

HIGH COURT OF UTTARAKHAND AT NAINITAL

NOTIFICATION

No. 261/UHC/Admin. A/2020

Dated: December 10, 2020.

In exercise of the powers conferred by Article 227 of the Constitution of India and all other powers enabling in that behalf, the High Court of Uttarakhand (with the approval of Government of Uttarakhand vide letter no. 348/XXXVI-A-1/2020-345/2020 dated 02.12.2020) makes the following Rules:

The High Court of Uttarakhand Inspection of Subordinate Courts (by the Administrative Judge) Rules, 2020

Title	1	These rules may be called "The Uttarakhand Inspection of Subordinate Courts (by the Administrative Judge) Rules, 2020.
Commencement	2	These Rules shall come into force with immediate effect.
Definitions	3	In these rules, unless the context otherwise requires:- (i) 'Administrative Judge' means the Administrative Judge of the concerned District, as designated by the Chief Justice. (ii) 'Chief Justice' means the Chief Justice of the High Court of Uttarakhand. (iii) 'District Judge' means Principal District Judge. (iv) 'Family Court Judge' means Principal Judge/ Judge Family Court. (v) 'High Court' means High Court of Uttarakhand at Nainital. (vi) 'Prescribed' means prescribed by these rules. (vii) 'Presiding Officer' means the Judicial Officer presiding over a Subordinate Court. (viii) 'Proforma' means proforma prescribed under these Rules. (ix) 'Registrar' means the Registrar General of the High Court and includes the Registrar (Inspection).
Schedule of Inspection	4	(a) Inspection of Subordinate Courts shall be the matter of Inspection Section of the High Court. (b) Process for inspection shall be initiated by the Inspection Section of the Court, on the directions of the Administrative Judge of the concerned District. (c) The Schedule of inspection as recommended by the Administrative Judge, shall be placed before the Chief Justice for approval. After approval, Schedule of Inspection shall be communicated to all concerned well in advance. (d) The Inspection programme would be communicated to the District Judge Concerned at least three weeks prior to the date of inspection.

		<p>(e) The statement will be prepared in duplicate before the inspection and will be sent to the High Court.</p> <p>(f) Inspection team will reach the concerned District One day prior to the Inspection or at such time as directed by the Administrative Judge concerned.</p>
Inspection	5	<p>(a) Every Subordinate Court shall be inspected by the Administrative Judge concerned every year. However, surprise inspection may be carried out at anytime. Ordinarily one day shall be devoted for the Inspection of at least 05 Courts. Administrative Judge may visit the Judgeship same day or on the last day of the Inspection. Separate dates may be fixed for the Inspection of outlying Courts, if any.</p> <p>(b) Inspection, except the surprise Inspection shall be comprehensive and shall include all the aspects of Judicial as well as administrative work of concerned Judgeship. It shall also include checking and verification of cash-in-hand lying in the Subordinate Court.</p>
Inspection Notes	6	<p>(a) The inspection Team shall prepare notes of relevant points indicated during inspection.</p> <p>(b) Thereafter, the Inspection team shall prepare a draft inspection note, as per prescribed proforma, wherein, all the points noticed during inspection shall be included for perusal of the Administrative Judge.</p> <p>(c) On the visit of the Administrative Judge, the in-charge of Inspection team shall place the draft inspection note before the Administrative Judge for perusal and directions.</p>
Inspection by the Administrative Judge	7	<p>All the matters pertaining to the Inspection of Subordinate Courts shall be dealt under these Rules, subject to the discretion of the Administrative Judge and shall include as under :-</p> <p>(a) In order to form opinion and make observations regarding functioning of Subordinate Courts on Judicial and Administrative side and to ascertain problems, if any, the Administrative Judge may visit the Court premises, its Offices and interact with the Presiding Officer, the staff, the representative of the Bar Association, the litigants and members of the general public.</p> <p>(b) Inspection Team will prepare notes after verifying each and every register and point out the defects and omissions and bring the same to the notice of the Presiding Officer concerned to enable him to issue instructions to the staff to rectify the defects and to furnish the compliance report.</p>

Inspection Report	8	<p>(a) The inspection report shall be prepared in accordance with the prescribed proforma and shall include the guidelines or instructions, if any, issued during inspection and shall be submitted to the Administrative Judge, for approval.</p> <p>(b) On perusal by the Administrative Judge, the Inspection report along-with the gist report shall be placed before the Chief Justice, for perusal and directions.</p> <p>(c) The defects and deficiencies, if any, identified during inspection, shall be conveyed to the Presiding Officer of the concerned Subordinate Court for rectification and compliance through District Judge.</p>
Procedure for compliance	9	<p>(a) On receipt of the communication from the High Court under Rule-8(c), the Presiding Officer of the Subordinate Court concerned, shall take appropriate steps for removal and rectification of the defects and deficiencies and compliance of the guidelines and instructions issued thereunder.</p> <p>(b) The compliance report shall be submitted to the Court Registrar General, within 30 days from the receipt of the communication from the High Court duly forwarded by the concerned District Judge.</p> <p>(c) On receipt of the compliance report and the comments, under clause (b), the Registrar Inspection shall place the same before the Administrative Judge, for perusal and further directions, if any.</p>
Residuary Powers	10	Nothing in these Rules shall be deemed to affect the 'powers' of the High Court to make such orders from time to time as it may deem fit, in giving to any of the provision of these Rules.

By order of Hon'ble the Court,

Sd/-
Registrar General

No. /UHC/Admin. A/2020

Dated: December , 2020.

Copy forwarded for information and necessary action to:

1. Secretary Law-cum-L.R., Government of Uttarakhand, Dehradun.
2. Principal Secretary, Legislative, Parliamentary Affairs, Government of Uttarakhand, Dehradun.
3. Principal Secretary, Personnel Department, Government of Uttarakhand, Dehradun.
4. All the District Judges, Subordinate to High Court of Uttarakhand with the request to direct the concern to paste the above amendments in all the relevant books immediately.
5. Director, Uttarakhand Judicial and Legal Academy, Bhowali, Distt. Nainital.
6. Chairman, Commercial Tax Tribunal, F-6, Nehru Colony, Hardwar Road, Dehradun.
7. Chairman, State Transport Appellate Tribunal, 3/5 A, Race Course, Near Rinku Medicos, Dehradun.
8. All the Principal Judge/Judge, Family Courts, of State Judiciary.
9. Registrar, State Consumer Redressal Commission, Uttarakhand, H.No.176, Azabpur Kala, Near Spring Hill School, Mathurawala Road, Dehradun-248415.
10. Presiding Officer, Labour Courts, Dehradun, Hardwar & Kashipur, District U.S. Nagar.

11. Secretary, Lokayukt, 3/3 Industrial Area, Patel Nagar, Dehradun.
12. Registrar-cum-Secretary, State Police Complaint Authority, Dehradun.
13. Chairman, Uttarakhand Cooperative Tribunal, Dehradun.
14. Presiding Officer, Industrial Tribunal cum Labour Courts, Haldwani District Nainital.
15. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
16. All the Registrars of the Court.
17. P.P.S. to Hon'ble the Chief Justice.
18. 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.
19. Librarian of the Court.
20. Director, Printing & Stationery, Government Press, Roorkee, District Hardwar, for publication of the Notification in the next Gazette of the Uttarakhand.
21. I/c N.I.C. High Court of Uttarakhand, Nainital.
22. Guard file.

By order

Joint Registrar-I