

HIGH COURT OF UTTARAKHAND, NAINITAL

NOTIFICATION

No. 186/UHC/Admin.A/2024

Dated: Nainital: April 24, 2024

In exercise of the powers conferred under Article 229 of the Constitution of India and for recording of the Annual Confidential Remarks of the Officers and Officials of the High Court, Hon'ble the Chief Justice of the High Court of Uttarakhand, Nainital frames the following Rules:

"The Uttarakhand High Court Staff (Annual Confidential Remarks) Rules, 2024"

1. Short Title and Commencement:

- (a) These rules shall be called "The Uttarakhand High Court Staff (Annual Confidential Remarks) Rules, 2024."
- (b) These rules shall come into force with effect from the date of issuance of the Notification.

2. Definitions:

In these rules the definitions will be same as are in Allahabad High Court Officers and Staff (Conditions of Services and Conduct) Rules, 1976 (as applicable in High Court of Uttarakhand).

3. Application:

These rules shall apply to all the Officers and Officials appointed in the establishment of this High Court before or after the commencement of these rules.

The Reporting Authority, Reviewing Authority and Accepting Authority in respect of the Officers and Officials of the Registry are mentioned below:

Sr. No.	Particulars of the Officer/Officials of the Registry of the Court	Reporting Authority	Reviewing Authority	Accepting Authority
1.	Principal Private Secretary Joint Principal Private Secretary Private Secretary Personal Assistant to Hon'ble the Chief Justice			Hon'ble the Chief Justice
2.	Private Secretary and Personal Assistant to Hon'ble Judges			Hon'ble Judge concerned
3.	Head Private Secretary			Hon'ble Judge concerned (when attached with Hon'ble Judge)
				Registrar General (when attached with Registrar General)

4.	Private Secretary and Personal Assistant attached with Registrar General	Registrar General		
5.	Private Secretary and Personal Assistant attached with Registrar/O.S.D.	Registrar/ O.S.D. concerned	Registrar General	
6.	Private Secretaries and Personal Assistants working in Pool	Head Private Secretary	Registrar General	
7.	Head Bench Secretary and Bench Secretary attached with Hon'ble the Chief Justice	Hon'ble the Chief Justice		
8.	Bench Secretary attached with Hon'ble Judges	Hon'ble Judge concerned		
9.	Bench Secretary working in Pool	Head Bench Secretary	Registrar General	
10.	Registrar (<i>HC Cadre</i>)	Registrar General	Hon'ble the Chief Justice	
11.	Joint Registrar	Registrar concerned	Registrar General	
12.	Deputy Registrar	Registrar concerned	Registrar General	
13.	Assistant Registrar	Registrar concerned/ Joint Registrar/ Deputy Registrar concerned	Registrar General	
14.	Section Officer	Registrar concerned/ Joint Registrar/ Deputy Registrar/ Assistant Registrar concerned	Registrar General	
15.	Review Officer	Section Officer / Section In-charge concerned	Registrar General	
16.	Assistant Review Officer			
17.	Typist & Translators			
18.	Public Relation Assistants			
19.	Librarian	Registrar concerned	Registrar General	
20.	Assistant Librarian	Librarian	Registrar concerned	Registrar General
21.	Deputy Registrar (I.T.)	Registrar / C.P.C. concerned	Registrar General	
22.	Assistant Programmer /System Officer System Assistant (<i>working in District Judiciary</i>)	Nodal Officer (Computers) of the District Court	District Judge concerned	Registrar General

23.	Assistant Registrar (I.T.) Senior System Officer Assistant Programmer/System Officer System Assistant	Deputy Registrar (I.T.)	Registrar/ C.P.C. concerned	Registrar General
24.	Driver attached with Hon'ble the Chief Justice	Hon'ble the Chief Justice		
25.	Driver attached with Hon'ble Judges	Hon'ble Judge concerned		
26.	Driver attached with Registrar General	Registrar General		
27.	Driver attached with Registrar/O.S.D.	Registrar/ O.S.D. concerned	Registrar General	
28.	Drivers working in Pool	Management Officer	I/c Registrar (Management)	
29.	Electrician	Management Officer	I/c Registrar (Management)	
30.	Class-IV Employees attached with Hon'ble the Chief Justice	Hon'ble the Chief Justice		
31.	Class-IV Employees attached with Hon'ble Judges	Hon'ble Judge concerned		
32.	Class-IV Employees attached with Registrar General	Registrar General		
33.	Class-IV Employees attached with Registrar/O.S.D.	Registrar/O.S.D. concerned		
34.	Class-IV Employees attached in Section of the Court	Section In-charge		
35.	Class-IV Employees not attached in any Section	Management Officer		
36.	Chief Protocol Officer	Hon'ble the Chief Justice		
37.	Protocol Officer	Registrar (Protocol)	Registrar General	
38.	Public Relations Officer Management Officer	I/c Registrar (Management)	Registrar General	
39.	Stenographer (Hindi/English), Vigilance Cell	Registrar (Vigilance)		
40.	Police Officers (<i>working on deputation</i>) of the Vigilance Cell	Registrar (Vigilance)		

4. Period of ACRs:

The Annual Confidential Remarks should be written in the proforma (Annexure-1) for each financial year (*i.e. for the period from 1st April to 31st March*). The Establishment/Admin.A Section shall maintain the record of the Annual Confidential Remarks of the Officers and employees of the Court.

Judicial Officers and Officers of the Registry, who are required to record the Annual Confidential Remarks being Reporting Authority, shall record it and submit the same to the Admin. A Section directly by 15th of May every year.

The same shall be placed before Reviewing and Accepting Authority for finalization.

Private Secretaries of Hon'ble Judges shall send the Annual Confidential Remarks, recorded by Hon'ble Judges, to Establishment/Admin.A Section by the 30th of June every year.

The process of recording Annual Confidential Remarks must be finalized by 30th of June every year.

5. Writing of ACRs :

- (i) The Reporting, Reviewing or Accepting Authority can write or record the Confidential report of the officer/employee only if he/she has observed the performance of the officer/employee for at least 03 months.
- (ii) Principal Private Secretary to Hon'ble the Chief Justice and Private Secretaries to Hon'ble Judges shall collect Annual Confidential Remarks of the Officers and employees of the Court, who are attached with Hon'ble Authority, before the superannuation/transfer/elevation/retirement (as the case may be) of Hon'ble Authority.
- (iii) In any other/exceptional circumstances, where Annual Confidential Remarks cannot be recorded by the Hon'ble Authorities under whom Officers/Employees of the Court are attached, the succeeding Hon'ble Authority under whom the Officers/Employees shall be attached, shall record Annual Confidential Remarks.
- (iv) Judicial Officers posted in Registry shall also record the Annual Confidential Remarks of the Officers and employees of the Court, who are attached with them, before superannuation/transfer/elevation. Similarly, Officers of the Registry, being Reporting Authority, shall write the Annual Confidential Remarks before their superannuation/retirement/transfer.
- (v) In case, Accepting Authority/Reviewing Authority could not record the remarks of the concerned employee due to transfer/elevation/retirement, remarks recorded by Reporting Authority, shall be treated as Final Remark.
- (vi) In case of Missing Annual Confidential Remarks of the Officers/Officials for the previous years of service, remarks for the preceding and succeeding years shall be observed and the higher remark shall be considered for that period.
- (vii) Integrity is the essential part of Annual Confidential Remarks. Authorities shall clearly mention about the Integrity of the Officer/Officials of the Court.

- (viii) In cases of 'Doubtful Integrity', the Reporting Authority, before recording such remarks, should take steps to ascertain personally whether there is any reason to doubt or suspect the integrity of the concerned officer.
- (ix) In case the Reporting officer is not in a position to make a positive report about the integrity of the Officer, then he should leave the column blank and submit a secret report with necessary proof/documentation in confidential cover along with the Annual Confidential Remarks, if he has reasons to doubt the integrity of the Officer, stating the reasons for his suspicion.
- (x) The Registrar General will then take suitable steps to find out the correctness or otherwise of the secret report. Thereafter, the final entry regarding 'Integrity' shall be recorded in the relevant column of the Annual Confidential Remarks, by the Reviewing Authority.

6. Communication of Remarks:

It is necessary that every employee should know the remarks recorded in his/her Annual Confidential Remarks. Therefore, Establishment/Admin.A Section of the Court shall inform the Officers/Officials of the Court and thereafter, Officers/Officials of the Court may see their Annual Confidential Remarks available with Administrative Section.

7. Representation against adverse Remarks:

The Officers/Officials of the Court may submit their representation against adverse remarks communicated to him/her within a period of one month from the date of such communication, failing which representation may not be entertained.

8. Disposal of Representation:

If the Adverse Remarks have been recorded by Hon'ble the Chief Justice/Hon'ble Judge, the representation shall be placed before Hon'ble the Chief Justice by Registrar General for disposal.

When the Adverse Remarks have been recorded by other than Hon'ble the Chief Justice/Hon'ble Judges, Registrar General of the Court will constitute a three members Committee (headed by Registrar General) for disposal of the representation. The Committee shall pass order within 45 days from the date of receipt of the same.

Order passed by Hon'ble the Chief Justice or Committee with respect to representation shall be communicated to the Officers/Officials of the Court within 15 days of disposal.

9. Other Conditions:

(i) Subject to the provisions of these rules, the Rules and Orders for the time being in force and applicable to the employees of the State Government

shall be applicable to the Officers and Officials of the Court.

(ii) Any question arising as to which Rules or Orders are applicable to any case of the Officers/Officials, shall be decided by Hon'ble the Chief Justice.

10. Interpretation:

If any question arises as to the interpretation of these rules, the decision of Hon'ble the Chief Justice shall be final.

11. Amendment:

Hon'ble the Chief Justice may make any amendment in these rules at any time, as may be deemed necessary.

12. Power to relax:

When Hon'ble the Chief Justice is satisfied that the operation of any of these rules causes undue hardship in any particular case or class, then the particular rule/regulation/norm may be dispensed with or relaxed, to such extent and subject to such exception and condition, as may be deemed necessary.

By order of Hon'ble the Chief Justice,

Sd/-
(Ashish Naithani)
Registrar General

No. 2148 /UHC/Admin.A/2024

Dated: April 24, 2024.

Copy forwarded for information and necessary action to:

1. P.P.S. to Hon'ble the Chief Justice with request to place the Notification before Her Lordship for kind perusal.
2. P.S./ P.A. to Hon'ble Judges with request to place the Notification before His Lordship for kind perusal.
3. All the District & Sessions Judge, Uttarakhand Judiciary.
4. All the Registrars of the Court.
5. Officer on Special Duty (O.S.D.)/C.P.C./Secretary, HCLSC of the Court.
6. Registrar (HC Cadre) of the Court.
7. Joint P.P.S./Head P.S./Head B.S. of the Court.
8. Director, Printing & Stationery, Government Press, Roorkee, District Hardwar, for publication of the Notification in the next Gazette of the Uttarakhand.
9. P.S./P.A. to Registrar General.
10. All the Deputy Registrars of the Court.
11. Deputy Registrar (I.T.) of the Court with request to upload the Notification on the Official website of High Court of Uttarakhand.
12. Librarian of the Court with request to incorporate the same in all the relevant books immediately.
13. Assistant Registrars/Section Officers/Management Officer/ Public Relations Officer/Protocol Officer of the Court.
14. Guard file.

By Order,

Registrar (Inspection)

High Court of Uttarakhand, Nainital

Annual Confidential Remarks
For the Assessment Year
(Period wef..... to

1. Name of the Employee :
2. Designation :
3. Work :
4. Conduct :
5. Integrity :
(Beyond Doubt/Nothing Adverse/Doubtful/
Known case of lack of Integrity-mention in brief)
6. Over All Assessment :
(Poor/Good/Very Good/Outstanding)
7. Special Remarks, if Any :

Date:

(Signature)

Name:

Designation:

(Reporting Authority)

Remarks /Countersignature by Reviewing Authority (if any)

(Signature)

Name:

Designation:

(Reviewing Authority)

Remarks /Countersignature by Accepting Authority (if any)

(Signature)

Name:

Designation:

(Accepting Authority)