of the Judicial Officer, State Judiciary, Uttaranchal, particularly of the rank of Additional District & Session Judges are using the red lights on their private cars and also on the staff cars. This practice of the Judicial Officers is not permissible under the G.O. No. 3-8/Pari. Sa./Uttaranchal/2001/243 dated 05-02-2001(copy enclosed) and against the directions of Judicial pronouncement dated 24-08-1993 issued by Hon'ble Allahabad High Court in writ petition No. 29356 of 1993 in which the Hon'ble Court has directed that the District Judges and the officers of the rank of the District Judge will be permitted to use red light on their staff cars and the Chief Judicial Magistrate may use blue light above the wind screen of their staff cars.

The court has also issued C.L. No. 13/Admn. Staff Car dated 25-07-2002 to the effect that the Judicial Officers will not use the name plates and lights on their private vehicles but the compliance of the directions issued by the Court are not being done by some of the Judicial Officers posted in Uttaranchal and it is seen that the officers are using the red/blue light on their private cars.

I am directed to communicate the following directions issued by the court for compliance:-

1. The attention of the District Judges is drawn towards C.L. No. 13/Admn. Staff Car dated 25-07-2002, issued by the Court in this regard and the District Judges are directed to bring the contents of the above circular letter to the notice of each Judicial Officer posted in the Judgeship that only the District Judges may use the red light on their staff cars and the Chief Judicial Magistrate may use blue light above the wind screen of their staff cars. Civil Judge (J.D), J.M. Civil Judge (S.D.), C.J.M. and Addl. District Judge are not entitled for the red light. If such officers use Staff Car with red light it should be kept covered with some cap. The red light will not be used on the pooled cars except by the District Judge.
2. No Judicial Officer shall use the red/blue lights and name plates on the private cars. The District Judges will keep a vigil and ensure that no Judicial Officer uses the

lights/name plates on the private cars. If any judicial Officer is found using the lights/name plates on the private cars, the District Judge will submit a report to the Court without any delay.

3. On the name plate words " Civil Courts" (mention the name of district) may be used on the pooled cars.
4. If any Judicial Officer is found using the red light/blue light on the private car, the court may take adverse view against him.

It is, therefore, requested that the above contents be brought to the notice of all Judicial Officers posted in your Judgeship.

4. NOMINATION OF ADMINISTRATIVE JUDGES.

C.L. No. 02/Admn(A)/2003 Dated: April 17, 2003

I am directed to inform you that with reference to the Court's Notification No.43/UHC/Admn.(A)/2003 dated April 15, 2003, Hon'ble the Acting Chief Justice has been pleased to nominate Hon'ble Mr. Justice Irshad Hussain as the Administrative Judge for Eastern zone consisting Districts of (1) Almora (2) Bageshwar (3) Champawat (4) Nainital (5) Pithoragarh and (6) Udham Singh Nagar, and Hon'ble Mr. Justice M.M. Ghildiyal as the Administrative Judge for Western Zone consisting districts of (1) Chamoli (2) Dehradun (3) Haridwar (4) Pauri Garhwal (5) Rudraprayag (6) Tehri Garhwal, and (7) Uttarkashi.

C.L. No. 04/Admn.A/2005 Dated August 1, 2005

I am directed to inform you that with reference to the Court's Notification No. 88/UHC/Admn.A/2005 dated 30-07-2005, Hon'ble the Chief Justice has been pleased to nominate the Hon'ble Judges as the Administrative Judges Incharge of the district(s) shown against their names in the list given below w.e.f 01-08-2005 until further orders:

- (1) Hon'ble Mr. Justice Irshad Hussain-Nainital & Bageshwar.
- (2) Hon'ble Mr. Justice M.M. Ghildiyal-Dehradun & Pauri Garhwal.
- (3) Hon'ble Mr. Justice Rajesh Tandon- U.S. Nagar & Champawat.
- (4) Hon'ble Mr. Justice B.C. Kandpal- Haridwar & Rudraprayag.
- (5) Hon'ble Mr. Justice J.C.S. Rawat- Almora & Pithoragarh.
- (6) Hon'ble Mr. Justice P.C. Pant- Tehri Garhwal & Uttarakashi.
- (7) Hon'ble Mr. Justice B.S. Verma- Chamoli.

You are, therefore, informed accordingly.

C.L. No. 07/Admin. A /2005 Dated: December 16, 2005

In continuation of earlier C.L. No. 04/Admin.A/2005 dated August 01,2005 Hon'ble the Chief Justice has been pleased to nominate Hon'ble Mr. Justice M.M. Ghildiyal and Hon'ble Mr. Justice B.S. Verma as the Administrative Judges Incharge of the District Bageshwar and Nainital respectively, in addition to previous district (s), w.e.f.02-01-2006.

You are, therefore, informed accordingly.

C.L. No. 02/I-d-2/Admin.A/2005 Dated: August 01, 2007.

In super-session of all the previous orders on the subject, I am directed to inform you that Hon'ble the Chief Justice has been pleased to nominate the Hon'ble Judges as the Administrative Judges Incharge of the District (s) shown against their names in the list given below with immediate effect.

- | | | | |
|----|-------------------------------------|---|--|
| 1. | Hon'ble Mr. Justice M.M. Ghildiyal. | - | Dehradun. |
| 2. | Hon'ble Mr. Justice Rajesh Tandon | - | Haridwar. |
| 3. | Hon'ble Mr. Justice B.C. Kandpal | - | Pauri Garhwal, Chamoli, Champawat & Pithoragarh. |
| 4. | Hon'ble Mr. Justice J.C.S. Rawat | - | Udham Singh Nagar. |
| 5. | Hon'ble Mr. Justice P.C. Pant. | - | Nainital. |
| 6. | Hon'ble Mr. Justice B.S. Verma. | - | Almora, Tehri Garhwal & Uttarkashi. |
| 7. | Hon'ble Mr. Justice Dharam Veer | - | Rudraprayag & Bageshwar. |

You are, therefore, informed accordingly.

C.L. No. 05/I-d-2/Admin.A/2005 Dated:- February 15, 2008

In continuation of earlier C.L. No. 2/I-d-2/Admin.A/2005 dated 01-08-2007, I am directed to inform that Hon'ble Mr. Justice Rajesh Tandon has been nominated as the Administrative Judge Incharge of District Dehradun also, w.e.f. 14-02-2008.

You are, therefore, informed accordingly.

C.L. No. 02/UHC/Admin.A/2009 Dated: April 21, 2009.

In super-session of all the previous orders on the subject, I am directed to inform you that Hon'ble the Chief Justice has been pleased to nominate the Hon'ble Judges as the Administrative Judges Incharge of the District (s) shown against their names in the list given below with immediate effect.

- | | | | |
|----|--------------------------------------|---|--------------------------------|
| 1. | Hon'ble Mr. Justice B.C. Kandpal | - | Hardwar & Pauri Garhwal. |
| 2. | Hon'ble Mr. Justice J.C.S. Rawat | - | Dehradun. |
| 3. | Hon'ble Mr. Justice Prafulla C. Pant | - | Udham Singh Nagar & Champawat. |
| 4. | Hon'ble Mr. Justice B.S.Verma | - | Nainital & Rudraprayag. |
| 5. | Hon'ble Mr. Justice Dharam Veer | - | Almora and Tehri Garhwal. |
| 6. | Hon'ble Mr. Justice V.K. Bist | - | Pithoragarh & Chamoli. |
| 7. | Hon'ble Mr. Justice Sudhanshu Dhulia | - | Bageshwar & Uttarkashi. |

You are, therefore, informed accordingly.

C.L. No.- UHC/Admin.A/2009 Dated: November 20,2009.

In continuation of earlier C.L. No. 02/UHC/Admin.A/2009 dated 21-04-2009 on the subject cited above, I am directed to inform that Hon'ble the Acting Chief Justice is pleased to make partial modifications regarding nomination of Hon'ble Judges as the Administrative Judges Incharge of the District (s) shown against their names in the list given below with immediate effect.

1. Hon'ble Mr. Justice Sudhanshu Dhulia - Uttarkashi.
2. Hon'ble Mr. Justice Alok Singh - Bageshwar.

You are, therefore, informed accordingly.

C.L. No. 06/UHC/Admin.A/2009 Dated : December 02,2009.

Sub: **Nomination of Administrative Judge.**

On the subject noted above I am directed to inform that Hon'ble the Chief Justice is pleased to nominate Hon'ble Mr. Justice Tarun Agarwala as the Administrative Judge Incharge of District Dehradun.

You are, therefore, informed accordingly.

C.L. No. 07/UHC/Admin.A/2010 Dated: February 18, 2010

Sub: **Nomination of Administrative Judge.**

On the subject noted above, I am directed to inform that Hon'ble the Chief Justice is pleased to nominate Hon'ble Mr. Justice Dharam Veer as the Administrative Judge Incharge of District Bageshwar.

You are, therefore, informed accordingly.

C.L. No. 10/UHC/Admin.A/2010 Dated:- August 18, 2010

Sub: **Nomination of Administrative Judge**

With regard to subject noted above I am directed to inform that in super-session of previous circular letters, Hon'ble the Chief Justice is pleased to nominate following Hon'ble Judges as the Administrative Judges Incharge of the District (s) shown against their names in the list given below with immediate effect.

1. Hon'ble Mr. Justice Tarun Agarwala - Dehradun.
2. Hon'ble Mr. Justice Prafulla C. Pant - Hardwar & Pauri Garhwal.
3. Hon'ble Mr. Justice B.S. Verma - Udham Singh Nagar & Champawat.
4. Hon'ble Mr. Justice Nirmal Yadav - Nainital & Rudraprayag.
5. Hon'ble Mr. Justice Dharam Veer - Almora, Bageshwar & Tehri Garhwal.
6. Hon'ble Mr. Justice V.K. Bist - Pithoragarh & Chamoli.
7. Hon'ble Mr. Justice Sudhanshu Dhulia - Uttarakashi.

5. PURCHASE OF MOVABLE AND IMMOVABLE PROPERTY

C.L. No. 09/Admin. Section, Dated May 30, 2002

Sub: **Regarding purchase of movable/immovable Property by the employees of Civil Courts.**

I am directed to say that all the employees of the Civil Courts be directed to furnish following information/papers to the Court while submitting application about

information/grant of permission for purchase of movable property and immovable property under rule 24 of the Government Servants' Conduct Rules 1956:-

1. Date of joining of service.
2. Present gross salary and take home salary.
3. Details of purchases of movable and immovable properties made by them earlier with complete details, date of purchase, amount spent etc.
4. If any advance of loan taken from the High Court or the Judgeship, its amount and in what manner the loan will be repaid namely, the number of installments, its amount and till what date the deduction will be made etc.
5. If any loan taken from Bank etc., details of amount, mode of repayment, period of deduction, number and amount of installment etc.
6. Regarding purchase of a second hand car name of the vehicle, its model, cost price etc. date of the first purchase (month and year) of vehicle from car dealer to the first purchaser and a copy of the insurance policy showing the amount for which the vehicle was insured prior to its purchase by the employee.
7. Detail of the property (Area of plot, locality, City/District; if building or flat, then its size).
8. Name and full address of the dealer/seller.
9. Whether the dealer is regular and reputed one.
10. Whether the employee is related to the dealer/seller in any way.
11. Detail of source of the amount with papers in support thereof.

STATEMENT OF IMMOVABLE PROPERTIES FOR THE YEAR 2001

Name	Appointment	Village, Pargana And District	Area In Acres	Revenue assessed	Estimate 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

PROFORMA

STATEMENT OF MOVABLE PROPERTIES HELD UP TO THE CALENDER YEAR 2001

Name and designation and date of joining the official service	Name and age of family members	Details of earning of members in the family such as, their name, profession, monthly/annual income etc.	Details of movable properties acquired/held in each calendar year (exceeding Rs. 10,000) its value, source of amount, date and year of purchase with particulars of information, if any, furnish to the Court.	Details of A/c in Bank-post office etc. amount in balance upto the calendar year and source of the amount	Details of PPF, FDR, NSC, &NSS, KVP, IVP & shares, units & other investments etc. along with A/c No.Date of purchase, value & source of amount invested.	Details of loan advance etc. taken with its amount, numbers of installment name of the Bank institution etc.	Annual net income from salary and other sources if any with details of deduction	Remarks
1	2	3	4	5	6	7	8	9

C.L. No. 09-A/Admn. (A)/UHC/2002, June 26th, 2002

Sub: **Purchase of movable/immovable Property by the employees of Civil Courts.**

In continuation of C.L. No. 09 Admin. Section, Dated May 30, 2002, I am desired to say that all the employees of the Civil Courts be directed to furnish the information/papers

to the Court of their movable/immovable property under Rule 24 of the Government Servant Conduct Rules, 1956.

C.L. No. 03/Admn.(A)/2003 Dated: May 16/17, 2003

Sub: **Regarding purchase of movable and immovable property by the employees of Civil Courts.**

I am directed to inform you that in super-session of this Court's C.L. No. 9 Admn. Sec. Dated May 30, 2002, the court has been pleased to direct that it is not necessary for the District Judges to send the applications of Civil Courts employees to the High Court with regard to pay, allowances, pension, G.P. Fund advance, permission to purchase valuable property, permission to appear in examination and for other conditions of service for which the District Judges are empowered to grant to the Ministerial and inferior staff of establishment of Judgeship.

6. PERMISSION TO USE ELECTRIC HEATERS

C.L. No. 08/2002/Admn. (A)/UHC/2002, Dated: 14/15, 2002

I am desired to inform you that the Hon'ble Court has been pleased to withdraw C.L. No. 37-M, dated 16-05-1962 issued by the Allahabad High Court, which provides that the use of electric heaters is not allowed even in the hill districts.

7. PROHIBITING USE OF CELL PHONES IN COURTS/OFFICES

C.L. No. 06/X-C-9/Ins/2004 Dated: April 28, 2004

Sub: **Use of mobile phones in the Civil Courts and offices.**

It has come to the notice of the Court that some of the Officers, Advocates, employees and litigants keep their mobile phones switched on in the Civil Courts and offices.

In this connection the Court has felt that the disturbance due to mobile phones in the courts and offices is required to be checked immediately. I am further directed to say that the District Judges will see that the officers, Advocates, employees and litigants keep their mobile phones, if any, switched-off in the courts and offices.

It is, therefore, requested that the above directions be brought to the notice of all the officers, advocates, employees & litigants and compliance be ensured.

8. INSTALLATION OF FIRE EXTINGUISHERS.

C.L. No. 5/Admin-B./2009 Dated: 4th August, 2009

Rules providing against the occurrence of fire in Court buildings have been given in Appendix 21, Part II, General Rules (Civil), but it has come to the notice of the Court that

the Fire Extinguishers installed in the Court building are not maintained in accordance with the Rules viz. the date of installation, date of refilling, date of testing and date of expiry, are not noted on them. It has also come to the notice that adequate number of staff is not trained to operate the Fire Extinguishers, installed or fixed in the judgeship. In this context, I have been directed to issue the following directions for compliance:

1. General information be disseminated amongst the employees of the judgeship about use and operation of fire extinguishers.
2. At least five employees of the Judgeship, preferably the staff of the record room and the Nazarat, be imparted training for operating the Fire Extinguishers installed in the Court building from Fire Station Officer posted in the district.
3. On the Fire Extinguishers installed in the Court building the date of installation, date of refilling, date of testing and the date of expiry be mentioned.

You are, therefore, requested to ensure the compliance of above-mentioned directions. The compliance report be submitted to the Court on the above points at the earliest.

CHAPTER-V

INSPECTION

1. INSPECTION BY THE DISTRICT JUDGES AND PRESIDING OFFICERS.

C.L. No. 14/Admn (A)/2002, Dated: August 21, 2002

Sub: Inspections by the District Judges and the Presiding Officers.

I am desired to say that it has come to the notice of the court that the District Judges and the Presiding Officers have not made the inspections according to the questionnaire given under C.L. No. 102/H dated 19-09-1978. It has also come to the notice that some of the officers have made the inspections in part and claimed more than one day for one inspection. The District Judges have not sent the copy of the inspection note after compliance within a month from the date of inspection.

The Hon'ble Court has issued the following directions regarding the annual inspections and quarterly inspections.

Directions for the District Judges:

1. The District Judges will make the annual inspections of the subordinate courts and the departments according to the questionnaire given under C.L. No. 102/H dated 19-09-1978 issued by Allahabad High Court, applicable to Uttaranchal. However, the District Judges may be at liberty to inspect any other matter, which has not come under the questionnaires.
2. The inspections will not be made in part and the District Judges will claim only one day for the inspection of the subordinate Courts and the departments.
3. The departments of which the inspection is to be made on one day are as under:-
 - a. Nazarat
 - b. Copying department including criminal copying department.
 - c. Record Room including criminal copying department, if any.
 - d. Library, stationary and forms.
 - e. Administrative office including account section.
 - f. Amins (both Amin Grade I and Amin Grade II).The District Judge will make the inspections of the departments of outlying courts on one day.
4. If the inspection is made of the courts and departments at the headquarter, no case in which the witnesses are present will be adjourned on the pretext that the District Judge is busy in making the inspection.
5. The copy of inspection note may be sent to the court after compliance within a month from the date of inspection as required under C.L. No. 29/H/Admn (D) dated 19-03-1990.
6. The officials making the compliance on the inspection notes generally note down "Sir noted" or " Sir complied". This is no compliance. The officials concerned will make the actual compliance on the inspection notes as has been directed earlier.
7. The Senior Administrative Officer/ Sadar Munsarim of the Judgeship will maintain a register for the inspections made by the District Judge in the following proforma:-

Serial No.	Date of inspection	Name of the officer who made the inspection	Name of the Court and department of which inspection has been made.	Date of sending the inspection note to the court concerned or department for compliance	Date on which the inspection note received after compliance	Date of Submission of copy after compliance to the High Court	Remarks, if any
1	2	3	4	5	6	7	8

8. The District Judge will prepare the inspection notes in triplicate and the three copies will be sent for compliance to the court/department concerned and the compliance will be done on the three copies and thereafter the inspection note after compliance will be sent to the District Judge.
9. After the receipt of the inspection note from the court concerned/department after compliance the Senior Administrative Officer/Sadar Munsarim will check whether the compliance noted has been made by the official concerned on the inspection note. In case, the inspection note is sent to the High Court without making full compliance on the inspection note, action will be taken against the Senior Administrative Officer/Sadar Munsarim for the fault.
10. The District Judges will make the quarterly joint inspection of District jail with the District Magistrate and S.S.P./S.P. of the district as required under C.L. No. 82/VIII F-9/Inspection Section dated 12-09-1994 before or after court hours and no credit will be taken by the District Judge for this inspection. A copy of the inspection note will be sent to the court in time after making an entry in the above register.

Directions for the Presiding Officers:-

1. The Presiding Officers/officer Incharge of the department will make the quarterly inspection of his office/department regularly, according to the questionnaire given in C.L. No. 102/H dated 19-09-1978. The Presiding Officer/officer in charge of the department will also be at liberty that he may also make the inspection of any matter, which has not been enumerated in the questionnaire.
2. The inspection will not be made in part and will be made only on one day. Only one day will be claimed for quarterly inspection by the Presiding Officer/officer Incharge.
3. The official concerned will make the compliance on the quarterly inspection note within 10 days and after noting the compliance thereon, the inspection note will be sent to the office of the District Judge for perusal and orders by the District Judge.
4. The Senior Administrative Officer/Sadar Munsarim after the receipt of the quarterly inspection note will make an entry in the register which will be maintained by him in the following Proforma:

Serial No.	Quarter ending	Name of the officer who made the inspection	Date of inspection	Date of receipt in the office of the District Judge	Date of return to the court concerned or department after passing the orders by the District Judge	Remarks, if any.
1	2	3	4	5	6	7

5. No case in which the witnesses are present will be adjourned on the pretext that the Presiding Officer is busy in making the inspection.
6. The officials making the compliance on the inspection notes generally note down "Sir noted" or 'Sir complied'. This is no compliance. The officials concerned may make the actual compliance on the inspection notes.
7. The C.J.M. will make the inspection of the Jail, Malkhana at the Head Quarter before or after court hours as required under C.L. No. 82/VIII g-38 dated 18-12-1981 and the inspection note after compliance will be submitted to the District Judge. He will not claim any out turn for the inspection of Jail/Malkhana.
8. The Addl. C.J.M./Civil Judge (J.D.)/J.M., senior most magistrate at the Tehsil headquarter will make the inspection of the Sub Jail/Malkhana/Lockup at the Tehsil headquarter in the light of C.L. No. 82/VIII g-38 Admn G dated 18-12-1981 and will submit the inspection note to the District Judge and the C.J.M.

It is, therefore, requested that the above directions be brought to the notice of all concerned for compliance by you and the officers.

2. INSPECTION OF SUBORDINATE COURTS BY ADMINISTRATIVE JUDGE

C.L. No. 03/2004/DR(Ins) Dated: March 24, 2004

Sub: **Inspections of subordinate courts by Hon'ble the Administrative Judge.**

I am desire to say that the Hon'ble Administrative Judges of the Court make the inspections of the subordinates Courts within their respective Zones. The Hon'ble Court has considered the matter regarding preparation of statements by the subordinate courts for the use of inspection by Hon'ble Administrative Judge and I have been asked to issue following directions:-

1. The circular letters earlier issued by Hon'ble Allahabad High Court regarding preparation of statements by the subordinate courts for the use of Hon'ble Court for inspections are superseded.
2. The new statements, which are to be prepared by the subordinate courts for the use of Hon'ble Court at the time of inspection are prescribed and attached as annexure A on separate sheet to this circular letter.
3. The statements will be prepared in triplicate before the inspection starts.
4. The dates of regular inspection will be intimated in advance to the District Judge concerned.
5. The Hon'ble Administrative Judge may make the inspections of the courts and the departments.
6. No statement need be prepared at the time of surprise inspection unless asked for specifically.

You are, therefore, requested to bring it to notice of all the Judicial Officers in your district including the annexure enclosed herewith.

ANNEXURE A

Statement No.1

Year wise pendency of cases of each kind in each Court as on----- (on the first day of the month of inspection).

Statement No.2

Year wise disposal of cases of each kind in each court from 1st January to December of year (or as directed by Hon'ble Administrative Judge).

Statement No.3

Year wise pendency of under trials of each kind in each Court as on----- (on the first day of the month of inspection).

Statement No.4

Year wise disposal of under trials during the year.

Statement No.5

Statement of out turn given by each Presiding Officer during the last year.

Statement No.6

Statement of cases stayed by the superior Courts will be prepared in the following proforma.

Serial No.	Case No. & Parties Name	Case Number by which the case was stayed by the Superior Courts	Date on which the last enquiry was made	Remarks.
1	2	3	4	5

The statement of cases stayed by the High Court will be prepared separately and also the cases stayed by the appellate Courts will be prepared separately.

Statement No.7

Statements of Inspections made by the Presiding Officer of his court will be prepared in the following proforma.

Name of the Presiding Officer	Quarter Ending	Date of Inspection	Date of submission to D.J.
1	2	3	4

Statement No.8

Statement of items of fine stayed by the High Court and Superior Courts will be prepared separately in the following proforma.

Serial No.	Case No. & Parties Name	Case Number by which the case was stayed by the Superior Courts	Date on which the last enquiry was made	Remarks.
1	2	3	4	5

The departments to be inspected are as under:-

1. Copying department
2. Nazarat.
3. Library.
4. Administrative Office.
5. Record Room.
6. Amin.

CHAPTER-VI

COMPUTERISATION

1. PROPER USE OF COMPUTERS.

C.L. No. 16./UHC/Admn./2002, Dated September 23, 2002

I am desired to say that it has come to the notice of the Court that the computers have either been installed in chamber or residences of the officers, the computers are not being used by them. The judgments, orders, letters and statistical statements are being submitted to the court by handwriting or by manual typewriters.

It is therefore, requested that all the officers to whom computers have been allotted be directed to make proper use of the computers and all Judgments, orders, letters and statistical statement be typed on computers. No letter or statistical statement be sent to this Court typed on manual typewriter or by handwriting.

It is, further requested that a statement be sent to the Court to whom the computers have been allotted and how many judgments have been delivered by the officers typed on computer.

2. PROJECT REPORT ON COMPUTERIZATION.

G.L. No. 852/Admn. (B)/2003 Dated October 01,2003

I am directed to say that you are required to draw a project report in connection with computerization of the Courts and the Hon'ble Chief Justice has been pleased to direct you to adopt the following policies:-

- (i) Each and every court should be connected with the master computer and a terminal should be provided to each court-room.
- (ii) Filing of all the petitions, suits, appeals, revisions should be entered in the main computer daily. The numbering of the cases and the applications must be made by the computer.
- (iii) All the terminals of the Courts should be connected with the master computer.
- (iv) The daily cause list of each Court should be made through computer and it should be pasted out side the court.
- (v) The dates of the adjourned cases should be put in the computer daily and it should be available in the main computer.
- (vi) There should be a terminal at inquiry counter so that the inquiries may be made by the litigants.
- (vii) One terminal along with a printer should be installed in the Copying Department from where the copies are issued by the computer.
- (viii) All the important departments of the judgship, namely, Nazarat, cash/accounts, administrative section should have an independent terminal and it should be connected with the main server.

(A) Nazarat: All the leaves, all bills, purchase should be entered day to day in the computer.

(B) Cash: Daily transaction should be made in the computer. It should be accessible by the District Judge.

(C) Administrative Section: All the correspondence of the High Court, Hon'ble Supreme Court should be immediately entered in the computer and their replies should be on the computer. All service-books, date of birth of each and every employee, gradation list etc, should be on the computer.

The above noted policy is not an exhaustive list and you are requested to submit your project report to this Hon'ble Court at an earliest.

CHAPTER-VII

LEGAL PRACTITIONERS

STRIKE BY THE ADVOCATES.

C.L. No. 6/2001. Dated: March 16, 2001

Sub:- **Strike by the advocates in the State Judiciary, Uttaranchal.**

Frequent strike by the advocates resulting in paralyzing the Court's function came up for consideration of the Hon'ble Court and the Hon'ble Court is of the view that the Presiding Officers shall ensure that the judicial time is not wasted on account of strike or by abstaining of courts by the lawyers, and the courts should continuously function and no credit in the quantum of work fixed by the Hon'ble Court shall be given to the Presiding Officers on account of such strike. In case there are frequent strikes in the district it shall be presumed that the District Judges are not taking keen interest to call off the strikes and a serious view may be taken against the District Judges.

It is, therefore, requested that the aforesaid directions of the Hon'ble Court be brought to the notice of all the Presiding Officers posted in the Judgeship for strict compliance.

CHAPTER-VIII

MISCELLANEOUS

1. BUDGETARY PROPOSALS FOR THE YEARS 1999-2000 AND 2000-2001

C.L. No. 4/Nainital: Dated Nov. 24, 2000

Sub: **Budgetary proposals and grants for the years 1999-2000 and 2000-2001 of the Judgeships.**

All the District Judges are requested to submit the budgetary proposals and grants under different heads for the years 1999-2000 and 2000-2001 so as to reach this Court on or before 07-12-2000 positively.

2. RELIEF TO THE VICTIMS OF NATIONAL CALAMITY IN GUJARAT.

C.L. No. 1/ Nainital: Dated Feb. 06, 2001

Sub: **Relief to the victims of National Calamity in Gujrat.**

All the District Judges are requested to collect maximum amount, preferably one day's salary from the Judicial Officers and members of the staff working under them for relief to the victims of National Calamity in Gujarat and remit the same by cheque or by way of bank-draft drawn in favour of Director General (Vigilance).

3. CELEBRATION OF 'LEGAL SERVICE DAY' ON 9TH NOVEMBER 2002

C.L. No. 18./Admin(A)/UHC-2002 Dated: Nov. 01,2002

Sub: **Celebration of 'Legal Service Day' on 9th November 2002**

I am desired to inform you that 9th November 2002 will be celebrated as 'Legal Service Day' by the District Legal Service Authorities in Uttaranchal. On that day in each District, Lok Adalat and Legal Literacy Camps shall be organized to ensure large disposal of cases. A broad-based Legal Aid Programme should be taken up on that day and efforts should be made for ensuring large disposal of cases.

You are, therefore, requested to celebrate Legal Service Day in your District and Tehsils accordingly for achieving the goal of speedy dissolution of disputes and disposal of cases pending in various Courts.

4. GRANT OF SPECIAL CASUAL LEAVE TO THE DELEGATES AND REPRESENTATIVES TO ATTEND THE CONFERENCE TO BE HELD ON 16-18 OCTOBER 2004.

C.L. No. 10/UHC/XVII/Admin (B)/2004 dated 12-10-2004

Sub: **Grant of Special Casual Leave to the delegates and representatives of the Civil Courts Employees Association desiring to attend the Conference of the Association Scheduled to be held on 16-18 October 2004 at Dehradun.**

I have been desired to inform you that Special Casual Leave be granted for 16 & 18 October 2004 to those employees who wish to attend the aforesaid conference.

5. REGARDING THE SWEARING OF AFFIDAVITS.

C.L. No. 09/UHC-Admin.B. dated: May 21/22, 2008

Addressed to: Advocate General, Uttarakhand.

Sub: Regarding the swearing of affidavits.

In reference to your letter dated 30-04-2008 on the above noted subject and in continuation of earlier letter of the undersigned No. 709/UHC/NTL dated December 24, 2003 addressed to Secretary (Judicial), I have been directed to clarify and elaborate that the direction issued in the abovementioned letter dated December 24, 2003 applies about the filing of affidavits by the Officers mentioned therein and covers only to State of Uttarakhand. Even in civil cases, apart from the State of Uttarakhand, if there are other official respondents, such as Director, Commissioner, Chief Engineer, Executive Engineer etc., the separate affidavits, if required to be filed by them, shall be accepted only if these are filed by the officers who themselves are the respondents and not by any officer other than the named respondents.

As far as the criminal cases are concerned, the aforesaid direction dated 23rd December 2003 or my aforesaid new direction, does not apply or cover criminal cases. In each criminal case, it is entirely upto the State or the Prosecution to file the affidavit of such Officer, who is conversant with the facts of the case. The minimum of course has to be the Investigating Officer himself but it should be advisable, as the practice in most of the States is, that the District Superintendent of Police of the District concerned files the affidavit because in that eventuality he assumes responsibility with respect to the contents of the affidavit. In any event, the matter is left to be dealt with by the State/Prosecution itself.

You are, therefore, informed accordingly.

6. GRANT OF SPECIAL PAY

C.L. No. 10/2002/UHC.-Admin. Sect., Dated June 04, 2002

Sub: **Grant of Special Pay**

All the District Judges are directed to act upon G.O. No. 5620/VII-Adhi. Nyaya-75/81, dated 30-08-1982, subsequent Office Memorandum No. G-1-993/X-219/89 dated 15-07-1989 and G.O. No. A-1-1086/X-90-33-1 (1)-66 dated 18-04-1990 and inform all concerned for strict compliance.

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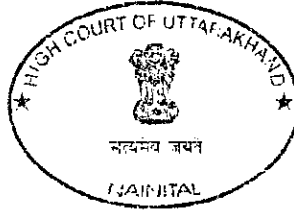
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From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

1. All the District Judges, Subordinate to the High Court of Uttarakhand.
2. Principal Secretary (Law)-cum-L.R., Government of Uttarakhand, Dehradun.
3. Principal Secretary, Legislative, Parliamentary Affairs & Language Department, Govt. of Uttarakhand, Dehradun.
4. Judges, Family Court, Dehradun, Harwar, Nainital, Pauri Garhwal & Udham Singh Nagar.
5. Chairman, State Transport Appellate Tribunal, Uttarakhand, Dehradun.
6. Chairman, Commercial Trade Tax Tribunal, Uttarakhand, Dehradun.
7. Registrar, State Consumer Redressal Commission, Uttarakhand, Dehradun.
8. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
9. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
10. Secretary, Lokayukt, Uttarakhand, Dehradun.
11. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt. Nainital.
12. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.
13. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.
14. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, Distt. Nainital.
15. Presiding Officer, Labour Courts, Dehradun, Harwar and Kashipur, Distt. Udham Singh Nagar.
16. Presiding Officer, Central Govt. Industrial Tribunal-cum-Labour Court-I, Haryana Press Building, Sector-18, Chandigarh.

C.L. No. 17 /UHC/Admin.A/2010

Dated: December 28, 2010.

Subject: Regarding online submission of application for any post.

Sir,

With regard to subject noted above, I am directed to inform that henceforth, if any Judicial Officer wishes to apply online, he shall seek prior permission of the Court indicating the name and particulars of the prospective employer as well as the post for which application is proposed to be made and only on permission being granted in writing to him by the Court, he shall apply.

You are therefore, requested to bring it to the notice of all the Judicial Officers working under your administrative control.

Yours faithfully,


(U.C. Dhyani)

No. 5798 /XVII-34/Admin.A/2010

Dated: December 28, 2010.

Copy forwarded for information to.

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Registrar (Inspection), (Judicial), Additional Registrar and Registrar (Protocol).
4. I/c N.I.C., High Court of Uttarakhand, Nainital.


28.12.10
Registrar General



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

1. All the District Judges, Subordinate to the High Court of Uttarakhand.
2. Judges, Family Court, Dehradun, Harwar, Nainital, Pauri Garhwal & Udham Singh Nagar.
3. Chairman, State Transport Appellate Tribunal, Uttarakhand, Dehradun.
4. Chairman, Commercial Trade Tax Tribunal, Uttarakhand, Dehradun.
5. Registrar, State Consumer Redressal Commission, Uttarakhand, Dehradun.
6. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
7. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
8. Secretary, Lokayukt, Uttarakhand, Dehradun.
9. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt. Nainital.
10. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.
11. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.
12. Presiding Officer, Labour Court cum Industrial Tribunal, Haldwani, Distt. Nainital.
13. Presiding Officer, Labour Courts, Dehradun, Harwar and Kashipur, Distt. Udham Singh Nagar.

C.L. No. 01/11 /UHC/Admin.A/2010

Dated: March 05, 2011.

Subject: Nomination of Administrative Judge(s).

Sir,

In continuation of earlier Circular Letter No. 10/UHC/Admin.A/2010 dated 18.08.2010 and 13/UHC/Admin.A/2010 dated 19.11.2010 on the subject noted above, I am to inform that Hon'ble the Chief Justice is pleased to nominate the following Hon'ble Judges as the Administrative Judges Incharge of the District(s) shown against their names in the list given below with immediate effect.

- | | | |
|---|---|-------------|
| 1. Hon'ble Mr. Justice Tarun Agarwala | - | Nainital. |
| 2. Hon'ble Mr. Justice Prafulla C. Pant | - | Almora. |
| 3. Hon'ble Mr. Justice B. S. Verma | - | Rudrapryag. |

You are therefore, informed accordingly.

Yours faithfully,


(U.C. Dhyani)

No. 960 11-d-2/Adm.A/2005

Dated: March 05, 2011.

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Principal Secretary (Law)-cum-L.R., Government of Uttarakhand, Dehradun.
4. Registrar (Inspection), Registrar (Judicial), Additional Registrar and Registrar (Protocol).
5. Joint/ Deputy/ Assistant Registrars & Section Officers of the Court.


Registrar General



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

All the District Judges,
District Judiciary,
Uttarakhand.

C.L. No. ² /UHC/Admin.A/2011

Dated: June 28, 2011.

Subject: Inspection of Jail.


Sir,

On the subject noted above, I have been directed to impress upon all the District Judges of the State Judiciary to ensure that atleast one inspection of the Jail is done in a month to ascertain, amongst others, whether the convicts have been made aware that if they want free legal aid, it is available to them from District Legal Service Authority, High Court Legal Aid Committee and then from Uttarakhand State Legal Services Authority.

I have further been directed to emphasise that the District Judges must also ascertain that the under trials, who are entitled to free legal aid, are provided the same and in the event it is found that any one is languishing in jail for being unable to furnish bail bonds, report thereof must be sent by them forthwith to the aforesaid authorities.

You are therefore, requested to ensure compliance as above and bring it to the notice of all concerned.

Yours faithfully,


(U.C. Dhyani)

No. 3139 /UHC/Admin.A/2011

Dated: June 28, 2011.

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Registrar (Inspection), Registrar (Judicial), Additional Registrar and Registrar (Protocol).
4. Joint/ Deputy/ Assistant Registrars of the Court.


Registrar General



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

All the District Judges,
District Judiciary,
Uttarakhand.

C.L. No. 03 /UHC/Admin.A/2011

Dated: June 30, 2011.


Subject: Regarding transfer of stayed cases.

Sir,

In continuation and partial modification of C.L. No. 100-B dated 12.09.1952 on the subject noted above, I am desired to say that the cases in which proceedings have been stayed by the appellate courts, should not be transferred to any other court. The stayed cases should be retained in the permanent courts having original jurisdiction and only fresh institutions and the running cases, which have not been stayed by a superior court, may be transferred to any other Court of Competent Jurisdiction for disposal.

You are therefore, requested to ensure compliance as above and bring it to the notice of all concerned.

Yours faithfully,



30.06.11
(U.C. Dhyan)

No. 3/74 /UHC/Admin.A/2011

Dated: June 30, 2011.

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Registrar (Inspection), Registrar (Judicial), Additional Registrar and Registrar (Protocol).
4. Joint/ Deputy/ Assistant Registrars of the Court.


Registrar General



From Registrar General,
High Court of Uttarakhand,
Nainital.

To All the District Judges,
Subordinate to the High Court of Uttarakhand,
Nainital.

C.L. No. 01 /UHC/Admin.A/2011

July 01st
June 30, 2011

Subject: Regarding communications received by the District Judges from the High Court and other superior courts.

Sir,

With reference to the subject noted above, I am directed to say that whenever any communication is received by the District Judge from the High Court and other superior courts and it pertains to any of the courts subordinate to him, the same shall be communicated to the court concerned without loss of time. The office of the District Judge shall enter the said communication in the register in Form No. 62, as directed under Rule 431 of General Rules (Civil) and shall also mention the date on which it has been transmitted to the court concerned. Likewise, every Presiding Officer incharge of a court of the Judgeship shall also maintain such a register to record therein what has been received from higher courts, the office of the District Judge or any other authority. Presiding Officers are directed to take notice of the entries made in course of the day in the register at the end of the day, to update themselves of the communications received by them from higher courts, the District Judge or any other authority.

You are therefore, requested to bring this Circular Letter to the notice of all the judicial officers posted under your administrative control for strict compliance.

Yours faithfully,

Langani
30.06.11
July 01st (U.C. Dnyani)
June 30, 2011

No. 395 /UHC/Admin.A/2011

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Registrar (Inspection), Registrar (Judicial), Additional Registrar and Registrar (Protocol).
4. Joint/Deputy/Assistant Registrars of the Court.

Registrar General



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

1. All the District Judges, Subordinate to the High Court of Uttarakhand.
2. Judges, Family Court, Dehradun, Haridwar, Nainital, Pauri Garhwal & Udham Singh Nagar.
3. Chairman, State Transport Appellate Tribunal, Uttarakhand, Dehradun.
4. Chairman, Commercial Trade Tax Tribunal, Uttarakhand, Dehradun.
5. Registrar, State Consumer Redressal Commission, Uttarakhand, Dehradun.
6. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
7. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
8. Secretary, Lokayukt, Uttarakhand, Dehradun.
9. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt. Nainital.
10. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.
11. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.
12. Presiding Officer, Labour Court cum Industrial Tribunal, Haldwani, Distt. Nainital.
13. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, Distt. Udham Singh Nagar.

C.L. No. 05 /UHC/Admin.A/2011

Dated: July 20, 2011.


Subject: Regarding withdrawal of four days Extra Casual Leave.

Sir,

In continuation of earlier Circular Letter No. 03/UHC-2002 dated 02.03.2002 and on the subject noted above, I am to inform that the Hon'ble Court is pleased to decide that Circular Letter dated 02 March, 2002 and all other previous letters pertaining to extra casual leave to an Officer and Staff belonging to hills and posted in plains and vice-versa are withdrawn.

You are therefore, informed accordingly.

Yours faithfully,


(U.C. Dhyani)

No. 35/2 /UHC/Admin.A/2011

Dated: July 20, 2011.

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Principal Secretary (Law)-cum-L.R., Government of Uttarakhand, Dehradun.
4. Registrar (Inspection), Registrar (Judicial), Additional Registrar and Registrar (Protocol).
5. Joint/ Deputy/ Assistant Registrars & Section Officers of the Court.


Registrar General



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

1. All the District Judges, Subordinate to the High Court of Uttarakhand.
2. Judges, Family Court, Dehradun, Haridwar, Nainital, Pauri Garhwal & Udham Singh Nagar.
3. Chairman, State Transport Appellate Tribunal, Uttarakhand, Dehradun.
4. Chairman, Commercial Trade Tax Tribunal, Uttarakhand, Dehradun.
5. Registrar, State Consumer Redressal Commission, Uttarakhand, Dehradun.
6. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
7. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
8. Secretary, Lokayukt, Uttarakhand, Dehradun.
9. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt. Nainital.
10. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.
11. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.
12. Presiding Officer, Labour Court cum Industrial Tribunal, Haldwani, Distt. Nainital.
13. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, Distt. Udham Singh Nagar.

C.L. No. 06 /UHC/Admin.A/2011

Dated: July 20, 2011.

Subject: Regarding submission of statement relating to movable and immovable properties.

Sir,

In continuation of earlier Circular Letter No. 37/Admin.(A), dated 08.09.1995 on the subject noted above, I am to inform that the Hon'ble Court is pleased to decide that annual statements by the Judicial Officers, regarding movable and immovable properties, be submitted to the Court for the financial year commencing 1st April and ending 31st March of each year, within 30th April following.

You are therefore, informed accordingly.

Yours faithfully,



20.07.11
(U.C. Dhyanani)

No. 35/3 /UHC/Admin.A/2011

Dated: July 20, 2011.

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Principal Secretary (Law)-cum-L.R., Government of Uttarakhand, Dehradun.
4. Registrar (Inspection), Registrar (Judicial), Additional Registrar and Registrar (Protocol).
5. Joint/ Deputy/ Assistant Registrars & Section Officers of the Court.


Registrar General



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

All the District Judges,
State Judiciary,
Uttarakhand.

C.L. No. 07 /UHC/D.R.(I)/2011

Dated: July 20, 2011.
21

Subject: Regarding disposal of old cases

Sir,

I am desired to say that Hon'ble Court has been pleased to issue certain guidelines and directions for the disposal of old cases in your judgeship, which are as follows:

1. All out sincere efforts shall be made to dispose of, by 31st March, 2012, all the cases instituted before 1st July, 2006.
2. Each Presiding Officer shall ascertain the reason why a case, pending before 1st July, 2006 in his court or in the court of which he is in-charge, is still pending in the court and shall prepare a list thereof, incorporating the reason for the pendency. A copy of the list shall be furnished to the High Court.
3. In the event, it transpires that the reason for the case remaining still pending is an order passed by any higher court, to bring the same to the notice of the High Court within a period of one month from today. In addition to that, the Presiding Officers shall ask the litigants and their counsel to file fresh certified copies of the orders staying a case pending in his court or in a court of which he is in-charge, for the purpose of ascertaining whether the stay order is still continuing.
4. In all other cases, every effort shall be made to dispose of the same expeditiously.



5. In addition to that, every Presiding Officer shall make an endeavour to ascertain, which of the cases have no movement for a considerable period of time, ascertain the reason thereof and make sincere effort to remove the bottleneck.
6. Every court shall have a register for the purpose of recording therein communications received from the District Judge or from the High Court or from the Hon'ble Supreme Court and the Presiding Officer of every court as well as the Presiding Officer of the court of which he is in-charge shall take notice of the entries made in course of the day in the register at the end of the day to update himself of the communications, thus, received.
7. Every Presiding Officer shall prepare a list of criminal cases, where summons have not been served and where witnesses have not been produced on the date fixed and furnish such list to the District Judges on monthly basis so that a copy thereof may be handed-over by the District Judge in course of monthly meetings held by him with the District Magistrate and the Superintendent / Senior Superintendent of Police of the district concerned.
8. The Presiding Officers, in all criminal cases, where the offence is compoundable, shall make an effort to compound the same and, at the same time, shall give opportunity of plea bargaining.
9. Every Judicial Officer shall ensure that cases, which can be sorted out through mediation, are sent to the mediator.

I am, therefore, to request you kindly to bring above directions to the notice of all the Judicial Officers working in your judgship for their information and strict compliance.

Yours faithfully,

(U.C.Dhyani)




No. 3545 /UHC/D.R.(I)/2011

Dated: July 20, 2011.
21

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Registrar (Inspection), Registrar (Judicial), Additional Registrar and Registrar (Protocol).
4. Joint/Deputy/Assistant Registrars of the Court.
5. NIC/Guard File.


26.07.11
Registrar General



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

All the District Judges,
State Judiciary,
Uttarakhand.

C.L.No. 08 /UHC/D.R.(I)/2011

Dated: July 20, 2011.

21

Subject: Submission of monthly report regarding the assessment of judgments of the Judicial Officers.

Sir,

In continuation of earlier C.L. No. 14/UHC/XVII-31 D.R. (I) 2010 dated: November 24, 2010 on the subject noted above, I am directed to request you to also look at the following and send your comments while assessing the Judgements of Judicial Officers posted under you, in addition to what is being looked at:

1. Whether the judgment in criminal side is in accordance with Section 354 of Cr.P.C. and in civil side Order 20 of C.P.C.?
2. Actual matter of controversy has been dealt with or not?
3. Whether the judgment is sound on fact and law, well reasoned and expressed in good language?
4. Language of the judgment easily understandable by the litigants, for whom judgment has been pronounced?
5. Operative portion of the judgment is clear and decisive or not?
6. Adequacy of punishment awarded and rational given for awarding lesser punishment.
7. Whether judgment has been passed on date fixed?
8. Whether issues or charges as framed have been addressed while rendering the judgement ?

Logan
20.07.11



9. Whether the officer has tried to write down unnecessary a lengthy judgment?
10. Whether the judgment is precise and to the point?
11. Whether the officer has adopted the correct mode of citation as prescribed by C.L. No. 36/IV-h-35 dated 11th April, 1956 read with C.L. No.105/IV-h-35 dated 3rd December, 1956 and whether the law laid down by Hon'ble Apex Court and Hon'ble High Courts that has been mentioned by the officer in his / her judgment has been correctly applied?
12. Whether the officer has reproduced the injuries from the injury reports of the injured person as prescribed by C.L. No. 13/VI-b-47 dated 3rd March, 1982?
13. Whether the officer has taken upon himself the obligation to express criticism upon matters with which he has no concern, as disapproved by G.L. No. 91/2(A) dated 10th November, 1936?
14. Overall Quality of the judgment poor, good, very good, or excellent.

I am, therefore, to request you kindly to bring the contents of this letter to the notice of all the Judicial Officers working in your judgeship.

Yours faithfully,

(U.C.Dhyani)


No. 3546 /UHC/D.R.(I)/2011

Dated: July 20, 2011.

Copy forwarded for information to:

21

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Registrar (Inspection), Registrar (Judicial), Additional Registrar and Registrar (Protocol).
4. Joint/Deputy/Assistant Registrars of the Court.
5. NIC/Guard File.


20.07.11
Registrar General



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

1. All the District Judges, Subordinate to the High Court of Uttarakhand.
2. Principal Secretary Law-cum-L.R., Government of Uttarakhand, Dehradun.
3. Principal Secretary, Legislative, Parliamentary Affairs & Language Department, Govt. of Uttarakhand, Dehradun.
4. Legal Advisor to Her Excellency the Governor of Uttarakhand.
5. Judges, Family Court, Dehradun, Haridwar, Nainital, Pauri Garhwal & Udham Singh Nagar.
6. Chairman, State Transport Appellate Tribunal, Uttarakhand, Dehradun.
7. Chairman, Commercial Tax Tribunal, Uttarakhand, Dehradun.
8. Registrar, State Consumer Redressal Commission, Uttarakhand, Dehradun.
9. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
10. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
11. Secretary, Lokayukt, Uttarakhand, Dehradun.
12. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt. Nainital.
13. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.
14. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.
15. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, Distt. Nainital.
16. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, Distt. Udham Singh Nagar.

C.L. No. 10 /UHC/Admin.A/2011

Dated: November 18, 2011.

Subject: Amendment in Circular letter No. 61/Admn. (A) dated 06.09.1989.

Sir,

With regard to above-mentioned Circular Letter regarding furnishing information towards the purchase of movable property, the amount of ₹ 10,000.00 contained in the Circular Letter is replaced by ₹ 50,000.00.

You are therefore, requested to bring it to the notice of all the Judicial Officers working under your administrative control.

Yours faithfully,

Singh
(K.D. Bhatt)

No. 5268 /XVII-34/Admin.A/2011

Dated: November 18, 2011.

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Registrar (Inspection), Registrar (Judicial), Registrar (Protocol) and Additional Registrar.
4. Joint/ Deputy/ Assistant Registrars & Section Officers of the Court.

Singh
18.11.11
Registrar General

o/c



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

1. All the District Judges, Subordinate to the High Court of Uttarakhand.
2. Principal Secretary Law-cum-L.R., Government of Uttarakhand, Dehradun.
3. Judges, Family Court, Dehradun, Haridwar, Nainital, Pauri Garhwal & Udham Singh Nagar.
4. Chairman, State Transport Appellate Tribunal, Uttarakhand, Dehradun.
5. Chairman, Commercial Tax Tribunal, Uttarakhand, Dehradun.
6. Registrar, State Consumer Redressal Commission, Uttarakhand, Dehradun.
7. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
8. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
9. Secretary, Lokayukta, Uttarakhand, Dehradun.
10. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt. Nainital.
11. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.
12. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.
13. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, Distt. Nainital.
14. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, Distt. Udham Singh Nagar.

C.L. No. 01 /UHC/Admin.A/2012

Dated: March 23, 2012.

Subject: Annual transfer of Judicial Officers.

Sir,

In supersession of earlier Circular Letters on the subject noted above, I am to inform that Hon'ble Court has laid down the following guidelines regarding annual transfer of Judicial officers in Uttarakhand.

1. As far as possible the annual transfers of all officers except District Judges will be made with effect from 15th April of every year whereas annual transfers of District Judges will be made with effect from 1st May of every year.
2. Ordinarily a Judicial Officer will be due for transfer on completion of three years posting. However, a Judicial Officer may be transferred at any time on administrative reasons or in the exigencies of service.
- 2A. A Judicial officer posted in an outlying court and serving in such post for the full term of three years, shall not be posted in any other outlying court for next two postings.
3. For premature transfer or for over stay beyond three years due to special reasons, Judicial Officers should submit their representations by 15th March of the year.

Contd. on page(2)



4. Judicial Officers are at liberty to express their choice of three stations for transfer by 15th March. However, the High Court will have the right to post the Judicial Officers at any other place.
5. No Judicial Officer will be posted in his/her home district.
6. As far as possible, officers posted in the plains should get next posting in hilly areas and vice versa.
7. As far as possible, Judicial Officers should be posted from Garhwal Commissionerary Region to Kumaon Commissionerary Region and vice versa.
8. No officer shall be posted in the same district within a span of six years except on deputation post.
9. When Officers are transferred prematurely on their request, they will not be allowed the transfer traveling allowance.
10. While submitting representation, as mentioned in guideline/clause no.3, the Officers are required to furnish details like their hometown, blood relations, the place where they had practiced or had received education etc.
11. The Officers on deputation will also be due for transfer on completion of three years on deputation. However, the Officers posted in the Registry of the High Court and Secretariat (Sachivalaya) may be allowed to continue on deputation beyond the period of three years at the discretion of the Hon'ble Chief Justice.
12. An Officer on deputation may be recalled at any time, even before completing the period of three years, for administrative reasons or in the exigencies of service.
13. The districts of the State are divided in three categories, "A", "B" and "C" in the following manner:-
 - Category 'A'** :- District Dehradun, District Hardwar and District Udham Singh Nagar District Nainital.
 - Category 'B'** :- District Tehri Garhwal, District Pauri Garhwal and District Almora; and
 - Category 'C'** :- District Champawat, District Uttarkashi, District Rudraprayag, District Chamoli, District Bageshwar and District Pithoragarh.
14. As far as possible each officer should serve equally in each category of districts.
You are therefore, informed accordingly.

Yours faithfully,


07c (Ram Singh)

Contd. on page(3)



No. 1272 /XII-h-1/Admin.A/2012

Dated: March 23, 2012.

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Registrar (Inspection), Registrar (Judicial), Registrar (Protocol) and Additional Registrar.


Registrar General



From

Registrar General
High Court of Uttarakhand
Nainital.

To

All the District Judges,
State Judiciary,
Uttarakhand

C.L.No. 02 /IX-f-I D.R.(I)/2012 dated: 03 April , 2012

Sub: USE OF RED AND BLUE LIGHT BY THE JUDICIAL OFFICERS

Sir,

In continuation of C.L.No. 13/Admn. Staff car dated July 25,2002 and C.L.No. 4/2004/DR(Ins) dated March 25, 2004 on the subject noted above, I am directed to communicate you that it has come to the notice of the Court that some of the Judicial Officers of the State Judiciary, Uttarakhand are using Red / Blue Light on their private cars, which is highly objectionable and against the spirit of judgment and order dated 24.08.1993 passed in writ petition no. 29356 of 1993 passed by Allahabad High Court whereby the District Judge as well as the Registrar General of the Court and other officers of the Rank of District Judge are permitted to use Red light on the staff car and the Chief Judicial Magistrate may use Blue light above the wind screen of his staff car.

The instructions with regard use of Red / Blue light by Judicial Officers have been communicated to the District Judges vide Circular letter No. C-82/Confidential/1993 dated 22.12.1993 issued by Allahabad High Court and vide CL No. 13 / Admn. Staff Car dated 25.07.2002 and CL No. 4 / 2004 / D.R. (Ins.) dated 25.03.2004 issued by this High Court. In Circular Letter dated 25.03.2004 (direction no. 1), it has been clearly mentioned that Civil Judge (JD), JM, Civil Judge (SD), CJM and Additional District Judge are not entitled for the Red Light. If such officers use staff car with Red light it should be covered with some cap. The Red light will not be used on the pooled cars except by the District Judge. In direction no. 4 it has been clearly mentioned that if any Judicial Officer is found using the Red light / Blue light on the private car the court may take adverse view against him.

You are once again directed to ensure compliance of the above mentioned circular letters in letter and spirit. If any judicial officer is found disobeying the directions issued with regard to use of red/blue light, a report be sent to this Court without any delay and stern action including suspension will be taken against the erring officer, by the Court.

Yours faithfully,

(Ram Singh)



From

Registrar General.
High Court of Uttarakhand
Nainital.

To

1. All the District Judges,
Subordinate to the High Court of Uttarakhand.
2. The Director, Uttarakhand Judicial and Legal Academy
Bhowali (Nainital).
3. All Judges, Family Courts
Subordinate to the High Court of Uttarakhand.

C.L. No. 03 /UHC/Admin. B/XVII-122/2012 dated

April 04 2012.

Subject: Regarding personal use of Government Vehicle.

Sir,

In reference to G.O. No. 4511-T/30-4-4-JB-77 dated 24.10.1988 and in continuation of C.L. No. 5/UHC-2001, dated 13.03.2001 on the aforesaid subject, I am directed to say that on obtaining prior permission to leave the headquarter you are granted suo-moto permission to use the Government vehicle, provided you submit copies of logbook of the Government vehicles along-with the copies of the treasury challan for the extra personal journey every month, if any.

Further, you are requested to deal with the logbooks and applications for the personal use of Government vehicle of the subordinate judicial officers at your own end and submit copies of the logbook of your official vehicle only to this Court. And as per C.L. No. 57/IV-905/Admin. (A), dated 24.04.1990, you are not required to obtain prior permission to take the staff Car outside the district on official duty.

You are therefore, requested to inform all concerned accordingly, and ensure compliance as above.

Yours faithfully

(Ram Singh)

No. (469 / UHC/Admin. B/ XVII-122/2012 dated

April 04, 2012.

- Copy to -**
1. P.P.S. to Hon'ble the Chief Justice
 2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
 3. Registrar(Inspection), Registrar(Judicial), Registrar(Protocol) & Addl. Registrar.
 4. Deputy Registrar (Inspection) & O.I.C., N.I.C.

Registrar General



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

1. All the District Judges, Subordinate to the High Court of Uttarakhand.
2. Principal Secretary Law-cum-L.R., Government of Uttarakhand, Dehradun.
3. Judges, Family Court, Dehradun, Haridwar, Nainital, Pauri Garhwal & Udham Singh Nagar.
4. Chairman, State Transport Appellate Tribunal, Uttarakhand, Dehradun.
5. Chairman, Commercial Tax Tribunal, Uttarakhand, Dehradun.
6. Registrar, State Consumer Redressal Commission, Uttarakhand, Dehradun.
7. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
8. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
9. Secretary, Lokayukta, Uttarakhand, Dehradun.
10. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt. Nainital.
11. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.
12. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.
13. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, Distt. Nainital.
14. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, Distt. Udham Singh Nagar.

C.L. No. 04 /UHC/Admin.A/2012

Dated: May 08, 2012.

Subject: Regarding correspondence with the Court.

Sir,

It is noticed that despite repeated directions of the Court most of the officers are still corresponding with the Court in Hindi, causing unnecessary inconvenience.

Hon'ble the Chief Justice is pleased to direct that not to correspond with the Court in any other language except English, in future.

You are, therefore requested to ensure the compliance.

Yours faithfully,


(Ram Singh)

No. 2097 /XVII-141/Admin.A/2003

Dated: May 08, 2012.

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Registrar (Judicial), Registrar (Protocol) and Additional Registrar of the Court.


Registrar General





From

Registrar General
High Court of Uttarakhand
Nainital.

To

All the District Judges,
State Judiciary,
Uttarakhand

C.L. No. 65 / \sqrt{XVI} -27 / D.R.(I)/2012 dated: 15 June , 2012

**Sub: QUANTUM OF WORK FOR JUDICIAL OFFICERS FOR
REFERRING/ DECIDING THE CASES THROUGH
MEDIATION.**

Sir,

In continuation of C.L.No. 5/X-b-16/Ins/2004 dated 2.4.2004 regarding quantum of work for judicial officers, I have been directed to inform you that in order to promote mediation activities in the State and settlement of cases through mediation, Hon'ble Court has decided to provide credit to Judicial Officers on the following basis:

- | | | |
|------|---|-----------|
| (i) | Upon referral of case | 1/20 days |
| (ii) | Disposal of case on the basis of successful mediation | 1 day |

The above prescribed outturn shall be applicable for the year 2012-2013 and onwards

Yours faithfully,

(Ram Singh)



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

1. All the District Judges, Subordinate to the High Court of Uttarakhand.
2. Principal Secretary Law-cum-L.R., Government of Uttarakhand, Dehradun.
3. Judges, Family Court, Dehradun, Hardwar, Nainital, Pauri Garhwal & Udham Singh Nagar.
4. Chairman, State Transport Appellate Tribunal, Uttarakhand, Dehradun.
5. Chairman, Commercial Tax Tribunal, Uttarakhand, Dehradun.
6. Registrar, State Consumer Redressal Commission, Uttarakhand, Dehradun.
7. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
8. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
9. Secretary, Lokayukta, Uttarakhand, Dehradun.
10. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt. Nainital.
11. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.
12. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.
13. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, Distt. Nainital.
14. Presiding Officer, Labour Courts, Dehradun, Hardwar and Kashipur, Distt. Udham Singh Nagar.

C.L. No. 07 UHC/Admin. A/2012

Dated: July 06, 2012.

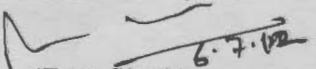
Subject: Recess during Civil Court's vacation.

Sir,

In continuation to earlier circular letter Nos. 4W/Admn.(A) dated 13/01/1983, 22/Admn.(A)-UHC/2002 dated 20/12/2002 and 03/UHC/Admin.a/2009 dated 04.07.2009, I am to inform that Hon'ble the Chief Justice is pleased to direct that an officer can avail the recess only one time in a year not two times, even if, he works at two separate zones permitting leave during different periods of the year.

You are therefore, requested to bring it to the notice of all the Judicial Officers working under your administrative control.

Yours faithfully,


(Ram Singh) 6.7.12

No. 3186 UHC/XVII-90/Admin. A/2009

Dated: July 06, 2012.

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judges with the request to place it before His Lordship for kind perusal.
3. Registrar (Judicial), Registrar (Protocol) and Additional Registrar.
4. Joint/ Deputy/ Assistant Registrars of the Court.
5. I/c N.I.C., High Court of Uttarakhand, Nainital.

Registrar General



From
Registrar General
High Court of Uttarakhand,
Nainital.

To
All the District Judges,
State Judiciary,
Uttarakhand.

C.L.No. 08 /XVII -24/D.R.(I)/2012 dated: July 13, 2012

Sub: Awarding inadequate sentence in criminal cases.

Sir,

On the subject noted above, I have been directed to inform you that it has come to the notice of the Court that while holding the accused guilty, the Judicial Officers do not adhere to the law prescribing the minimum sentence. They should not forget that the criminal trial is held in the public interest with the twin objectives of punishing the wrong doers and discouraging others from following their footsteps. Inadequate sentences should, on no account be passed especially in heinous crimes. In the event, a Judicial Officer does not adhere to the law prescribing the minimum sentence, the same may tantamount to misconduct on his/her part.

The Court therefore, wishes to impress upon Sessions Judges and the Officers working under them to follow the penal statutes in letter and spirit. A lesser sentence than what is prescribed by a statute can in no case be awarded even in the wake of the existence of mitigating circumstances, unless provided for the same.

Yours faithfully,

(Ram Singh)



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

1. All the District Judges, Subordinate to the High Court of Uttarakhand,
2. Principal Secretary, Legislative and Parliamentary Affairs, Government of Uttarakhand, Dehradun.
3. Legal Advisor to His Excellency the Governor of Uttarakhand.
4. Principal Secretary, Law-cum-L.R., Government of Uttarakhand, Dehradun.
5. Judges, Family Court, Dehradun, Hardwar, Nainital, Pauri Garhwal & Udhamsingh Nagar.
6. Chairman, State Transport Appellate Tribunal, Uttarakhand, Dehradun.
7. Chairman, Commercial Tax Tribunal, Uttarakhand, Dehradun.
8. Registrar, State Consumer Redressal Commission, Uttarakhand, Dehradun.
9. Member Secretary, Uttarakhand State Legal Services Authority, Nainital.
10. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
11. Secretary, Lokayukta, Uttarakhand, Dehradun.
12. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt. Nainital.
13. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.
14. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.
15. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, Distt. Nainital.
16. Presiding Officer, Labour Courts, Dehradun, Hardwar and Kashipur, Distt. Udhamsingh Nagar.

C.L.No: 09 U.H.C./Admin. B/ 2012, Dated: 17 September, 2012.

Subject: Providing mobile facility to all the Judicial Officers of the rank of District Judges of the State Judiciary, Uttarakhand.

Sir

In suppression of the earlier letter no. 1/Camp Hardwar/UHC.-Admin.(B) Sect. Dated November 09, 2001 on the subject noted above, I am desired to say that the Court has been pleased to provide the facility of Mobile Phone to all the Judicial Officers of the rank of District Judges of the State Judiciary, Uttarakhand. The Court has issued following directions in this regard:-

1. The Judicial Officers of the rank of District Judges of the State Judiciary, whether they are posted as District Judge or on deputation, are permitted to purchase a hand set for a mobile phone out of the funds of contingency and the cost of the hand set should not exceed Rs. 8,000/-
2. The officers are permitted to purchase SIM Card of any company preferably of Bharat Sanchar Nigam Limited (BSNL) from their available funds.
3. The officers will use Mobile Phone for the official purposes and the calls used for the official purposes will be paid from the budget of the establishment.
4. In case the calls are made by the officer for his private use, the payment of such calls will be made by the officer concerned.

Contd.



5. While making use of Mobile Phone, the officers will take economic measures and they will follow the rules applicable to the Government Officers using such mobiles. The expenses towards the payment of calls will not exceed Rs. 2,000/- per month.

You are, therefore, informed accordingly for further necessary action in this regard at your end.

Yours faithfully,

(Ram Singh)



From

Registrar General
High Court of Uttarakhand
Nainital.

To

All the District Judges,
State Judiciary,
Uttarakhand

C.L. No. 10 UHC/Admin. B/XVII-144/2012 dated: October 3, 2012

**Sub: RECORDING OF EVIDENCE OF WITNESSES BY THE
JUDICIAL OFFICERS AND NOT BY THE PESHKAR.**

Sir,

On the above noted subject, I have been directed to inform you that the evidence of the witnesses has to be recorded by the Presiding Officers personally as far as possible or the evidence should be recorded on dictation of the Presiding Officer himself/herself by the Reader and the matter should not be delegated exclusively to the Peshkar (Reader). I have also been directed to inform you that it has come to the notice of the Court that sometimes the evidence of the witnesses is recorded by the Peshkar in the absence of the Presiding Officer or the Reader records the evidence of the witnesses while the Presiding Officer does the other work. This practice should be stopped immediately.

You are, therefore, requested to intimate all the Judicial Officers to ensure that they should personally record the evidence of the witnesses as far as possible or the evidence should be recorded on dictation of the Presiding Officer himself/herself by the Reader and the matter should not be delegated exclusively to the Peshkar (Reader).

Yours faithfully,

(Ram Singh)



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

1. All the District Judges, Subordinate to the High Court of Uttarakhand.
2. Principal Secretary Law-cum-L.R., Government of Uttarakhand, Dehradun.
3. Judges, Family Court, Dehradun, Haridwar, Nainital, Pauri Garhwal & Udham Singh Nagar.
4. Chairman, State Transport Appellate Tribunal, Uttarakhand, Dehradun.
5. Chairman, Commercial Tax Tribunal, Uttarakhand, Dehradun.
6. Registrar, State Consumer Redressal Commission, Uttarakhand, Dehradun.
7. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
8. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
9. Secretary, Lokayukta, Uttarakhand, Dehradun.
10. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt. Nainital.
11. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.
12. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.
13. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, Distt. Nainital.
14. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, Distt. Udham Singh Nagar.

C.L. No. 15 UHC/Admin. A/2012

Dated: December 5, 2012.

Subject: **Regarding Comprehensive Medical Check-up of All Judicial Officers.**

Sir,

In continuation to C.L. No. 16/UHC/Admn.A-33/2010 dated 09.12.2010, on the subject noted above, I am directed to inform that Medical Check-up as per the directions contained in the said Circular Letter may be got done from higher centers also, if there is no proper medical facility available at the concerned District Hospital.

It is therefore, requested to bring the above directions of the Court to the notice of all the Judicial Officers working under your administrative control.

Yours faithfully,

(Ram Singh)

No. 6411 UHC/XVIII-33/Admin. A/2010

Dated: December 5, 2012.

Copy forwarded for information to:

1. Principal Secretary, Medical Health, Government of Uttarakhand, Dehradun.
2. Principal Secretary, Law-cum-L.R., Government of Uttarakhand, Dehradun.
3. Director General, Medical Health, Dehradun.
4. Chief Medical Officers of Uttarakhand.
5. Registrar (Judicial), Registrar (Protocol) and Addl. Registrar-I & II.
6. I/c N.I.C., High Court of Uttarakhand, Nainital.
7. Guard file.


05-12-12
Registrar General



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

1. All the District Judges, Subordinate to the High Court of Uttarakhand.
2. Principal Secretary Law-cum-L.R., Government of Uttarakhand, Dehradun.
3. Judges, Family Court, Dehradun, Hardwar, Nainital, Pauri Garhwal & Udham Singh Nagar.
4. Chairman, State Transport Appellate Tribunal, Uttarakhand, Dehradun.
5. Chairman, Commercial Tax Tribunal, Uttarakhand, Dehradun.
6. Registrar, State Consumer Redressal Commission, Uttarakhand, Dehradun.
7. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
8. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
9. Secretary, Lokayukta, Uttarakhand, Dehradun.
10. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt. Nainital.
11. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.
12. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.
13. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, Distt. Nainital.
14. Presiding Officer, Labour Courts, Dehradun, Hardwar and Kashipur, Distt. Udham Singh Nagar.

C.L. No. 16 UHC/Admin. A/2012

Dated: December 6, 2012.

Subject: **Regarding submission of Annual Property Statement.**

Sir,

On the subject noted above, I am directed to inform that before submission of annual property statement, each Judicial Officer must prepare his/her annual property statement carefully in order to avoid future problems & embarrassment.

It is therefore, requested to bring the above directions of the Court to the notice of all the Judicial Officers working under your administrative control.

Yours faithfully,

(Ram Singh)

No. 6419 UHC/ Admin. A/2012

Dated: December 6 2012.

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Registrar (Judicial), Registrar (Protocol) Additional Registrar I and II.
4. I/c N.I.C., High Court of Uttarakhand, Nainital.
5. Guard file.


06-12-12
Registrar General



From

Registrar General,
High Court of Uttarakhand,
Nainital.

To

1. All the District Judges, Subordinate to the High Court of Uttarakhand.
2. Principal Secretary Law-cum-L.R., Government of Uttarakhand, Dehradun.
3. Judges, Family Court, Dehradun, Haridwar, Nainital, Pauri Garhwal & Udham Singh Nagar.
4. Chairman, State Transport Appellate Tribunal, Uttarakhand, Dehradun.
5. Chairman, Commercial Tax Tribunal, Uttarakhand, Dehradun.
6. Registrar, State Consumer Redressal Commission, Uttarakhand, Dehradun.
7. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
8. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
9. Secretary, Lokayukta, Uttarakhand, Dehradun.
10. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt. Nainital.
11. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.
12. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.
13. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, Distt. Nainital.
14. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, Distt. Udham Singh Nagar.

C.L. No. 17 UHC/Admin. A/2012

Dated: December 6, 2012.

Subject: Conduct of Judicial Officers and manner of recording A.C.R.(s).

Sir,

On the subject noted above, I am directed to intimate following resolutions passed in the Administrative Conference dated 12.05.2012 and approved by the Court:

1. District Judge must act as friend, philosopher and guide for all young judicial officers.
2. The conduct of judicial officers whether inside the Court or outside the Court is important and is observed. The judicial officers should not indulge in such acts, which exposes them to disciplinary proceedings or to any sort of enquiry or to any sort of criticism by the society. The conduct must be guarded and must conform to the norms of judicial service.
3. The junior judicial officers are advised to behave in a proper manner as per the norms of judicial service and if judicial officers still behave in a manner which is not suitable, the conduct of such judicial officers must be reflected in their ACR. The comments in the ACR must be given in a scientific manner giving clear indication as to what is being written and why it is being written. The judicial officers working hard must be appreciated and be encouraged and at the same time, the District Judge must report about such judicial officers who do not work or avoid work. The conduct of a judicial officer outside the Court having ramification must be reported.

Contd. on page (2)



4. Subordinate judicial officers must not visit the High Court for pursuing matters relating to their transfer or other representations. Any grievance or representation of the judicial officers should be submitted to the High Court in writing through the District Judge. If, called by the High Court then, only they should come to the High Court.
5. Judicial officers should not call the Judges of the High Court directly on their phones. In case of emergency, matter should be reported to the District Judge and if, District Judge is not available, then to the Registrar General of the Court.

It is therefore, requested to bring the above directions of the Court to the notice of all the Judicial Officers working under your administrative control for strict compliance.

Yours faithfully,

(Ram Singh)

No. 6433 UHC/ Admin. A/2012

Dated: December 6 2012.

Copy forwarded for information to:

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judge(s) with the request to place it before His Lordship for kind perusal.
3. Registrar (Judicial), Registrar (Protocol) Additional Registrar I and II.
4. I/c N.I.C., High Court of Uttarakhand, Nainital.
5. Guard file.


06-12-12
Registrar General