

HIGH COURT OF UTTARAKHAND
NAINITAL

NOTIFICATION

No. 154 /UHC/Admn.-A, Dated : August 26, 2009

CHAPTER XLI

Arrangement, Preservation and Destruction of records.

Rule 1 - Division of record into parts – Record in all cases, shall be maintained into two parts to be called Part A and Part B.

Rule 2 - General Index –

(i). In every case a General Index in the following Proforma shall be maintained and every paper of the case as soon as it comes on record shall be entered in the General Index by the concerned official handling the record at that time.

S.N.	Part to which it belongs	Short Description of the paper	No. of pages	Stamps, if any.	Date of filing	Remark.

(ii) In case any document is returned to a party a note to that effect shall be made by red ink in the general index also apart from the ordersheet.

Rule 3 - Contents of Part A and Part B -

Part 'A' of the record shall contain the following documents:

- (i) General Index;
- (ii) Order Sheet;
- (iii) Judgment and orders of the court;
- (iv) All pleadings, applications, affidavits or documents filed by the parties;
- (v) Issues, if any;
- (vi) Deposition of witnesses, if any;
- (vii) Compromise;
- (viii) Undertaking;
- (ix) Security;
- (x) Any other document which the court direct;

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- Rule 4** The Part 'B' shall contain the following documents:
- i. Vakalatnama;
 - ii. Memo of appearance;
 - iii. All papers including service reports and affidavits if any, relating to service upon parties;
 - iv. All applications including interlocutory applications shall also be shifted in this part after their disposal;
 - v. The originally filed pleadings such as writ petition / memorandum of appeal, when these pleadings have undergone amendment and amended pleadings already stand filed;
 - vi. Any other paper / document which is not to be kept in Part 'A' shall be kept in Part 'B';

Rule 5 - Records to be preserved permanently: - Part A in all cases shall be preserved permanently.

Rule 6 - Records to be preserved for 12 years: - Part B in all cases shall be preserved for 12 years.

Rule 7 - Computation of period for the preservation of Record. – The period prescribed in Rules 5 and 6 for the preservation of records shall be computed from the date of the final decision of the case and in case of appeal to the Supreme Court, from the date of the final decision of the Supreme Court.

Rule 8- Register of cases of which the records are to be destroyed to be maintained in the Record Room – A register in the form given below shall be maintained showing the number and years of appeals and other cases received in the Record Room of which the records are to be destroyed. The entries for each year shall be signed by the Record Keeper and the Deputy Registrar.

S. No. of the case	District	Date of receipt in the record room	Date of decision of H.C. / Supreme Court	Date when due for destruction	Dates when actually destroyed	Name and signature, who destroyed the file.
1	2	3	4	5	6	7

Rule 9 - Destruction of records to be carried out in the Winter Vacation. –

- (i) Notice shall be publicly given on the Court Notice Board that parties leave documents and papers with the records of case at their own risk and that such papers are liable to be destroyed in accordance with the Rules for the destruction of records.

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- (ii) The destruction of records shall be carried out in the vacation each year. The records to be destroyed should, if they cannot be conveniently burnt, be torn up into very small pieces and made quite incapable of use again as documents. The fragments should be sold to the highest bidder, and the proceeds credited to the Government.

- Rule 10 - (i)** The rules under Chapter XLI notified vide Notification No.162/UHC/2001 dated 3/6 October, 2001 are hereby repealed.
- (ii) Any thing already done or purported to have been done under these Rules contained in Chapter XLI of the Rules of the Court, 1952 as were applicable to this Court shall not be invalid or ultra vires.

This amendment will come into force with immediate effect.

By order of the Court

Sd/-
(Ravindra Maithani)
Registrar General

Copy forwarded for information and necessary action to :

No. 3430

Dated : August 26, 2009

1. Secretary cum L.R., Govt. of Uttarakhand, Dehradun.
2. P.P.S. to Hon'ble the Chief Justice.
3. P.S. to Hon'ble Judges of the Court with the request to place the notification for the Hon'ble Judges.
4. Director, Printing & Stationery, Government Press, Roorkee for publication of the Notification in the next Gazette of the Uttarakhand.
5. Registrar (Judicial)/Registrar (Inspection)
6. All the Assistant Registrars/Section Officers.
7. Librarian with the direction that the above amendment be incorporated in all the relevant books immediately.
8. All the District Judges of State Judiciary.
9. Guard File.

10. 1/c NIC High Court of Uttarakhand, Navin Kumar 26/8/09
Assistant Registrar
(Admin.A)