

HIGH COURT OF UTTARAKHAND AT NAINITAL
NOTIFICATION

No. 391 /UHC/Admin. A /2021

Dated: December 28 , 2021.

In exercise of the powers conferred by Article 235 of the Constitution of India, High Court of Uttarakhand, with the approval of the Government of Uttarakhand hereby makes the following amendments in the Uttarakhand High Court Vigilance Rules, 2019:-

Rule	Existing Rule	Amended Rule
Short title	In order to provide more effective machinery for the prevention of corruption, to strengthen the Vigilance in Judiciary and to take appropriate action against the corrupt officers and officials in the establishment of High Court of Uttarakhand and in the State Judiciary, High court of Uttarakhand, in exercise of the powers conferred under Article 235 of the Constitution of India, frame the following Rules :-	In exercise of the powers conferred under Article 235 of the Constitution, High Court of Uttarakhand makes following Rules to promote transparency and accountability in working of the Judicial Officers and the Staff:-
4.	(a) There shall be a Vigilance Cell in the High Court of Uttarakhand, which shall act as a separate Department of the High Court. Vigilance Cell shall work under the direct control and supervision of Hon'ble the Chief Justice.	(a) There shall be a Vigilance Cell in the High Court of Uttarakhand, which shall act as a separate Branch of the High Court. Vigilance Cell shall work under the direct control and supervision of Hon'ble the Chief Justice.
6	(a) The Vigilance Cell shall comprise of two Sections as mentioned below. Administrative Section: It shall comprise of the following:- (1) One Assistant Registrar (2) One Section Officer	The Vigilance Cell shall comprise of two Sections as mentioned below. Administrative Section: It shall comprise of the following:- (1) One Assistant Registrar (2) One Section Officer

<p>(3) One Assistant Review Officer</p> <p>(4) Stenographer (English)</p> <p>(5) Stenographer (Hindi)</p> <p>(6) One Peon</p> <p>Investigation Section:- It shall comprise of the following:-</p> <p>(1) One Vigilance Officer (of SSP/SP level, on deputation from police department, having minimum 8 years of service, preferably with experience in vigilance/anti-corruption work/CID.</p> <p>(2) One Vigilance Officer (of Dy. SP level, on deputation from police department, having minimum 8 years of service, preferably with experience in Vigilance/Anti-corruption work /CID.</p> <p>(3) Three Inspectors of Police having minimum 15 years of service, preferably with experience in Vigilance/anti-corruption work/CID.</p> <p>(4) Three Head Constables having minimum 10 years of service.</p> <p>(5) Six Constables with minimum 5 years of service.</p> <p>(b) Deputation of Police Officers to the Vigilance Cell shall be decided by the Hon'ble Chief Justice from a panel of five names forwarded by the state government.</p> <p>(c) The Police Officers on deputation to the Vigilance Cell will have a tenure of 02 years, extendable by 01 more year. Any extension of their deputation will be at the discretion of the Hon'ble Chief</p>	<p>(3) One Assistant Review Officer</p> <p>(4) Stenographer (English)</p> <p>(5) Stenographer (Hindi)</p> <p>(6) One Peon</p> <p>Investigation Section:- It shall comprise of such Officers and Staff of the establishment of the High Court, which, Hon'ble the Chief Justice deems fit and appropriate.</p>
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	<p>Justice. However, if the conduct /performance of any Police Officer is found unsatisfactory, the High Court may revert him to his parent department, at any time.</p>	
<p>9</p>	<p>(ii) After registration, the complaints received against the judicial officers and the staff of the High Court shall be placed before Hon'ble the Chief Justice and complaints received against staff of subordinate courts shall first be placed before the Administrative Judge of the district concerned, and thereafter before Hon'ble the Chief justice along with their opinion/recommendation, for orders.</p> <p>(iii) Further action on the complaint shall be taken on the directions of Hon'ble the Chief Justice.</p> <p>(iv) If it appears that a trap be laid in a matter of corruption, Registrar (Vigilance) shall, with the previous approval of the Chief Justice, direct the Superintendent of the police and, thereafter, Superintendent of Police shall do the needful as per prescribed procedure.</p> <p>(v) Copy of every complaint routed through the District Judge, or comments sought from the district, shall be kept in the concerned district and an endorsement of this fact shall be mentioned in the correspondence made with the High Court that the said complaint/comments has been entered at</p>	<p>(ii) After registration, the complaint received against the Judicial Officers or Staff of the Subordinate Court shall be first placed before the concerned Administrative Judge. The Administrative Judge, if necessary, shall refer the complaint to a Committee of Hon'ble Judges, to be constituted by Hon'ble the Chief Justice.</p> <p>(iii) If the Committee, after considering the complaint, opines that allegations are made, which need to be enquired into, or for which a departmental inquiry needs to be initiated against the delinquent officer/staff, it shall submit its recommendations before Hon'ble the Chief Justice. The action to be taken on the complaint shall be the sole discretion of Hon'ble the Chief Justice.</p> <p>(iv) In every case, where a complaint has been placed before the Administrative Judge under sub-rule (ii) or before the Committee under sub-rule (iii) above, the outcome shall be placed before Hon'ble the Chief Justice.</p> <p>(v) The complaint against officers and staff of the High Court shall be placed before Hon'ble the Chief Justice by the</p>

<p>s.no/register no. along with a copy of the same.</p> <p>(vi) Complaints making allegations against members of the subordinate judiciary, if not accompanied by a duly sworn affidavit and/or verifiable material, shall be lodged. Nothing mentioned hereinbefore shall preclude action being taken on any complaint even if it is an anonymous/pseudonymous one, if on a discreet inquiry or verification of contents, undertaken with the approval of Hon'ble the Chief Justice, it is considered necessary that action be taken.</p> <p>(vii) Complaints making allegations purely in connection with a judicial order passed by a court, shall be filed/lodged without taking any steps thereon.</p> <p>(viii) All outcomes pertaining to enquiries, on the complaints received or investigations (including laying of traps) shall be forwarded by the Superintendent of Police to the Registrar (Vigilance).</p> <p>(ix) No trap shall be laid except under the specific directions from Hon'ble the Chief Justice.</p> <p>(x) The Superintendent of Police will be responsible for assigning duties to the officers under him, with respect to the functions pertaining to the Vigilance Cell.</p> <p>(xi) The Registrar (Vigilance) will</p>	<p>Registrar (Vigilance).</p> <p>(vi) Complaint, if accompanied by a duly sworn affidavit or verifiable material, shall only be registered. However, nothing in this sub-rule will prevent registration of a complaint on a discreet enquiry conducted on the order of Hon'ble the Chief Justice.</p> <p>(vii) Complaints making allegations purely in connection with a judicial order passed by a court, may be filed/lodged.</p> <p>(viii) Complaints received against advocates shall be forwarded to the concerned Bar Council for further action.</p> <p>(ix) Other complaints, which are outside the purview of the Vigilance Cell will either be returned to the sender or to the other Authorities concerned. If it is not possible to return them for want of sufficient details, they shall be closed.</p> <p>(x) Complaints containing allegations, other than of corruption, will be forwarded to the Registry for further action.</p> <p>(xi) All matters of the Vigilance Cell shall be placed before Hon'ble the Chief Justice through the Registrar (Vigilance), except when the matter pertains to the Registrar (Vigilance) himself.</p>
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<p>scrutinize the performance Appraisal Reports of the Police Officers in the Vigilance Cell and sign them.</p> <p>(xii) Complaints received against Advocates shall be forwarded to the concerned State Bar Council for further action.</p> <p>(xiii) Other complaints, which are outside the purview of the Vigilance Cell will either be returned to the sender or to the other Authorities concerned. If it is not possible to return them for want of sufficient details, they shall be closed.</p> <p>(xiv) Complaints containing allegations, other than of corruption, will be forwarded to the Registry for further action.</p> <p>(xv) All matters of the Vigilance Cell shall be placed before Hon'ble the Chief Justice through the Registrar (Vigilance), except when the matter pertains to the Registrar (Vigilance) himself.</p>	
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These amendments will come into force with immediate effect.

By order of the Court,
Sd/-
(Dhananjay Chaturvedi)
Registrar General

No. 6399 /UHC/Admin. A /2021

Dated: December 28 , 2021.

Copy forwarded for information and necessary action to:

1. Principal Secretary (Law)-cum-L.R., Government of Uttarakhand, Dehradun.
2. Secretary, Legislative, Parliamentary Affairs & Language Department, Govt. of Uttarakhand, Dehradun.
3. Principal Secretary, Personnel, Government of Uttarakhand, Dehradun.
4. Director, Printing & Stationery, Government Press, Roorkee, District Hardwar, for publication of the Notification in the next Gazette of the Uttarakhand.

5. All the District & Sessions Judges, State Judiciary with a request to circulate the Rules in their Judgeship.
6. Principal Judge/ Judges, Family Courts.
7. All the Tribunals of the State.
8. Director, Uttarakhand Judicial and Legal Academy, Bhowali, District Nainital.
9. Member Secretary, State Legal Services Authority, Nainital.
10. All the Registrars of the Court.
11. Officer on Special Duty (OSD) of the Court.
12. Superintendent of Police, Vigilance Cell, High Court of Uttarakhand, Nainital.
13. P.P.S. to Hon'ble the Chief Justice.
14. P.S./ P.A. to Hon'ble Judges of this Court with the request to place the Notification for kind perusal of Hon'ble Judges.
15. P.S. to Registrar General.
16. All the Joint Registrars/ Deputy Registrars of the Court.
17. All the Assistant Registrars/ Section Officers of the Court.
18. Librarian of the Court with the direction that the above amendment be incorporated in all the relevant books immediately.
19. Assistant Registrar (I.T.) High Court of Uttarakhand, Nainital with the direction to upload the same on the website of High Court of Uttarakhand, Nainital.
20. Guard file.

Deputy Registrar
Admin. A