

HIGH COURT OF UTTARAKHAND, NAINITAL

NOTIFICATION

No. 08/UHC/Admin.A (I.T.)/2024

Dated: January 11, 2024

In exercise of the powers conferred by Article 227 (2) of the Constitution of India, the High Court of Uttarakhand, Nainital with approval of the Governor of Uttarakhand, is pleased to make the following amendments in General Rules (Civil), 1957 and General Rules (Criminal), 1977 (applicable to High Court of Uttarakhand under U.P. Reorganization Act, 2000):-

S. No.	Existing Rule	Amended Rules												
1.	General Rules (Civil), 1957 Chapter-I Preliminary Rule-4. Definitions	Rule-4. Definitions <i>Insertion of following definition-</i> “National Service and Tracking of Electronic Processes (NSTEP)” means technology enabled process serving and issuing of summons.												
2.	General Rules (Civil), 1957 Chapter-I Preliminary Rule-14. Attendance register A register of attendance in the form sub-joined shall be kept by every Judge in his own hand and shall be signed by him at the end of each month; Provided that in case of a change during the month the officer relieved and the relieving officers shall respectively sign their own registers up to date. The District Judge shall forward a true copy of his own register to the High Court at the end of each month and shall also report if the subordinate Courts have observed Court hours during the month. The registers of all subordinate Courts at headquarters shall be submitted to the District Judge by 10.35 a.m. each day and true copies of registers of outlying Courts shall be submitted to the District Judge at the end of each month. The District Judge may pass necessary orders about the timings observed by subordinate Courts and shall forward such registers or their copies to the High Court only if he considers it necessary. Attendance Recorded by Biometric Attendance System shall also be valid and above Rule pertaining to attendance register shall apply <i>mutatis mutandis</i> to the printed sheet from Biometric Attendance System. Register of Daily Sittings In the Court of <table border="1" style="width: 100%;"><thead><tr><th colspan="2" style="text-align: center;">Month of</th><th colspan="2" style="text-align: center;">AD</th></tr><tr><th style="text-align: center;">Date</th><th style="text-align: center;">On the Bench</th><th style="text-align: center;">In Chambers</th><th style="text-align: center;">Remarks</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table>	Month of		AD		Date	On the Bench	In Chambers	Remarks					<i>Rule 14 shall be replaced by following amendment-</i> Rule-14. e-Attendance register A register of attendance in the form provided in Case Information System Software shall be kept in electronic form by every Judge with his Login Credentials; Provided that in case of a change during the month the officer relieved and the relieving officers shall respectively Login with their own Login Credentials. Such e-register of attendance shall be accessible to the concerned District Judge and High Court electronically. Registers of Courts not connected with District Case Information System Server shall be imported electronically into the District Court Server at the end of the month. The District Judge may pass necessary orders about the timings observed by Courts. Attendance Recorded by Biometric Attendance System shall also be valid and above Rule pertaining to attendance register shall apply <i>mutatis mutandis</i> to the printed sheet from Biometric Attendance System.
Month of		AD												
Date	On the Bench	In Chambers	Remarks											

<p>3.</p>	<p style="text-align: center;">General Rules (Civil), 1957 Chapter-I Preliminary</p> <p>Rule 16. Weekly Cause List</p> <p>A weekly list, in the form subjoined, of cases fixed for hearing, prepared in legible Hindi or cause list generated through CIS software and signed by the Munsarim of the Court, shall be posted on the last working day of the previous week in some conspicuous place in every Court house. In the preparation of such list precedence shall be given to cases, which are at hearing or have been already adjourned, and the order in which cases are entered shall not be departed from without the express order of the presiding Judge of the Court.</p> <p>Space shall be left in the list, at the head of the entries of each day for the subsequent insertion, if necessary, of adjourned cases.</p> <p>In the fourth column it shall be noted in regard to each case for what purpose it is to be laid before the Court; whether, for instance, for settlement of issues or for final disposal or for delivery of judgment.</p> <p style="text-align: center;">Form Date, Month and Year.....</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Number and description of case</th> <th style="text-align: center;">Name of Parties</th> <th style="text-align: center;">Name of Parties, lawyers</th> <th style="text-align: center;">Purpose</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p><i>N.B. – The maintenance of Memorandum book form Nos. 77, 78 and 79 does not obviate the necessity of complying with this rule.</i></p>	Number and description of case	Name of Parties	Name of Parties, lawyers	Purpose					<p><i>Title and rule be replaced by following amendment-</i></p> <p>Rule 16. Cause List</p> <p>Cause list shall be accessible on the official website of each District Court in the form auto generated by CIS Software.</p> <p>Information about Video Conferencing Link shall be made available in the Cause List or navigable through the official website of each District Court.</p>
Number and description of case	Name of Parties	Name of Parties, lawyers	Purpose							
<p>4.</p>	<p style="text-align: center;">General Rules (Civil), 1957</p> <p style="text-align: center;">CHAPTER IV SUMMONSES AND OTHER PROCESSES A-Summonses and other Processes (General)</p> <p>Rule 102. Parties to file summons.</p> <p>(a) A party shall file with the plaint, memorandum of appeal, or an application requiring the issue of a summons/notice, a printed summons/notice form in duplicate, in the Nagri character, duly filled up except in respect of the date of appearance/hearing and date of issue of the summons/notice. The Court may also direct a party in any proceeding to file a summons or notice filled up as above to be served on the opposite party.</p> <p>Provided that the Presiding Officer may in his discretion direct that such forms in general or any particular such form be filled up entirely in the office of the Court.</p>	<p><i>Proviso to Rule 102(a) shall be replaced by following amendment</i></p> <p>Rule 102. Parties to file summons.</p> <p>(a) A party shall file with the plaint, memorandum of appeal, or an application requiring the issue of a summons/notice, a printed summons/notice form in duplicate, in the Nagri character, duly filled up except in respect of the date of appearance/hearing and date of issue of the summons/notice. The Court may also direct a party in any proceeding to file a summons or notice filled up as above to be served on the opposite party.</p> <p>Provided that the process generated electronically through the Case Information System Software with QR Code will be authentic without the signature of the Presiding Officer and seal of the court.</p>								

5.

General Rules (Civil), 1957

CHAPTER IV
SUMMONSES AND OTHER PROCESSES
C-Service of processes

138. Mode of service of processes.

A process should be served with utmost care. One copy is to be delivered to the person named in the summons or to any adult member whether male or female of the family of the person or such other person as may be authorized to receive it for him. On the other copy must be entered the acknowledgment of the person served attested by the neighbours after explaining the contents of the process to him. The process server shall prepare his report on the spot at the time of executing the process.

NOTE : (1) *It should be impressed upon the process servers that it is their duty and not of the party concerned to find out the person on whom the process is to be served. It is not necessary for the party to accompany them for identifying that person. They should seek the assistance of the village headman, Lekhpal, Chaukidar, etc. to find out person on whom the process is to be served.*

NOTE: (2) *A process served on a pleader of any party or left at his office or residence shall be presumed to have reached the party whom the pleader represents.*

139. Witnesses to service.

If the summons is affixed on the outer door of a house an acknowledgement of this fact is to be taken from two respectable persons of the locality in a town or from headmen, Lekhpals, Chowkidars, or neighbours in a village.

Following Provisos shall be added before the Note-1 of Rule 138.

138. Mode of service of processes.

A process should be served with utmost care. One copy is to be delivered to the person named in the summons or to any adult member whether male or female of the family of the person or such other person as may be authorized to receive it for him. On the other copy must be entered the acknowledgment of the person served attested by the neighbours after explaining the contents of the process to him. The process server shall prepare his report on the spot at the time of executing the process.

Provided that when the process is served through NSTEP or through any other similar application prescribed by the High Court, the signature or thumb impression of the party served on the handheld electronic gadget of the serving officer shall constitute the acknowledgement within the meaning of this Rule.

Provided further that the photograph of the party Served/Refused the process along with the geo-tagged photo of the location captured by the process server shall be sufficient proof of service within the meaning of this Rule.

NOTE : (1) *It should be impressed upon the process servers that it is their duty and not of the party concerned to find out the person on whom the process is to be served. It is not necessary for the party to accompany them for identifying that person. They should seek the assistance of the village headman, Lekhpal, Chaukidar, etc. to find out person on whom the process is to be served.*

NOTE: (2) *A process served on a pleader of any party or left at his office or residence shall be presumed to have reached the party whom the pleader represents.*

Following Proviso shall be added after existing Rule 139-

139. Witnesses to service.

If the summons is affixed on the outer door of a house an acknowledgement of this fact is to be taken from two respectable persons of the locality in a town or from headmen, Lekhpals, Chowkidars, or neighbours in a village.

Provided that when the process is served through NSTEP or through any other similar application prescribed by

		<p>the High Court, the photograph of such affixation on the outer door of the house along with the geo-tagged photo of the location captured by the process server shall be sufficient proof within the meaning of this Rule.</p>																							
<p>6.</p>	<p style="text-align: center;">General Rules (Civil), 1957 Chapter-XIV Civil Court Registers</p> <p>Rule. 401-Memorandum books for all civil courts-</p> <p>Sub-rule (4)</p> <p>Presiding Officers shall keep a diary in their own handwriting in the following form in which they shall note for their own use the dates fixed in all contested cases with, where possible, a rough estimate of time likely to be occupied.</p> <p>This sub-rule shall not apply to Small Cause Court and miscellaneous cases, for which special days should ordinarily be allotted. They shall, however, be shown in the same diary or in a separate diary under separate heads under the supervision and control of the Presiding Officer. The old or otherwise important cases amongst them shall be entered in the diary by the Presiding Officer in his own hand so as to avoid the chance of their being over-looked. Criminal cases shall also be entered in the diary by the Presiding Officer in his own hand with such particulars as may be considered necessary.</p> <p style="text-align: center;">FORM Diary of Date</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2" style="writing-mode: vertical-rl; transform: rotate(180deg);">Case no.</th> <th colspan="3">The number of time already adjourned</th> <th rowspan="2">p.s.</th> <th rowspan="2">Sections</th> <th rowspan="2">Name of the Parties</th> <th rowspan="2">Purpose</th> <th rowspan="2">Rough estimate of time likely to be occurred</th> <th rowspan="2">Remark</th> </tr> <tr> <th>At the instance of Plaintiff</th> <th>At the instance of</th> <th>Others</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> <td style="text-align: center;">4</td> <td style="text-align: center;">5</td> <td style="text-align: center;">6</td> <td style="text-align: center;">7</td> <td style="text-align: center;">8</td> <td style="text-align: center;">9</td> <td style="text-align: center;">10</td> </tr> </tbody> </table>	Case no.	The number of time already adjourned			p.s.	Sections	Name of the Parties	Purpose	Rough estimate of time likely to be occurred	Remark	At the instance of Plaintiff	At the instance of	Others	1	2	3	4	5	6	7	8	9	10	<p><i>A proviso to be added after Sub-rule (3)-</i></p> <p>Provided that Case Information, auto generated by Case Information System Software in electronic form for each Court available on the official website of each District Court under e-Courts services shall constitute sufficient compliance of sub rule (1), (2) and (3) above.</p> <p><i>Sub-Rule (4) of Rule 401 shall be substituted by following-</i></p> <p>Sub-rule (4)</p> <p>Presiding Officers shall keep updated username/password protected digital repository Court Management tool JustIS Application Software that provides all details about Court cases at the handset.</p>
Case no.	The number of time already adjourned			p.s.	Sections							Name of the Parties	Purpose	Rough estimate of time likely to be occurred	Remark										
	At the instance of Plaintiff	At the instance of	Others																						
1	2	3	4	5	6	7	8	9	10																
<p>7.</p>	<p style="text-align: center;">General Rules (Civil), 1957 Chapter-XXVII MISCELLANEOUS</p> <p>641. Casual Leave.</p> <p>Applications for casual leave or special casual leave by a District Judge shall be submitted to the High Court direct.</p> <p>Applications for similar leave by an Additional District Judge or other Judicial</p>	<p><i>Rule 641 shall be substituted by following-</i></p> <p>641. Casual Leave.</p> <p>Applications for casual leave or special casual leave by a District Judge shall be submitted to the High Court in electronic form through Leave Management Portal in advance within a</p>																							

Officers posted in the district shall be submitted to the District Judge and casual leave up to fourteen days and special casual leave up to four days in a calendar year may be allowed by the District Judge. The special casual leave may be allowed only for urgent and special reasons.

Ordinarily the casual leave or special casual leave will not be permitted to be converted into earned leave.

Presiding Officers may allow to their staff casual leave up to fourteen days in a calendar year, and may for urgent and special reasons also grant special casual leave up to four days in a calendar year. Ordinarily the casual leave and special casual leave will not be permitted to be converted into earned leave.

reasonable time.

Applications for similar leave by an Additional District Judge or other Judicial Officers posted in the district shall be submitted to the District Judge in electronic form through Leave Management Portal in advance within a reasonable time and casual leave up to fourteen days and special casual leave up to four days in a calendar year may be allowed by the District Judge. The special casual leave may be allowed only for urgent and special reasons to be entered into the Leave Management Portal.

Ordinarily the casual leave or special casual leave will not be permitted to be converted into earned leave.

Presiding Officers may allow to their staff casual leave up to fourteen days in a calendar year, and may for urgent and special reasons also grant special casual leave up to four days in a calendar year. Ordinarily the casual leave and special casual leave will not be permitted to be converted into earned leave.

8. **General Rules (Criminal), 1977**
Part-I
Chapter-I
Preliminary

5. Weekly list of cases

A weekly list of cases fixed for hearing, in the court of a magistrate prepared in prescribed form in legible Hindi, shall be posted on the last working day of the previous week in some conspicuous place in every court house. Space shall be left in the list, at the head of the entries for each day, for subsequent insertion, if necessary, of adjourned cases.

PRESCRIBED FORM

Serial no. of the case	Parties	PS	Section and Act	Purpose	Counsel for accused
1	2	3	4	5	6

5A. Memorandum Book of dates for Criminal Courts.

A memorandum book of dates of all cases and applications fixed before the Court shall be maintained in the form given below:

MEMORANDUM BOOK OF DATES FOR CRIMINAL COURTS
Court of theof

Description					Purpose	Result.	Remark
Date	No/year	Parties	Section	PS	Counsel		

5B. Court Diary-A court diary either handwritten in legible handwriting or printed upto date cause list through CIS software shall be maintained in the Form given below Rule 401(4) General Rules (Civil) by Presiding Officer doing criminal work, in which last two columns shall be filled up in his own handwriting.

Rule 5, 5A and 5B along with Title shall be substituted by following

5. Cause List of cases

Cause list shall be accessible on the official website of each District Court in the form auto generated by CIS Software.

Information about Video Conferencing Link shall be made available in the Cause List or navigable through the official website of each District Court.

5A. Case Information.

Case Information auto generated by Case Information System Software in electronic form for each Court shall be made available on the official website of each District Court under e-Courts services.

5B. Presiding Officers shall keep updated username/password protected digital repository Court Management tool JustIS Application Software that provides all details about Court cases at the handset.

These amendments shall come into force with immediate effect.

By order of Hon'ble the Court,

Sd/-
(Ashish Naithani)
Registrar General

No. 323 /UHC/Admin.A (IT)/2024

Dated: January 11, 2024

Copy forwarded for information and necessary action to:

1. P.P.S. to Hon'ble the Acting Chief Justice with the request to place the Notification for kind perusal of His Lordship.
2. P.S./P.A. to Hon'ble Judges with the request to place the Notification for kind perusal of Hon'ble Judges.
3. Principal Secretary, Law-cum-L.R., Government of Uttarakhand, Dehradun.
4. Principal Secretary, Legislative & Parliamentary Affairs & Language Department, Govt. of Uttarakhand, Dehradun.
5. Principal Secretary, Personnel, Government of Uttarakhand, Dehradun.
6. All the District & Sessions Judges, Uttarakhand with request to circulate the Notification in respective Judgeship.
7. Principal Judge/ Judges, Family Courts, Uttarakhand.
8. Director, Uttarakhand Judicial and Legal Academy, Bhowali, District Nainital.
9. Chairman, Commercial Tax Tribunal, F-6, Nehru Colony, Haridwar Road, Dehradun
10. Chairman, State Transport Appellate Tribunal, House of Doctor Poonam Gambhir, Vaidik Kaya Ayurvedic Centre, 1st Floor, House No.85/1, Laxmi Road, (Near Favvara Chauk), Dehradun.
11. Legal Advisor to Hon'ble the Governor, Raj Bhawan, Dehradun.
12. Secretary, Lokayukt, 3/3, Industrial Area, Patel Nagar, Dehradun.
13. Registrar, State Consumer Disputes Redressal Commission, H.N. 23/16, Circular Road, Dalanwala, Dehradun.
14. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, District Udham Singh Nagar.
15. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, District Nainital.
16. Presiding Officer, Food Safety Appellate Tribunal, Dehradun and Haldwani, District Nainital.
17. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
18. Secretary-cum-Registrar, State Level Police Complaint Authority, Dehradun.
19. Chairman, Permanent Lok Adalat, Dehradun, Haridwar, Nainital and Udham Singh Nagar.
20. Legal Advisor to Uttarakhand Public Service Commission, Haridwar
21. Member-Secretary, State Legal Services Authority, Nainital.
22. Director, Government Press, Uttarakhand, Industrial Area, Ramnagar, Roorkee-247667, District Hardwar for publication of the Notification in the next issue of the Gazette of Uttarakhand.
23. All the Registrars/O.S.D. of High Court of Uttarakhand.
24. Joint Registrar/Deputy Registrars/Assistant Registrars/Section Officers of the Court.
25. Librarian of the Court with directions that above amendments be incorporated in all the relevant books immediately.
26. Deputy Registrar (I.T.) of the Court for uploading the notification on the official website of the High Court.
27. P.S. to Registrar General.
28. Guard File.

By order,

Joint Registrar-II