



सत्यमेव जयते

**UTTARAKHAND COURT NEWS**  
(A Quarterly Court Magazine)

Vol.-XII Issue No.-IV (October to December, 2021)



**EDITORIAL BOARD**

Hon'ble Mr. Justice Manoj Kumar Tiwari  
Hon'ble Mr. Justice Ramesh Chandra Khulbe  
Hon'ble Mr. Justice Alok Kumar Verma

**COMPILED BY**

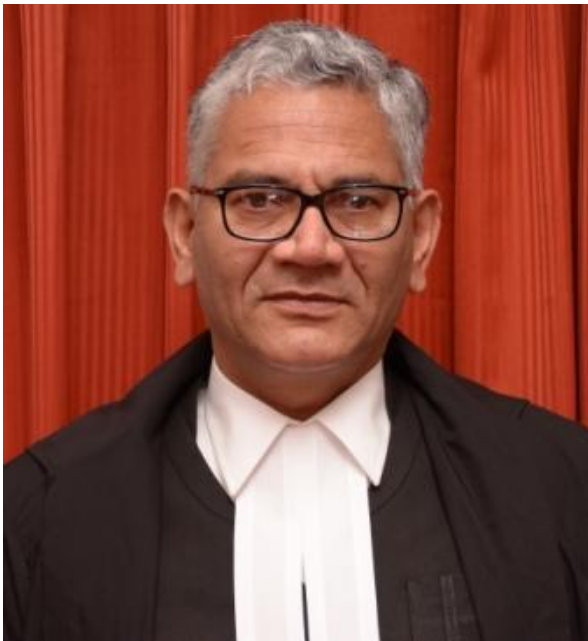
Dhananjay Chaturvedi, Registrar General, High Court of Uttarakhand  
Neena Aggarwal, Registrar (Inspection), High Court of Uttarakhand  
A quarterly newsletter published by High Court of Uttarakhand, Nainital



Hon'ble Mr. Justice Raghendra Singh Chauhan  
(Chief Justice)  
( 07.01.2021 To 23-12-2021)



Hon'ble Mr. Justice Sanjaya Kumar Mishra  
(w.e.f. 11.10.2021)  
(ACJ w.e.f. 24.12.2021)



Hon'ble Mr. Justice Manoj Kumar Tiwari



Hon'ble Mr. Justice Sharad Kumar Sharma



Hon'ble Mr. Justice Narayan Singh  
Dhanik



Hon'ble Mr. Justice Ramesh Chandra  
Khulbe



Hon'ble Mr. Justice Ravindra Maithani



Hon'ble Mr. Justice Alok Kumar Verma

## CONTENTS

❖	Hon'ble Judges of Uttarakhand High Court	05
❖	Major Events and Initiatives at the High Court	06-10
❖	Programmes attended by Hon'ble Judges	11
❖	Recent Judgments of the High Court of Uttarakhand	12-20
❖	Activities of State Legal Services Authority (SLSA)	21-45
❖	Major Activities of UJALA	46-49
❖	Institution, Disposal & Pendency of cases in the High Court	50
❖	Institution, Disposal & Pendency of cases in District Courts	51
❖	Institution, Disposal & Pendency of cases in Family Courts	52
❖	Transfer of Judicial Officers	53
❖	Notifications and Circulars	54-106
❖	Proceedings of Superannuation of the Hon'ble Mr. Justice Raghvendra Singh Chauhan, Chief Justice of the High Court of Uttarakhand held on 23.12.2021.	107-122
❖	Notice of the High Court	123-133

\*\*\*\*\*

## HIGH COURT OF UTTARAKHAND

### LIST OF JUDGES (AS ON 31<sup>st</sup> December, 2021)

Sl. No.	Name of the Hon'ble Judges	Date of Appointment
1.	Hon'ble Mr. Justice Raghvendra Singh Chauhan (Chief Justice) (Superannuated on 23.12.2021)	07.01.2021
2.	Hon'ble Mr. Justice Sanjaya Kumar Mishra	11.10.2021
3.	Hon'ble Mr. Justice Manoj Kumar Tiwari	19.05.2017
4.	Hon'ble Mr. Justice Sharad Kumar Sharma	19.05.2017
5.	Hon'ble Mr. Justice Narayan Singh Dhanik	03.12.2018
6.	Hon'ble Mr. Justice Ramesh Chandra Khulbe	03.12.2018
7.	Hon'ble Mr. Justice Ravindra Maithani	03.12.2018
8.	Hon'ble Mr. Justice Alok Kumar Verma	27.05.2019

\*\*\*\*\*

## **MAJOR EVENTS & INITIATIVES**



On 2<sup>nd</sup> October, 2021, Gandhi Jyanti was celebrated in the High Court premises with Great enthusiasm. On this occasion, Hon'ble Mr. Justice Raghvendra Singh Chauhan, Chief Justice along with Hon'ble Judges of High Court graced the occasion with their presence. Officers, Officials of the Registry and Advocates were also present to mark the occasion.



Inauguration of New office Building at Glanthorn Compound by Hon'ble the Chief Justice along with Hon'ble Judges of the High Court on 14.12.2021



Mobile Vans for 'Sachal Nyayalay' launched by Hon'ble the Chief Justice in the presence of Hon'ble Judges of High Court on 16.12.2021.



Full Court Reference on Superannuation of the Hon'ble Mr. Justice Raghendra Singh Chauhan, Chief Justice of High Court of Uttarakhand on 23.12.2021.



**Hon'ble Judges of the High Court on the superannuation of Hon'ble Mr. Justice Raghvendra Singh Chauhan, Chief Justice of the High Court of Uttarakhand**  
**on 23.12.2021**



(Sitting L.R)

Hon'ble Mr. Justice Alok Kumar Verma, Hon'ble Mr. Justice Ramesh Chandra Khulbe, Hon'ble Mr. Justice Sharad Kumar Sharma, Hon'ble Mr. Justice Sanjaya Kumar Mishra , Hon'ble Mr. Justice Raghvendra Singh Chauhan (Chief Justice), Hon'ble Mr. Justice Manoj Kumar Tiwari, Hon'ble Mr. Justice Narayan Singh Dhanik and Hon'ble Mr. Justice Ravindra Maithani.



Hon'ble Judges presenting memento to Hon'ble Mr. Justice Raghendra Singh Chauhan, Chief Justice of High Court of Uttarakhand on the occasion of superannuation of Hon'ble the Chief Justice.

**PROGRAMMES ATTENDED BY HON'BLE JUDGES**

1. Hon'ble The Chief Justice attended the workshop for Chief Justices of High Courts on "ICT Enablement of Indian Judiciary through E-courts Projects & Way Forward" through Video Conferencing at National Judicial Academy, Bhopal on 03.10.2021.
2. Hon'ble Mr. Justice Alok Kumar Verma attended the Orientation Courses for newly Elevated High Court Justices, through Video Conferencing at National Judicial Academy, Bhopal during the period from 30.10.2021 to 31.10.2021.
3. Hon'ble Mr. Justice Sharad Kumar Sharma attended the National Workshop for High Court Justices, through Video Conferencing at National Judicial Academy, Bhopal on 21.11.2021.

\*\*\*\*\*

## **RECENT JUDGMENTS OF THE HON'BLE COURT'S**

**(01.10.2021 TO 31.12.2021)**

### **Division Bench Judgments**

1. *In Criminal Appeal No. 221 of 2014, Subodh Kumar Sharma vs. State of Uttarakhand*, decided on 23.11.2021, the Hon'ble Court observed that:-

**Para No. 1 of Judgment** - The present appeal has been filed by the appellant against the judgment dated 02.07.2014/ 04.07.2014, passed by the learned District and Sessions Judge, Pauri Garhwal in Sessions Trial No.28 of 2009, "State vs. Subodh Kumar Sharma".

**Para No. 15 of Judgment** - It is a well established law that in cases of the circumstantial evidence, all circumstances relied upon by the prosecution must be established by cogent and reliable evidence and all the proved circumstances must provide a complete chain. The chain of evidence should be complete as not to leave any reasonable ground for the conclusion consistent with the innocence of the accused and must show that in all human probability the act must have been done by the accused.

**Para No. 61 of Judgment** - Chain of circumstances against the appellant is of conclusive nature. There is a complete chain of circumstances which show that in all human probabilities, the offence has been committed by the appellant.

2. *In Criminal Jail Appeal No.45 of 2018, Sianand vs. State of Uttarakhand*, decided on 25.11.2021, the Hon'ble Court observed that:-

**Para No. 1 of Judgment** - These appeals are directed against the judgment and order dated 28/29.09.2018 rendered by the learned Sessions Judge, Haridwar, in Sessions Trial No. 60/2013 convicting the accused appellants for the offences under Sections 323/34, 504, 506, 364, 302, 201 IPC.

**Para No. 18 of Judgment** - In *Krishnan v. State* (2008) 15 SCC 430, the Hon'ble Apex Court after considering a large number of its earlier judgments observed as follows:-

“This Court in a series of decisions has consistently held that when a case rests upon circumstantial evidence, such evidence must satisfy the following tests:

- (i) the circumstances from which an inference of guilt is sought to be drawn, must be cogently and firmly established;
- (ii) those circumstances should be of definite tendency unerringly pointing towards guilt of the accused;
- (iii) the circumstances, taken cumulatively, should form a chain so complete that there is no escape from the conclusion that within all human probability the crime was committed by the accused and none else; and the circumstantial evidence in order to sustain conviction must be complete and incapable of explanation of any other hypothesis than that of the guilt of the accused and such evidence should not only be consistent with the guilt of the accused but should be inconsistent with his innocence. (see *Gambhir v. State of Maharashtra* (1982) 2 SCC 351)”.

## Single Bench Judgments

1. *In WPSS No. 925 of 2021, Kapil Kumar and others vs. State of Uttarakhand and others along with connected cases*, decided on 05.10.2021, the Hon'ble Court observed that :-

**Para No. 3 of Judgment** - Petitioners are aggrieved by the orders, by which, their services have been terminated. It is the case of the petitioners that in all the petitions, they were appointed by the Management Committee of the Society by a resolution. They joined the post and worked on it with all sincerity, but, by the impugned orders, their services were terminated without affording them opportunity of hearing.

**Para No. 39 of Judgment** - It is the case of the petitioners that resolution for appointment of the petitioners was forwarded to the Registrar, who approved that. But, then, if *de hors* of rules any proposal is submitted and approval is sought, does it mean that such approval validates all the proceedings? It is not. Mere approval of the Registrar does not validate the illegality which had imbedded in the entire procedure. The vacancies could not have been published without prior approval of the Deputy Registrar; the advertisements should have been made in quite detail, but it has not been done. The selection could have been done by the selection committee, but it was not constituted. Therefore, merely because the Registrar has given approval at one stage, it does not validate the illegality. After merit list is prepared, entire proceedings (advertisement, applications, proceedings of the selection committee) should have been forwarded to the Registrar, through the Deputy Registrar, with the recommendation of the Deputy Registrar. It was not done in the instant case. The appointment letters could have been issued only after the Registrar accords approval. It has not been

done. (This procedure is given in the Notification dated 16.10.2018 on the subject, which, as stated, has not been followed.]

**Para No. 40 of Judgment** - Under these situations, giving opportunity of hearing to the petitioners would have been a mere formality.

2. *In WPMS No. 1770 of 2019, Om Hari vs. State of Uttarakhand and another*, decided on 23.10.2021, the Hon'ble Court observed that :-

**Para No. 2 of Judgment** - In this writ application, the petitioner has prayed to issue a writ of certiorari to quash the impugned judgment and order dated 20.07.2018 passed in Revenue Case No. 25/09 for the year of 2016-17 (Ramkesha Devi Vs. Om Hari) by the Assistant Collector, 1<sup>st</sup> Class Khatima and the order dated 23.04.2019 passed by the Additional Commissioner, Kumaon Division, Nainital in Revision No. 110 of 2017-18 (Om Hari Vs. Ramkesha and another) and also to pass any further writ as deemed fit and proper in the circumstances.

**Para No. 10 of Judgment** - This is a case, Government lands are encroached by some private parties and they are fighting among themselves to have a claim over the same.

**Para No. 11 of Judgment** - The encroachment of Govt. lands in this case is objectionable, in the cause that it is water body and a part of "Sharda Sagar Dam". It cannot be settled with any person. So, the recording of Class 4 is itself illegal because Class 4 recording with respect to the objectionable encroachments and with respect to the land which cannot be settled in favour of the parties and not with respect of community land like Gochar, Jalchar etc.

3. ***In WPSS No. 393 of 2019, Dinesh Singh Rana vs. State of Uttarakhand and others,*** decided on 27.10.2021, the Hon'ble Court observed that :-

**Para No. 1 of Judgment** - Petitioner has challenged order dated 27.10.2018 passed by Inspector General of Police, Headquarters, Uttarakhand, whereby his claim for promotion to the post of Sub-Inspector has been rejected. The only reason assigned in the impugned order is that petitioner's departmental appeal against punishment of censure was dismissed by Deputy Inspector General of Police, Garhwal Range on 24.10.2015, consequently, petitioner's candidature in the promotion exercise was not considered in terms of the procedure laid down by the Police Establishment Committee.

**Para No. 6 of Judgment** - The impugned order is unsustainable in the eyes of law. The punishment of censure imposed upon the petitioner did not attain finality by dismissal of his departmental appeal, as petitioner went further and challenged it before this Court and this Court quashed the same vide judgment dated 07.09.2018. Thus, respondents cannot rely upon the punishment of censure given by Superintendent of Police, Pauri, after the judgment of this Court.

4. ***In WPMS NO. 2237 of 2021, A.M.T. Builders Pvt. Ltd. vs. State of Uttarakhand and others,*** decided on 17.11.2021, the Hon'ble Court observed that:

**Para No. 2 of Judgment** - According to the petitioner, he is an experienced Civil Contractor, which is registered as such, *inter-alia* with Uttarakhand Public Works Department. Nagar Palika Parishad, Manglour, District Haridwar (respondent no. 3) has refused to register the petitioner on the ground that he is not a permanent resident of Uttarakhand State.

**Para No. 8 of Judgment** - Article 14 forbids class legislation, but, it does not forbid reasonable classification by the State. However, in order to pass test of permissible classification, two conditions must be fulfilled, namely (i) that the classification must be founded on an intelligible differentia, which distinguishes persons or things that are



grouped together from others left out of the group; and (ii) that the differentia must have arational relation to the object sought to be achieved.

**Para No. 10 of Judgment** - In view of legal position as discussed above, the distinction made by Nagar Palika Parishad, for registration of contractors, based on their residential status, cannot be said to be valid. India being a Union of States, such classification based on place of residence/place of birth alone, falls foul on the Principles of Constitutional Federalism. Our Constitution provides for single citizenship and single domicile, therefore, discrimination amongst citizens for registration as Contractors by Nagar Palika Parishad, which is State under Article 12 of Constitution, based on their place of residence/place of birth would be impermissible.

5. *In WPMS NO. 2354 of 2011, Baljeet vs. Dy. Director of Consolidation/Additional Collector, Haridwar and others*, decided on 23.11.2021, the Hon'ble Court observed that :-

**Para No. 10 of Judgment** - In order to establish adverse possession, the party claiming such adverse possession must take a specific plea about perfection the title by way of adverse possession. He must plead from the date his possession become adverse to the title of the real owner. Secondly, he must plea that he was in possession openly, peacefully with hostile animus to the title of the real owner, continuously for a period of 12 years. In this case, there is no such plea raised by respondent no. 4. In fact, we have carefully examined the objection filed under Section 9-A of the U.P. Consolidation of Holdings Act by respondent no. 4 at page 24 of the brief. There is no plea of adverse possession. He only claims hat he is in possession of the land in question. Moreover, the judgment passed by the learned Consolidation Officer is also completely silent about the satisfaction of the ingredients of the adverse possession. In fact, he has not in his order/judgment, come to a conclusion that respondent no. 4 has perfected his title by way of adverse possession. The order that passed by the learned Consolidation Officer appears at page 30. We have carefully examined the same and do not find any observation regarding the adverse possession of the opposite party no. 4. Similarly, the appellate authority has also not given any specific finding

that respondent no. 4 has acquired the title by way of adverse possession or prescription. Similarly, in the judgment dated 17.10.2007, the Dy. Director of Consolidation/ Assistant Collector, Haridwar being a revisional authority has also not given any specific finding that respondent no. 4 has perfected his title by way of adverse possession only.

**Para No. 11 of Judgment** - In that view of the matter, this Court is of the opinion that the orders passed by the learned Consolidation Officer confirmed by the appellate authority i.e. the learned Settlement Officer of Consolidation and further upheld by the revisional authority i.e. Dy. Director of Consolidation/Assistant Collector, Haridwar are perverse on the face of the record.

6. *In WPSS No. 1440 of 2020, Prakash Lal vs. State of Uttarakhand and another*, decided on 23.11.2021, the Hon'ble Court observed that:-

**Para No. 18 of Judgment** - The action of the respondent No. 2, denying the claim by a non-speaking order which apparently reflects a non application of mind also would be arbitrary and the employer cannot be placed at a superior position to misutilise its dictates and authority to deprive from an employee of being benefited with the remuneration admissible to the post for which the services has been rendered by an employee. In that eventuality and for the aforesaid reasons, the very action of the respondent which is under challenge in the present writ petition is against the constitutional mandate, which ensures providing not only social but even economic justice too to a citizen of the country and economic justice herein would according to the opinion of this Court, would be a justice which could be extended from the view point of the income accruing to an employee out of the services rendered and because it is economics which would ultimately affect the right of an employee, who is not being appropriately paid salary for the post or for the service which he is discharging in an organization. Hence, also, the action of the respondent would be bad in the eyes of law.

7. *In WPMS No. 1851 of 2011, M/s ASP Sealing Products Ltd. vs. Employee Provident Fund Organization and another*, decided on 24.11.2021, the Hon'ble Court observed that :-

**Para No. 2 of Judgment** - In this writ petition, the petitioner, being a company incorporated under the Companies Act, has prayed to issue a writ of Certiorari quashing the order dated 26.03.2009 and order dated 28.10.2009 passed by Regional Provident Fund Commissioner - respondent no. 2 and further to quash the order dated 02.05.2011 passed by Appellate Tribunal, Employees Provident Fund, Delhi.

**Para No. 13 of Judgment** - It is clear that the petitioner company was facing financial hardships between 2000 and 2001 and ultimately, it was declared as bankrupt on 21.07.2004, so the petitioner company has neither criminal intent nor denying the benefits towards employees' contribution with an ulterior motive. In other words, in the present case, there mitigating circumstances, so we are inclined to allow the writ petition with a direction to the authorities to re-consider the matter.

8. *In WPSS No. 1966 of 2018, Sanjay Singh vs. State of Uttarakhand and others*, decided on 17.12.2021, the Hon'ble Court observed that :-

**Para No. 4 of Judgment** - The petitioner to the present Writ Petition had prayed for issuance of a writ of mandamus, commanding the respondents to take into account the services rendered by the petitioner in the Armed Forces, for the purposes of the re-fixation of his pay scale and service benefits, after being re-engaged in the Police Department, to be determined after inclusion of the period of services rendered with the Indian Army.

**Para No. 13 of Judgment** - Hence, I am of the considered view that the embargo, which has been sought to be attracted by applying the Notification No.214 dated 18<sup>th</sup> November, 2015, in view of the amendment, which was made in 2016, it will not be applicable in the light of the judicial precedents laid down by this Court, and

particularly, because of the fact when the petitioner in the instant case was discharged from the Indian Army only on 31<sup>st</sup> August, 2008, and he was re-engaged in the State Police Force on 4<sup>th</sup> April, 2011, i.e. much prior to the amendment, which was made by the State Government by virtue of the Notification dated 18<sup>th</sup> November, 2015. When the right of the petitioner has matured under the then prevalent Rules, based on the judicial precedence, the same cannot be clouded by way of a subsequent amendment made by the State by virtue of the Notification of 18<sup>th</sup> November, 2015, or an executive directions.

9. *In WPSS No.1769 of 2019, Monika vs. Director of I.I.T. Roorkee and others* decided on 17.12.2021, the Hon'ble Court observed that :-

**Para No. 7 of Judgment** - This Court is of the view that under the General Rules of relaxation applicable in the appointments of public servants, for appointments to be made, there could be a relaxation in other spheres or parameters required for appointment, but I am of the opinion that there cannot be a relaxation for qualification, i.e. a minimum stipulated qualification, which was required to be possessed by the candidate to enable him to be entitled to be considered for appointment on compassionate grounds.

\*\*\*\*\*

## **MAJOR ACTIVITIES OF SLSA DURING THE PERIOD OF OCTOBER 2021 TO DECEMBER 2021**

### **MEGA/MULTIPURPOSE LEGAL SERVICES CAMP 05.12.2021**

A Mega Legal Aid Camp was organized on 05.12.2021 at Dev Singh Ground, Pithoragarh under the aegis of NALSA by the Uttarakhand SLSA in association with DLSA, Pithoragarh.

**Shri Kiren Rijiju, Hon'ble Minister of Law and Justice, Union of India, Shri Uday Umesh Lalit, Hon'ble Judge, Hon'ble Supreme Court of India/Executive Chairman, NALSA, Shri Raghvendra Singh Chauhan, Hon'ble Patron-in-Chief, Uttarakhand SLSA, Shri Manoj Kumar Tiwari, Hon'ble Judge, Hon'ble High Court of Uttarakhand and Shri Sharad Kumar Sharma, Hon'ble Judge, Hon'ble High Court of Uttarakhand/Chairman, High Court Legal Services Committee** graced the occasion by their benign presence.

*Shri Kiren Rijiju, Hon'ble Minister of Law and Justice appreciated the active role of Hon'ble Executive Chairman, NALSA in the field of legal services. Shri Kiren Rijiju also made emphasis on easy rules and speedy justice. The vital role of PLVs in disposal of pending cases before the Courts can be made, as many of the prisoners, who can be released, are languishing in jails because of non-availability of legal aid and thereby the conditions of the prisoners in jails can be improved. The Hon'ble Minister of Law and Justice also informed that the Uttarakhand SLSA, despite adverse circumstances, has done the tremendous work during PAN India Awareness Programme under the "Azadi Ka Amrit Mahotsav". Being the Hon'ble Minister of Law and Justice, Shri Kiren Rijiju also ensured every possible effort in providing easy and time justice to the common people. Shri Kiren Rijiju also informed that Rupees Nine Thousand Crores has been released for development and digitization of Subordinate Courts. He also praised the works*

*being done by Legal Services Institutions. The school children and NCC Cadets present there were also encouraged.*

Shri Uday Umesh Lalit, Hon'ble Executive Chairman, NALSA also informed about the legal services camps being organized throughout the India under the Aazadi Ka Amrit Mahotsav on reaching the 75 years of independence and completion of 25 years of Legal Services Authority. His Lordship also informed that the Legal Services Institutions reached 6 lacs villages in 42 days from 02.10.2021 to 14.11.2021 and made people aware about the legal aid and services available to them.

Shri Raghvendra Singh Chauhan, Hon'ble Patron-in-Chief and Chief Justice, Hon'ble High Court of Uttarakhand by addressing **“Vishwas Sabke Liye, Nyay Sabke Liye, Yahi Hai Lakshya”** informed that justice be not confined within the judiciary but it should be everywhere like the rays of the sun. His Lordship also informed that the Uttarakhand SLSA is reaching village-to-village and extending legal awareness and also providing legal aid to the poor and needy people, on which the PLVs are playing vital role.

Shri Kiren Rijiju, Hon'ble Minister of Law and Justice, Union of India, Shri Uday Umesh Lalit, Hon'ble Executive Chairman, NALSA and Shri Raghvendra Singh Chauhan, Hon'ble Patron-in-Chief, Uttarakhand SLSA jointly distributed wheel chair to Smt. Shanti w/o Shri Faqir Singh, crutch to Km. Niharika d/o Bharat Chandra, shawl to Smt. Bhagirathi Devi w/o late Shri Madhav Singh of Raji Janjati community, spectacle to Shri Chandra Shekhar Joshi, ear machine to Smt. Narwada, blanket to Smt. Paruli Devi w/o Shri Dhan Singh.

The Hon'ble Minister of Law and Justice, Union of India and Hon'ble Executive Chairman, NALSA in association with Hans Foundation, Kotdwar, an NGO, also distributed 50 wheel chairs, 50 crutches, 600 spectacles, 500 hearing aid machines, masks and sanitizers to the disabled persons came from different locations of District-Pithoragarh.

Shri Manoj Kumar Tiwari, Judge, Hon'ble High Court of Uttarakhand also made thanks to all the dignitaries and gathering present there for successfully organizing the programme.

In the Mega Legal Aid Camp, the villages of Village-Kuta, Chaurani, Madanpuri, Jamdari, Bhagichaura were medically examined and free medicines, blankets, shawls, clothes and utensils of daily need were provided to them. For upliftment of persons of Raji Jan Jati, the DLSA, Pithoragarh extended all possible help to them. Beside this, special programmes were organized for the children became orphan due to Covid-19 pandemic, people of Vanraji Janjati and disabled persons.

Shri Sharad Kumar Sharma, Hon'ble Chairman, High Court Legal Services Committee also made announcement regarding adoption of nine villages i.e. Madanpuri, Jamtari, Kutachaurani, Kimkhaula, Bhaktirawan, Ganagaon, Aulatadi, Kulaikh, Chiflatara by the DLSA, Pithoragarh for the rehabilitation of the inhabitants living there.

In the Mega Legal Aid Camp, different Government stalls were also installed for the common people, where the people were informed about different Government welfare schemes. The Social Welfare Department, Pithoragarh received 23 applications under Old Age Pension Scheme, 02 applications under Widow Pension Scheme and 02 applications under Pension Scheme for Disabled Persons.

The Health Department handed over Disability Certificates to 03 disabled persons and 810 people were medically treated and free medicines were given to them. Beside this, 50 CT Scan, 33 Lab Tests, 50 X-ray, 35 Ultrasound, registration of 850 persons, eye check-ups of 458 people and vaccination of 80 people were made free of cost.

The Women Empowerment Department received 19 applications under PMMVY scheme and 32 applications under Pratham Charan Nanda Gaura scheme. The Horticulture Department distributed seeds, fertilizers and pesticides to the 250 farmers on 50 percent National rebate. Industry Department received 03

applications, Tourism Department received 24 applications under Deen Dayal Gruh Awaas Yojana, 02 applications under Vir Chandra Singh Garhwali Yojana and 10 applications under Sahsik Khel Yojana. The Animal Husbandry Department distributed medicines to 164 people for their cattles.

*The DLSA, Pithoragarh by installing the stall made people aware about their legal rights and the legal aid available to them free of cost. The Saral Kanooni Gyan Mala booklets were also distributed to the gathering.*

In the Mega Legal Aid Camp, the Registrar General and other Registrars of Hon'ble High Court of Uttarakhand, Judicial Officers of District Court-Pithoragarh, Officers from District and Police Administration, Medical Officers of Health Department, Officers and staff of other Departments, Stakeholders of Bar Associations, Advocates and Para Legal Volunteers extended their assistance in organizing the programme successfully.







## **FAREWELL TO THE HON'BLE PATRON-IN-CHIEF, UKSLSA**

Uttarakhand State Legal Services Authority Bid Farewell to the Hon'ble Mr. Justice Raghavendra Singh Chauhan, Hon'ble Patron-in-Chief, Uttarakhand SLSA, Nainital on 21<sup>st</sup> December, 2021. The said programme was organized in the benign presence of Hon'ble the Executive Chairman, Uttarakhand SLSA and all Hon'ble Judges of High Court of Uttarakhand.

The said programme was also attended by the Member Secretary, UKSLSA, Registrar General and Registrars of Hon'ble High Court of Uttarakhand. The Officer on Special Duty and staff of UKSLSA were also attended the aforesaid farewell programme.





**PROGRAMMES AND ACTIVITIES CONDUCTED UNDER PAN INDIA  
LEGAL AWARENESS AND OUTREACH CAMPAIGN**

**(02.10.2021 to 14.11.2021)**

**DOOR-TO-DOOR VISITS IN VILLAGES**

Under the NALSA's Pan India Legal Awareness and Outreach Campaign, all the District Legal Services Authorities conducted daily Door-to-Door Visits in the villages of their Districts w.e.f. 02.10.2021 to 14.11.2021. The report showing the complete details of Door-to-Door visits is hereunder:-

<b>Particulars</b>	<b>Report</b>
Total District Covered	13
Total Taluka Covered	2615
Total teams constituted in the State	57166
Total Resource persons deployed in all teams	63133
Total villages visited	32467
Total persons surveyed or interacted	14382625

**LEGAL AWARENESS PROGRAMMES**

Under the NALSA's Pan India Legal Awareness and Outreach Campaign, all the District Legal Services Authorities conducted various legal awareness programmes in their Districts w.e.f. 02.10.2021 to 14.11.2021. Report about the Legal Awareness Programmes is hereunder:-

<b>Particulars</b>	<b>Report</b>
Total District Covered	13
Total teams constituted in the State	23928
Total Resource persons deployed in all teams	26030
Total villages/urban areas covered	12011
Total Awareness Programmes Organized	7399
Total persons attended these programmes	3301462

### **AWARENESS THROUGH MOBILE VAN/VIDHIK SEVA RATH**

Uttarakhand State Legal Services Authority in coordination with all the DLSAs conducted various legal aid and awareness activities through mobile vans under the Pan India Legal Awareness and Outreach Campaign from 02<sup>nd</sup> October, 2021 to 14<sup>th</sup> November, 2021 in the Uttarakhand State. One Mobile Van was sent to the districts falling under the jurisdiction of Garhwal Division and another to the districts falling under the jurisdiction of Kumaon Division. Report of the same is as under:

<b>Particulars</b>	<b>Report</b>
Total Taluka Covered	94
Total Mobile Vans Deployed	02
Total Villages visited by the Mobile Vans	1274
Total persons interacted or benefited	1727251

**LEGAL AWARENESS PROGRAMMES THROUGH LEGAL AID****CLINICS**

Under the NALSA's Pan India Legal Awareness and Outreach Campaign, District Legal Services Authorities conducted legal awareness programmes through Legal Aid Clinics w.e.f. 02.10.2021 to 14.11.2021. The detail report is as under:-

<b>Particulars</b>	<b>Report</b>
Total Legal Aid Clinics Used During Programme	748
Total Panel Lawyers/PLVs Deployed	921
Total persons visited/interacted	110067

**OTHER LEGAL AWARENESS RELATED ACTIVITIES**

Under the NALSA's Pan India Legal Awareness and Outreach Campaign, District Legal Services Authorities conducted various other legal awareness related activities w.e.f. 02.10.2021 to 14.11.2021. Report is hereunder:-

<b>Particulars</b>	<b>Report</b>
Total Teams Constituted	383
Total Resource in all teams	764
Total Programmes Conducted	204
Total persons benefited	55003

**EMPOWERMENT OF WOMEN THROUGH LEGAL AWARENESS A  
COLLABORATIVE PROJECT OF NALSA-NCW**

On the Direction of National Legal Services Authority, New Delhi, two special Legal Awareness Programmes under **NALSA-National Commission for Women** collaborative Project i.e. “**Empowerment of Women through Legal Awareness**” were organized by each of the District Legal Services Authority during the Pan India Legal Awareness and Outreach Campaign.

In each camp organized by the DLSAs on the aforementioned subject, around 50-60 women participants such as Teachers, Aasha Workers, Aganwadi Workers, etc. were participated.

Further, as per the direction of NALSA, all the DLSAs selected two Resource Persons from district, preferably Female Lawyers having adequate experience at bar not necessary from panel. Lawyer so selected were having good knowledge of women laws and issues and good communications skills.

In this regard, a Handbook (Hindi Version) on Laws Relating to Women, published by the NALSA was released on 30.10.2021. The Handbook was very useful for dissemination of information relating to various laws relating to women in the Legal Awareness Programmes (LAPs) conducted by the Legal Services Institutions, in collaboration with National Commission for Women (NCW).

Also, 150 copies of the said Handbook in Hindi version was provided to each DLSA with a direction to distribute the same to the women participants while organizing Legal Awareness Programmes (LAPs) for Women in collaboration with NCW.

## A GLIMPSE OF DRAWING COMPETITION ORGANIZED UNDER PAN INDIA LEGAL AWARENESS & OUTREACH CAMPAIGN



### STATE ACTIVITIES UNDER PAN INDIA LEGAL AWARENESS & OUTREACH CAMPAIGN

On 22.10.2021, an **online Motivational Interaction** was held by the Hon'ble Mr. Justice Sanjaya Kumar Mishra, Hon'ble Executive Chairman, Uttarakhand State Legal Services Authority with all the Chairpersons and Secretaries of District Legal Services Authorities under the Pan India Legal Awareness and Outreach Campaign.





On the direction of Hon'ble Mr. Justice Sanjaya Kumar Mishra, Senior Judge, Hon'ble High Court of Uttarakhand and Hon'ble Executive Chairman, Uttarakhand State Legal Services Authority, Nainital, a Legal Awareness Camp/Programme under the Pan India Legal Awareness and Outreach Campaign was organized on 24<sup>th</sup> October, 2021 inside the Sub-Jail Haldwani of District Nainital by the Uttarakhand State Legal Services Authority in collaboration with District Legal Services Authority, Nainital and District Legal Services Authority, Udham Singh Nagar.

The aforesaid Legal Awareness Camp/Programme was presided over by the Hon'ble Mr. Justice Sanjaya Kumar Mishra, Senior Judge, Hon'ble High Court of Uttarakhand and Hon'ble Executive Chairman, Uttarakhand State Legal Services Authority, Nainital.

During this said camp/programme, Hon'ble Executive Chairman, Uttarakhand SLSA made an interaction with the prisoners and enlightened them about the availability of free legal aid services being provided by the Legal Services Institutions.

During the aforesaid camp/programme, Shri R.K. Khulbey, Member Secretary, Uttarakhand SLSA, Shri Rajendra Joshi, District Judge/Chairperson, DLSA, Nainital, Shri P.S. Khimal, District Judge/Chairperson, DLSA, Udham Singh Nagar alongwith Secretaries of both these DLSAs as well as Jail Administration were present

## **MOOT COURT AND DEBATE COMPETITIONS**

On the direction of National Legal Services Authority and under the guidance of Hon'ble Mr. Justice Sanjaya Kumar Mishra, Senior Judge, Hon'ble High Court of Uttarakhand and Hon'ble Executive Chairman, Uttarakhand SLSA, District Level **Moot Court and Debate Competitions** were organized in the Districts on 08.11.2021 by the DLSAs in coordination with the Law Colleges under the Pan India Legal Awareness and Outreach Campaign. In furtherance of this activity, **State Level Moot Court and Debate Competitions** were organized by the Uttarakhand SLSA on 11.11.2021 at Nainital amongst the winners of District Level's **Moot Court and Debate Competitions**. Total 19 participants participated in the **State Level Moot Court and Debate Competitions**.

In the Moot Court Competition, 03 Law Students from Law College Dehradun, Faculty of Uttaranchal University were declared as winner team, 02 Law Students from Pt. Purnanand Tiwari Law College, Haridwar were declared as first runner-up team and 03 Law Students from Vasudev College of Law, Haldwani (District Nainital) was declared as second runner-up team. The best memorial award in moot court competition was given to Law College Dehradun, Faculty of Uttaranchal University.

In Debate Competition (Supported in Motion), Law Student from Faculty of Law, SSJ Campus, Almora was declared as winner, Law Student from Chanakya Law College, U.S. Nagar was declared as first runner-up and Law Student from Vasudev College of Law, Haldwani (District Nainital) was declared as second runner-up.

In Debate Competition (Against the Motion), Law Student from Faculty of Law, SSJ Campus, Almora was declared as winner, Law Student from Chanakya Law College, U.S. Nagar was declared as first runner-up and Law Student from Himgiri Zee University, Dehradun was declared as second runner-up.

## **“EXHIBITION PROGRAMME”**

In light of the direction given by National Legal Services Authority and in order to commemorate the commencement of Legal Service Week under NALSA’s Pan India Legal Awareness and Outreach Campaign, an **“Exhibition Programme”** focusing on 75 year of **“Administration Process and Achievements of Justice Delivery System and Legal Aid System and its Functions”** was organized by the Uttarakhand State Legal Services Authority in association with the Hon’ble High Court of Uttarakhand on 12<sup>th</sup> November, 2021 at 9.30 AM in the Hon’ble High Court Campus, Nainital.

The said Exhibition Programme was inaugurated by Hon’ble Mr. Justice Sanjaya Kumar Mishra, Senior Judge, Hon’ble High Court of Uttarakhand and Executive Chairman, Uttarakhand State Legal Services Authority in the benign presence of other Hon’ble Judges of the Hon’ble High Court of Uttarakhand. The said Exhibition Programme was conducted for a period of three days w.e.f. 12.11.2021 to 14.11.2021. During the aforesaid three days period, around 1350 persons visited the said Exhibition including the Dignitaries, Judicial Officers, Advocates, Law Students, Students, Trainee Judicial Officers, Staff, Media and general masses.





**STATISTICAL REPORT OF THE LEGAL AID ACTIVITIES/  
PROGRAMMES CONDUCTED DURING 15.11.2021 TO 31.12.2021**

<b>PARTICULARS</b>	<b>REPORT</b>
Total Number of Webinars/Legal Literacy/Awareness Camps/Lectures/Door-to-Door Campaign. (Under Pan India Awareness and Outreach Campaign)	<b>8609</b>
Total Number of persons & Under Trial Prisoners provided Free Legal Aid/Advice during September, 2021	<b>Legal Aid -389</b>  <b>Legal Advice-204</b>  Legal Aid Applications forwarded to concerned Department for further necessary Action- <b>104</b>
Total Number of Persons provided legal advice through Toll Free Number.	<b>17</b>
Total Number of Visits/Inspection of District & Sub-Jails, Children/Observation Homes, Legal Aid Clinics, Old Age Homes, Nari Niketans, Nasha, COVID Care Centers, Hospitals, Special Cell, Govt. Shishu Sadan, Women Rehabilitation Centers, Govt. Girls Observation Homes.	<b>31</b>

## **SENSITIZATION PROGRAMME ON THE EVE OF “CONSTITUTION DAY”:**

As per directions of Hon’ble Patron-in-Chief, Uttarakhand SLSA, Nainital, a sensitization Programme, on the eve of “**Constitution Day**” was organized in the joint collaboration of Uttarakhand SLSA, Uttarakhand Judicial and Legal Academy (UJALA) under the aegis of Hon’ble High Court of Uttarakhand on 26.11.2021 in the Hon’ble High Court Campus, Nainital.

The said programme was organized in the benign presence of Hon’ble Mr. Justice Manoj Kumar Tiwari and Hon’ble Mr. Justice N.S. Dhanik, Hon’ble Judges, High Court of Uttarakhand. The programme was attended by the Registrar General, Hon’ble High Court of Uttarakhand, Member Secretary & Officer on Special Duty, Uttarakhand SLSA, Director, UJALA, Registrars of Hon’ble High Court, Senior Advocates including Other Guests and Staff of Hon’ble High Court and Uttarakhand SLSA. The gathering was addressed by the Hon’ble Judges on the Constitution of India. A total number of approx. 150 Dignitaries, Judicial Officers, Guests, Advocates, Staff and Common mass were attended the said event.

- Prof. (Dr.) V.S. Elizabeth, Vice Chancellor, Tamil Nadu National Law University, Tiruchirappalli, Tamil Nadu. Prof. V.S. Elizabeth enlighten the legal fraternity on the topic “**Understanding the Constitution from a Feminist Jurisprudence Angel**”.
- Trophies for the winners of the Moot Court and Debate Competition were felicitated during the programme.

The said programme was made live through YouTube Channel of Uttarakhand SLSA. All the Judicial Officers, District Legal Services Authorities, Panel Lawyers, Para-Legal Volunteers including other stakeholders join the aforesaid programme through live telecast/streaming through YouTube Channel. (YouTube link: <https://www.youtube.com/watch?v=7S2VbRmBw0I>).

Further, Uttarakhand SLSA organized a Programme to celebrate the “**Constitution Day**” on 26.11.2021, at the Conference Hall of ADR Building, High Court Campus, Nainital. The Preamble of Constitution of India was read Officers and Staff of Uttarakhand SLSA and HCLSC, leading by the Hon’ble President of India through celebrations of Constitution Day live from Central Hall of Parliament on 26.11.2021. The said programme was attended by the Respected Member Secretary

and Officer on Special Duty, and all the staff of Uttarakhand SLSA including staff of High Court Legal Services Committee, Nainital.



**STATISTICAL INFORMATION****STATEMENT SHOWING THE PROGRESS OF LOK ADALATS HELD IN  
THE STATE OF UTTARAKHAND  
DURING THE PERIOD FROM OCTOBER 2021 TO DECEMBER 2021**

S. No.	Name of District	Total No. of Lok Adalats Held	Total No. of Cases Taken up	Total No. of Cases Disposed off	Compensation/ Settlement Amount	Realized As Fine (in Rs.)	Total No. of Persons Benefited in Lok Adalat
01	ALMORA	01	120	87	90,02,967	-	87
02	BAGESHWER	03	249	97	7,69,650	20,700	97
03	CHAMOLI	01	90	74	2,77,53,062	-	74
04	CHAMPAWAT	01	91	43	2,31,47,025	-	43
05	DEHRADUN	04	4005	2809	6,09,15,283	11,19,677	2846
06	HARDWAR	01	2041	1535	3,57,71,880	-	1535
07	NAINITAL	02	2564	1798	4,25,71,583	6,87,426	1798
08	PAURI GARHWAL	01	394	325	65,18,296	-	325
09	PITHORAGARH	01	125	95	1,10,93,160	-	95
10	RUDRAPARYAG	01	87	80	23,83,356	-	80
11	TEHRI GARHWAL	01	337	240	3,70,61,099	-	240
12	UDHAM SINGH NAGAR	01	1776	1227	11,57,11,975	-	1227
13	UTTARKASHI	01	163	143	1,13,90,639	-	143
14	HCSLC, NAINITAL	01	325	56	3,49,40,363	-	56
15	UKSLSA,NTL	-	-	-	-	-	-
	<b>TOTAL :-</b>	<b>20</b>	<b>12367</b>	<b>8609</b>	<b>41,90,30,338</b>	<b>18,27,803</b>	<b>8646</b>
16	CONSUMER COURTS	08	110	81	94,57,524	-	81
17	LAB OUR COURTS	04	08	03	13,44,911	-	03
	<b>TOTAL</b>	<b>12</b>	<b>118</b>	<b>84</b>	<b>1,08,02,435</b>	<b>-</b>	<b>84</b>
	<b>GRAND TOTAL</b>	<b>32</b>	<b>12485</b>	<b>8693</b>	<b>42,98,32,773</b>	<b>18,27,803</b>	<b>8730</b>



**STATEMENT SHOWING THE PROGRESS OF CAMPS ORGANIZED IN  
THE STATE OF UTTARAKHAND  
FOR THE  
PERIOD FROM OCTOBER 2021 TO DECEMBER 2021**

<b>S. No.</b>	<b>Name of District</b>	<b>No. of Camps Organized</b>	<b>Total No. of Persons Benefited in Camps</b>
01	ALMORA	3350	869072
02	BAGESHWER	1742	966812
03	CHAMOLI	187	138567
04	CHAMPAWAT	2527	845525
05	DEHRADUN	1158	950544
06	HARDWAR	341	23145
07	NAINITAL	1855	1704758
08	PAURI GARHWAL	747	29465
09	PITHORAGARH	337	224869
10	RUDRAPARYAG	454	649295
11	TEHRI GARHWAL	5369	1539246
12	UDHAM SINGH NAGAR	4652	1112723
13	UTTARKASHI	1088	520455
14	HCLSC, NAINITAL	-	-
15	UKSLSA, NAINITAL	02	1500
	<b>Total</b>	<b>23809</b>	<b>9575976</b>
16	CONSUMER COURTS	-	-
17	LABOUR COURTS	-	-
	<b>TOTAL</b>	<b>-</b>	<b>-</b>
	<b>GRAND TOTAL</b>	<b>-</b>	<b>-</b>

**STATEMENT SHOWING THE PROGRESS OF LEGAL AID AND  
ADVICE/COUNSELING PROVIDED IN THE STATE OF UTTARAKHAND  
FOR THE PERIOD FROM OCTOBER 2021 TO DECEMBER 2021**

S. No.	Name of District	No. of Persons Benefited through Legal Aid & Advice	
		Legal Aid	Legal Advice/ Counseling
01	ALMORA	26	-
02	BAGESHWER	09	133
03	CHAMOLI	05	04
04	CHAMPAWAT	06	-
05	DEHRADUN	237	-
06	HARDWAR	127	-
07	NAINITAL	90	39
08	PAURI GARHWAL	16	47
09	PITHORAGARH	11	-
10	RUDRAPARYAG	03	06
11	TEHRI GARHWAL	22	08
12	UDHAM SINGH NAGAR	77	38
13	UTTARKASHI	30	-
14	HCLSC, NAINITAL	49	-
15	U.K. S.L.S.A., N.T.L.	-	43
	<b>TOTAL</b>	<b>708</b>	<b>318</b>
16	CONSUMER COURTS	-	-
17	LABOUR COURTS	-	-
	<b>TOTAL</b>	-	-
	<b>GRAND TOTAL</b>	-	-

**PROGRAMMES/ACTIVITIES INSIDE JAIL CAMPUS DURING**  
**OCTOBER 2021 TO DECEMBER 2021**

S.No.	Name of District	Lok Adalats organized in Jails		Legal Literacy Camps organized in Jails		Legal Aid provided to under trial prisoners	Jail visit
		No. of organized Lok Adalats	No. of cases disposed off	Camps organized	Benefitted persons	No. Benefitted under trial prisoners	Total No. Jail visit
1	ALMORA	-	-	03	249	10	02
2	BAGESHWAR	-	-	02	158	03	02
3	CHAMOLI	-	-	03	338	02	01
4	CHAMPAWAT	-	-	02	94	05	01
5	DEHRADUN	02	53	04	822	83	02
6	HARDWAR	04	31	04	1500	101	04
7	NAINITAL	-	-	03	190	63	03
8	PAURI GARHWAL	-	-	03	592	07	02
9	PITHORAGARH	-	-	04	270	04	02
10	RUDRAPRAYAG	-	-	01	57	-	-
11	TEHRI GARHWAL	-	-	03	352	09	04
12	U.S. NAGAR	-	-	05	583	51	05
13	UTTARKASHI	-	-	02	214	06	01
14	H.C.L.S.C. NTL	-	-	-	-	25	-
	<b>TOTAL :-</b>	<b>06</b>	<b>84</b>	<b>39</b>	<b>5419</b>	<b>369</b>	<b>29</b>

**STATISTICAL INFORMATION IN RESPECT OF PERMANENT LOK ADALATS  
(Established u/s 22B of LSA Act)**

(STATISTICAL INFORMATION FOR THE MONTH OF OCTOBER, 2021 TO DECEMBER, 2021)

- (i) No. of PLAs existing :- 07 (Almora, Dehradun, Hardwar, Nainital, Pauri Garhwal, Tehri Garhwal and U.S. Nagar)
- (ii) Total No. of PLAs functioning :- 04 (Dehradun, Hardwar, Nainital and U.S. Nagar)

S.No.	Permanent Lok Adalats	Number of Sitzings	No. of cases pending as on 31.12.2021	No. of cases received during the Period	No. of cases settled during the Period	Total Value/Amount of Settlement (₹)
1	Dehradun	64	157	421	292	3,29,45,805
2	Haridwar	26	25	11	10	16,05,116
3	Nainital	27	138	20	12	4,52,263
4	Udham Singh Nagar	27	146	37	61	47,91,546
	<b>Total</b>	<b>144</b>	<b>466</b>	<b>489</b>	<b>375</b>	<b>3,97,94,730</b>

**STATISTICAL INFORMATION IN RESPECT OF VICTIM COMPENSATION SCHEME U/S 357 A Cr. PC**

(STATISTICAL INFORMATION FOR THE MONTH OF OCTOBER, 2021 TO DECEMBER, 2021)

No. of applications received directly by Legal Services Institutions (A)	No. of applications/orders marked/directed by any Court (B)	Total No. of applications received including Court orders (A+B)	No. of applications decided	No. of applications pending	Total Value/Settlement Amount (₹)
06	25	31	15	74	30,40,000

**STATISTICAL INFORMATION IN RESPECT OF CASES SETTLED THROUGH MEDIATION**

(STATISTICAL INFORMATION FOR THE MONTH OF OCTOBER, 2021 TO DECEMBER, 2021)

(A)	Total Number of ADR Centres	:	04
(B)	Total No of Existing Mediation Centres other than ADR Centres	:	16
(C)	Number of Mediators (Total of both in ADR Centres and Mediation Centres)	:	101

**DISPOSAL**

	Total of all Mediation/ ADR Centres
No. of cases received during the month	<b>174</b>
Cases settled through Mediation	<b>36</b>
Cases returned as not settled	<b>139</b>
Non-starter cases which were returned as mediation could not commenced	<b>12</b>
No. of Connected cases	<b>-</b>
No. of Cases pending at the end of the month	<b>236</b>

**STATUS OF FULL TIME SECRETARIES/TLSC/PLVS/PANEL LAWYERS/RETAINER  
LAWYERS/MEDIATORS/LEGAL AID CLINICS/FRONT OFFICE/MEDIATION CENTERS TILL  
DECEMBER, 2021**

NAME OF DLSA	No. of Full Time Secretary	No. of Tehsil Legal Services Committees Constituted	No. of Panel Lawyers	No. of Retainer Lawyers	No. of trained PLVs	No. of Legal Aid Clinics	No. of Front Offices	No. Mediation Centers	No. of Mediators
ALMORA	01	03	10	01	91	20	01	01	04
BAGESHWAR	01	01	03	01	50	36	01	01	03
CHAMOLI	01	05	08	01	52	12	01	01	02
CHAMPAWAT	01	01	04	01	55	11	01	01	03
DEHRADUN	01	04	48	01	78	55	01	02	15
HARIDWAR	01	02	44	01	52	34	01	03	22
NAINITAL	01	02	38	01	80	08	01	02	05
PAURI GARHWAL	01	04	48	01	38	26	01	02	05
PITHORAGARH	01	04	10	01	14	10	01	01	05
RUDRAPRAYAG	01	01	06	01	33	22	01	01	01
TEHRI GARHWAL	01	02	26	01	48	14	01	01	03
U. S. NAGAR	01	05	44	01	87	24	01	03	11
UTTARKASHI	01	02	09	01	59	19	01	01	05
HCLSC	-	-	25	01	-	-	01	01	09
<b>TOTAL</b>	<b>13</b>	<b>36</b>	<b>323</b>	<b>14</b>	<b>737</b>	<b>291</b>	<b>14</b>	<b>21</b>	<b>93</b>

**TRAINING PROGRAMMES HELD IN THE PERIOD OF**  
**OCTOBER 2021 TO DECEMBER 2021**  
**AT**  
**UTTARAKHAND JUDICIAL AND LEGAL ACADEMY,**  
**BHOWALI, NAINITAL**

<b>S. No.</b>	<b>Name of Training Programmes/ Workshops</b>	<b>Duration</b>
<b>1.</b>	Foundation Training Programme for Newly Recruited Civil Judges (J.D.), 2018 Batch (Queries resolving phase of Institutional Training) (Virtual Mode)	24.09.2021 to 09.10.2021
<b>2.</b>	Foundation Training Programme for Newly Recruited Civil Judges (J.D.), 2019 Batch (1 <sup>st</sup> phase) (Physical Mode)	01.09.2021 to 15.11.2021
<b>3.</b>	Training Programme for recently promoted Judges in Civil Judge (Sr. Div.) Cadre (Virtual Mode)	10.11.2021 to 21.11.2021
<b>4.</b>	Training Programme for DGCs and ADGCs (Civil) on Civil laws (Physical Mode)	01.12.2021 to 02.12.2021
<b>5.</b>	Capsule Course for Judge Advocate Officers of Indian Air Force (Physical Mode)	07.12.2021 to 11.12.2021
<b>6.</b>	Foundation Training Programme for Assistant Prosecution Officers (APOs) in the waiting list of the State (Physical Mode)	25.11.2021 to 24.12.2021

\*\*\*\*\*



Foundation Training Programme for Newly Recruited Civil Judges (J.D.), 2018 Batch (Queries resolving phase of Institutional Training) (Virtual Mode) from the period 24.09.2021 to 09.10.2021



Foundation Training Programme for Newly Recruited Civil Judges (J.D.), 2019 Batch (1<sup>st</sup> phase) (Physical Mode) from the period 01.09.2021 to 15.11.2021



Training Programme for recently promoted Judges in Civil Judge (Sr. Div.) Cadre (Virtual Mode) from the period 10.11.2021 to 21.11.2021



Training Programme for DGCs and ADGCs (Civil) on Civil laws (Physical Mode) from the period 01.12.2021 to 02.12.2021





Capsule Course for Judge Advocate Officers of Indian Air Force (Physical Mode) from the period 07.12.2021 to 11.12.2021



Foundation Training Programme for Assistant Prosecution Officers (APOs) in the waiting list of the State (Physical Mode) from the period 25.11.2021 to 24.12.2021

**INSTITUTION, DISPOSAL AND PENDENCY OF CASES****HIGH COURT OF UTTARAKHAND****(From 01.10.2021 to 31.12.2021)**

						<b>Pendency (As on 01.10.2021)</b>		
						<b>Civil Cases</b>	<b>Criminal Cases</b>	<b>Total Pendency</b>
						<b>24049</b>	<b>16218</b>	<b>40267</b>
<b>Institution ( 01.10.2021 to 31.12.2021)</b>			<b>Disposal (01.10.2021 to 31.12.2021)</b>			<b>Pendency (As on 31.12.2021)</b>		
<b>Civil Cases</b>	<b>Criminal Cases</b>	<b>Total Institution</b>	<b>Civil Cases</b>	<b>Criminal Cases</b>	<b>Total Disposal</b>	<b>Civil Cases</b>	<b>Criminal Cases</b>	<b>Total Pendency at the end of 31.12.2021</b>
<b>2217</b>	<b>2698</b>	<b>4915</b>	<b>2201</b>	<b>2018</b>	<b>4219</b>	<b>24065</b>	<b>16898</b>	<b>40963</b>

\*\*\*\*\*

**DISTRICT COURTS****(From 01.10.2021 to 31.12.2021)**

SL. No	Name of the District	Civil Cases				Criminal Cases				Total Pendency at the end of 31.12.2021
		Opening Balance as on 01.10.21	Institution from 01.10.21 to 31.12.21	Disposal from 01.10.21 to 31.12.21	Pendency at the end of 31.12.21	Opening Balance as on 01.10.21	Institution from 01.10.21 to 31.12.21	Disposal from 01.10.21 to 31.12.21	Pendency at the end of 31.12.21	
1.	Almora	446	107	112	441	1382	742	745	1379	1820
2.	Bageshwar	184	51	45	190	551	337	306	582	772
3.	Chamoli	338	109	96	351	1075	570	684	961	1312
4.	Champawat	280	47	81	246	1867	1165	1211	1821	2067
5.	Dehradun	12201	2895	3344	11752	92104	19099	15636	95567	107319
6.	Haridwar	11956	1629	1647	11938	62214	16983	16182	63015	74953
7.	Nainital	2766	573	467	2872	21652	5073	5308	21417	24289
8.	Pauri Garhwal	1143	246	242	1147	4799	1342	1133	5008	6155
9.	Pithoragarh	546	95	119	522	2066	771	899	1938	2460
10.	Rudraprayag	126	57	78	105	597	694	678	613	718
11.	Tehri Garhwal	464	119	112	471	3130	1093	1409	2814	3285
12.	Udham Singh Nagar	5739	1101	1066	5774	52838	6917	6302	53453	59227
13.	Uttarkashi	552	320	207	665	1964	1450	1252	2162	2827
	<b>Total</b>	<b>36741</b>	<b>7349</b>	<b>7616</b>	<b>36474</b>	<b>246239</b>	<b>56236</b>	<b>51745</b>	<b>250730</b>	<b>287204</b>

\*\*\*\*\*

**FAMILY COURTS**  
**(From 01.10.2021 to 31.12.2021)**

Sl. No	Name of the Family Court	Civil Cases				Criminal Cases				Total Pendency at the end of 31.12.2021
		Opening Balance as on 01.10.21	Institution from 01.10.21 to 31.12.21	Disposal from 01.10.21 to 30.12.21	Pendency at the end of 31.12.21	Opening Balance as on 01.10.21	Institution from 01.10.21 to 31.12.21	Disposal from 01.10.21 to 31.12.21	Pendency at the end of 31.12.2021	
1.	Almora	130	49	54	125	134	30	32	132	257
2.	Dehradun (Pr. J.F.C)	829	450	563	716	296	168	212	252	968
3.	Dehradun (J.F.C)	550	174	148	576	424	121	73	472	1048
4.	Dehradun (Addl.J.F.C)	606	39	80	565	582	26	95	513	1078
5.	Rishikesh	390	63	129	324	330	32	103	259	583
6.	Vikasnagar	200	57	36	221	288	45	28	305	526
7.	Nainital	271	71	95	247	403	47	91	359	606
8.	Haldwani	599	113	146	566	956	111	168	899	1465
9.	Haridwar	1084	195	188	1091	1231	177	135	1273	2364
10	Roorkee	1147	183	241	1089	1238	149	121	1266	2355
11	Laksar	141	89	93	137	198	54	61	191	328
12	Kotdwar	233	70	63	240	386	81	66	401	641
13	Pauri Garhwal	106	30	40	96	102	43	59	86	182
14	Tehri Garhwal	109	38	59	88	62	19	19	62	150
15	Rudrapur-1 U.S.Nagar	530	116	159	487	547	80	92	535	1022
16	Rudrapur-2 U.S.Nagar	178	39	28	189	170	17	22	165	354
17	Kashipur	721	150	167	704	629	91	96	624	1328
18	Khatima	298	52	1	349	358	38	3	393	742
	<b>Total</b>	<b>8122</b>	<b>1978</b>	<b>2290</b>	<b>7810</b>	<b>8334</b>	<b>1329</b>	<b>1476</b>	<b>8187</b>	<b>15997</b>

**TRANSFER OF THE JUDICIAL OFFICERS**

<b>Sl. No.</b>	<b>Name &amp; Designation of the Officer</b>	<b>Place of Transfer</b>	<b>Date of Order</b>
<b>1.</b>	Sri Dharmendra Shah, Judicial Magistrate, Kotdwar, District Pauri Garhwal	Judicial Magistrate, Tanakpur, District Champawat.	22.10.2021

\*\*\*\*\*

**NOTIFICATIONS OF HIGH COURT OF UTTARAKHAND, AT**  
**NAINITAL**  
**FOR THE PERIOD OCTOBER 2021 TO DECEMBER 2021**

**No. 339/UHC/Admin.A/2021**

**Dated: Oct. 08, 2021**

In exercise of powers conferred U/s 11(3) of the Code of Criminal Procedure 1973, following Judicial Officers of the rank of Civil Judge (Jr. Div.) Batch-2018 are conferred with the powers of Judicial Magistrate 1<sup>st</sup> Class to exercise these powers within the districts where they remain posted:

<b>S.No.</b>	<b>Name of the Officer</b>	<b>S.No.</b>	<b>Name of the Officer</b>
<b>1.</b>	Ms. Jasmeet Kaur	<b>15.</b>	Shri Chetan Singh Gautam
<b>2.</b>	Ms. Ruchika Goel	<b>16.</b>	Shri Shreya Gupta
<b>3.</b>	Shri Kartikeya Joshi	<b>17.</b>	Ms. Avantika Singh Chaudhary
<b>4.</b>	Ms. Suman Bhandari	<b>18.</b>	Ms. Ruchika Narula
<b>5.</b>	Ms. Sanchi Agrawal	<b>19.</b>	Ms. Nandita Kala
<b>6.</b>	Shri Prateek Mathela	<b>20.</b>	Ms. Akmal
<b>7.</b>	Shri Vinit Kumar Srivastava	<b>21.</b>	Shri Vishal Goyal
<b>8.</b>	Ms. Deepti Pant	<b>22.</b>	Shri Vikas Kumar
<b>9.</b>	Shri Mohit Mahesh	<b>23.</b>	Ms. Jainab
<b>10.</b>	Shri Anurag Tripathi	<b>24.</b>	Shri Vivek Sharma
<b>11.</b>	Ms. Shubhangi Gupta	<b>25.</b>	Shri Shiv Singh
<b>12.</b>	Shri Ashish Tiwari	<b>26.</b>	Shri Rohit Kumar Pandey
<b>13.</b>	Ms. Pratiksha Kesarwani	<b>27.</b>	Ms. Upadhi Singhal
<b>14.</b>	Shri Ravi Arora	<b>28.</b>	Shri Prateek Kapil

**By Order of the Court**

**No. 340/UHC/Admin.A/2021****Dated: Oct.08, 2021.**

In exercise of powers conferred by Sub Section (2) of Section 19 of the Bengal, Agra and Assam Civil Courts Act, 1887 (Act No. XII of 1887) [also applicable to the State of Uttarakhand] read with Government of Uttarakhand Notification No. 420-Ek (1)/XXXVI (1)/Nyay Anubhag/2005 dated 07.11.2005, the High Court is pleased to direct that following 28 officers of Civil Judge (Jr. Div.) Batch-2018, posted in the State of Uttarakhand, shall have jurisdiction to try Civil Suits of pecuniary value not exceeding Rs. 1.00 Lac.

<b>S.No.</b>	<b>Name of the Officer</b>	<b>S.No.</b>	<b>Name of the Officer</b>
1.	Ms. Jasmeet Kaur	15.	Shri Chetan Singh Gautam
2.	Ms. Ruchika Goel	16.	Shri Shrey Gupta
3.	Shri Kartikeya Joshi	17.	Ms. Avantika Singh Chaudhary
4.	Ms. Suman Bhandari	18.	Ms. Ruchika Narula
5.	Ms. Sanchi Agrawal	19.	Ms. Nandita Kala
6.	Shri Prateek Mathela	20.	Ms. Akmal
7.	Shri Vinit Kumar Srivastava	21.	Shri Vishal Goyal
8.	Ms. Deepti Pant	22.	Shri Vikas Kumar
9.	Shri Mohit Mahesh	23.	Ms. Jainab
10.	Shri Anurag Tripathi	24.	Shri Vivek Sharma
11.	Ms. Shubhangi Gupta	25.	Shri Shiv Singh
12.	Shri Ashish Tiwari	26.	Shri Rohit Kumar Pandey
13.	Ms. Pratiksha Kesarwani	27.	Ms. Upadhi Singhal
14.	Shri Ravi Arora	28.	Shri Prateek Kapil

**By Order of the Court**

**No.341/UHC /Admin.A/2021****Dated: Nainital: 11<sup>th</sup> October, 2021**

Hon'ble Shri Justice Sanjaya Kumar Mishra, Judge of the Orissa High Court has assumed charge of the office of Judge of the High Court of Uttarakhand, Nainital on 11.10.2021 at 11:50 A.M. pursuant to Notification No. K.11019/39/2021-US.I/II (iii) dated 05.10.2021 issued by Government of India, Ministry of Law and Justice, Department of Justice (Appointments Division), Jaisalmer House, 26, Man Singh Road, New Delhi.

**Registrar General****No. 344/UHC/Admin.A/2021****Dated: October 20, 2021.**

In exercise of the powers conferred by Article 227 of the Constitution of India, High Court of Uttarakhand with the approval of the Governor, hereby makes the following Rules for regulating the procedure and practice in the Criminal Courts, subordinate to the High Court:-

**THE UTTARAKHAND CRIMINAL COURTS  
PROCEDURE AND PRACTICE RULES, 2021  
PART I : PRELIMINARY**

1. **Short title, extent and commencement-** (1) These rules shall be called The Uttarakhand Criminal Courts Procedure and Practice Rules, 2021.
- (2) These rules shall apply to all proceedings and matters in all Criminal Courts subordinate to the High Court.
- (3) They shall come into force at once.
2. **Interpretation-** (1) In these rules, unless the context otherwise requires-
  - (a) 'Code' means the Code of Criminal Procedure, 1973.



- (b) 'Court' means any Criminal Court established under the Code, any special law or any local law, time being in force.
- (c) 'Existing rules' mean all rules, including the General Rules (Criminal), 1977 regulating the procedure and practice in the Courts.
- (d) 'High Court' means the High Court of Uttarakhand.
- (e) 'Presiding Officer' means Presiding Officer of the Court.
- (f) 'Rules' mean the Uttarakhand Criminal Courts Procedure and Practice Rules, 2021
- (g) 'Sessions case' means a case triable by Court of Sessions.
- (2) Words and expressions used in these rules and not defined, but defined in the Code, shall have the meanings respectively assigned to them in that Code.

### **PART II : SUPPLY OF DOCUMENTS**

- 3. Every Accused shall be supplied with statements of witness recorded under Sections 161 and 164 of the Code and a list of documents, material objects and exhibits seized during investigation and relied upon by the Investigating Officer (I.O) in accordance with Sections 207 and 208 of the Code.

*Explanation: The list of statements, documents, material objects and exhibits shall specify statements, documents, material objects and exhibits that are not relied upon by the Investigating Officer.*

### **PART III : CHARGE**

- 4. The order framing charge shall be accompanied by a formal charge in Form 32, Schedule II of the Code to be prepared personally by the Presiding Officer after complete and total application of mind.

**PART IV : TRIAL***CHAPTER 1  
RECORDING OF EVIDENCE :PROCEDURE*

5. The depositions of witnesses shall be recorded, in typed format, if possible. The record of evidence shall be prepared on computers, if available, in the Court on the dictation of the Presiding Officer :

Provided that in case the language of deposition is to be recorded in a language other than English or the language of the State, the Presiding Officer shall simultaneously translate the deposition either himself or through a competent translator into English.

6. The deposition shall be recorded in the language of the witness and in English when translated as provided in rule 5.
7. The depositions shall without exception be read over by the Presiding Officer in Court. Hard copy of the testimony so recorded duly signed to be a true copy by the Presiding Officer or the Reader of the Court, shall be made available free of cost against receipt to the accused or the advocate representing the accused, to the witness and the prosecutor on the date of recording.
8. A translator shall be made available in each Court and Presiding Officers shall be trained in the local languages, on the request of the Presiding Officer.
9. The Presiding Officers shall not record evidence in more than one case at the same time.

## CHAPTER 2

### RECORDING OF EVIDENCE : FORMAT OF WITNESSES

10. The deposition of each witness shall be recorded dividing it into separate paragraphs assigning paragraph numbers.
11. Prosecution witnesses shall be numbered as PW-1, PW-2 etc, in *seriatim*. Similarly, defence witnesses shall be numbered as DW-1, DW-2, etc., in *seriatim*. The Court witnesses shall be numbered as CW-1, CW-2, etc, in *seriatim*.
12. The record of depositions shall indicate the date of the examination-in-chief, the cross examination and re-examination.
13. The Presiding Officers, shall, wherever necessary, record the deposition in question and answer format.
14. Objections by either the prosecution or the defence counsel shall be taken note of and reflected in the evidence and decided immediately, in accordance with law, or, at the discretion of the Presiding Officer, at the end of the deposition of the witness in question.
15. The name and number of the witness shall be clearly stated on any subsequent date, if the evidence is not concluded on the date on which it begins.

## CHAPTER 3

### EXHIBITING OF MATERIAL OBJECTS AND EVIDENCE

16. Prosecution exhibits shall be marked as Exhibit P-1, P-2 etc in *seriatim*. Similarly, defence Exhibits shall be marked as Exhibit D-1, D-2, etc in *seriatim*. The Court exhibit shall be marked as Exhibit C-1, C-2, etc in *seriatim*.

17. To easily locate the witness through whom the document was first introduced in evidence, the exhibit number shall further show the witness number of such witness after the Exhibit number. If an exhibit is marked without proper proof, the same shall be indicated by showing in brackets (subject to proof).

*Explanation: If Prosecution witness No. 1 (PW1) introduces a document in evidence, that document shall be marked as Exhibit P-1/PW1. If proper proof is not offered for that document at the time when it is marked, it shall be marked as Exhibit P-1/PW1 (subject to proof). The Second document introduced by PW1 will be Exhibit P-2/PW1.*

18. The Material objects shall be marked in *seriatim* as MO-1, MO-2 etc.

**CHAPTER 4**  
**SUBSEQUENT REFERENCES TO ACCUSED, WITNESS, EXHIBITS AND MATERIAL OBJECTS**

19. After framing of charges, the accused shall be referred to only by their ranks in the array of accused in the charge and not by their names or other references except at the stage of identification by the witness.
20. After recording the deposition of witnesses, marking of the exhibits and material objects, while recording deposition of other witnesses, the witnesses, exhibits and material objects shall be referred by their numbers and not by names or other references.
21. Where witness cited in the complaint or police report are not examined, they shall be referred to by their names and the numbers allotted to them in the complaint or police report.

**CHAPTER 5**  
**REFERENCES TO STATEMENTS UNDER SECTION 161 AND 164 OF THE CODE**

22. During cross examination, the relevant portion of the statements recorded under Section 161 of the Code used for contradicting the respective witness shall be extracted. If it is not possible to extract the relevant part as aforesaid, the Presiding Officer, in his discretion, shall indicate specifically the opening and closing words of such relevant portion, while recording the deposition, through distinct marking.
23. In such cases, where the relevant portion is not extracted, the portions only shall be distinctly marked as prosecution or defence exhibit as the case may be, so that other inadmissible portions of the evidence are not part of the record.
24. In cases, where the relevant portion is not extracted, the admissible portion shall be distinctly marked as prosecution or defence exhibit as the case may be.
25. The aforesaid rule applicable to recording of the statements under Section 161 shall *mutatis mutandis* apply to statements recorded under Section 164 of the Code, whenever such portions of prior statements of living persons are used for contradiction/corroboration.
26. Omnibus marking of the entire statement Under Section 161 and 164 of the Code shall not be done.

#### CHAPTER 6

##### MARKING OF CONFESSIONAL STATEMENTS

27. The Presiding Officers shall ensure that only admissible portion of Section 8 or Section 27 Indian Evidence Act, 1872 is marked and such portion alone is extracted on a separate sheet and marked and given an exhibit number.

**PART V : THE JUDGMENT**

28. Every judgement shall contain the following
- (A) Start with a preface showing the names of parties as per FORM A to the Rules.
  - (B) A tabular statement as per FORM B to the Rules.
  - (C) An appendix giving the list of prosecution witnesses, defence witnesses, Court witnesses, Prosecution Exhibits, Defence Exhibits and Court Exhibits and Material Objects as per FORM C to the Rules.
29. In compliance with Section 354 and 355 of the Code, in all cases, the judgments shall contain:
- (A) the point or points for determination,
  - (B) the decision thereon, and
  - (C) the reasons for the decision
30. In case of conviction, the judgment shall separately indicate the offence involved and the sentence awarded. In case there are multiple accused, each of them shall be dealt with separately. In case of acquittal and if the accused is in confinement, a direction shall be given to set the accused at liberty, unless such accused is in custody in any other case.
31. In the judgment, the accused, witnesses, exhibits and material objects shall be referred to by their nomenclature or number and not only by their names or otherwise. Wherever, there is a need to refer to the accused or witnesses by their name, the number shall be indicated within brackets.
32. The judgment shall be written in paragraphs and each paragraph shall be numbered in *seriatim*. The Presiding Officers, may, in their discretion, organize the judgment into different sections.

**PART VI : BAIL**

33. The application for bail in non-bailable cases must ordinarily be disposed of within a period of 3 to 7 days from the date of first hearing. If the application is not disposed of within such period, the Presiding Officer shall furnish reasons thereof in the order itself. Copy of the order and the reply to the bail application or status report (by the police or prosecution) if any, shall be furnished to the accused and to the accused on the date of pronouncement of the order itself.
34. The Presiding Officer may, in an appropriate case in its discretion insist on a statement to be filed by the prosecutor in charge of the case.

**PART VII : DIRECTIONS FOR EXPEDITIOUS TRIAL**

35. In every enquiry or trial, the proceedings shall be held as expeditiously as possible, and, in particular, when the examination of witnesses has once begun, the same shall be continued from day to day until all the witnesses in attendance have been examined, unless the court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded.

***Note: Please see sub-section (1) of Section 309 of the Code.***

36. For the aforesaid purpose, at the commencement, and immediately after framing charge, the court shall hold a scheduling hearing, to ascertain and fix consecutive dates for recording of evidence, regard being had to whether the witnesses are material, or eye witnesses, or formal witnesses or are experts.
37. The court then shall draw up a schedule indicating the consecutive dates, when witnesses would be examined; it is open to schedule recording of a set of witnesses depositions on one date, and on the next date, other sets, and so on. The court shall also, before commencement of trial,

ascertain if the parties wish to carry out admission of any document under Section 294, and permit them to do so, after which such consecutive dates for trial shall be fixed.

38. After the commencement of the trial, if the court finds it necessary or advisable to postpone the commencement of, or adjourn, any inquiry or trial, it may, from time to time, for reasons to be recorded postpone or adjourn the same on such terms as it thinks fit, for such time as it considers reasonable. If witnesses are in attendance, no adjournment or postponement shall be granted, without examining them, except for special reasons to be recorded, in writing.

**Note: Please see sub-section (2) of Section 309 of the Code.**

39. Sessions cases may be given precedence over all other work and no other work should be taken up on sessions days until the sessions work for the day is completed. A Sessions case once posted should not be postponed unless that is unavoidable, and once the trial has begun, it should proceed continuously from day to day till it is completed. If for any reason, a case has to be adjourned or postponed, intimation should be given forthwith to both sides and immediate steps be taken to stop the witnesses and secure their presence on the adjourned date.

#### **PART VIII: AMENDMENTS IN EXISTING RULES**

40. All existing rules, notifications, orders, practice and directions on the subject, which are covered under these rules, shall stand amended to the extent that these rules shall only apply.
41. All existing rules, notifications, orders, practice and directions on the subject, which are not covered under these rules shall remain unaffected and shall continue apply.



**FORM A**

IN THE COURT OF .....

Present: ..... Sessions Judge

[Date of the Judgement]

[Case No...../20...]

(Details of FIR/Crime and Police Station)

Complainant	STATE OF.....  OR  NAME OF THE COMPLAINANT
REPRESENTED BY	NAME OF THE ADVOCATE
ACCUSED	1. NAME WITH ALL PARTICULARS (A1)  2. NAME WITH ALL PARTICULARS (A2)
REPRESENTED BY	NAME OF THE ADVOCATES

**FORM B**

Date of Offence	
Date of FIR	
Date of Chargesheet	
Date of Framing of Charges	
Date of commencement of evidence	
Date on which judgment is reserved	
Date of the Judgment	
Date of the Sentencing Order, if any	

**Accused Details:**

Rank of the Accused	Name of Accused	Date of Arrest	Date of Release on Bail	Offences charged with	Whether Acquitted or convicted	Sentence Imposed	Period of Detention Undergone during Trial for purpose of section 428 of Cr.PC

**FORM C****LIST OF PROSECUTION/DEFENCE/COURT WITNESSES****A. Prosecution**

<b>RANK</b>	<b>NAME</b>	<b>NATURE OF EVIDENCE</b> (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW1		
PW2		

**B. Defence Witnesses, if any:**

<b>RANK</b>	<b>NAME</b>	<b>NATURE OF EVIDENCE</b> (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
DW1		
DW2		

**C. Court Witnesses, if any:**

<b>RANK</b>	<b>NAME</b>	<b>NATURE OF EVIDENCE</b> (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
CW1		
CW2		

**LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS****A. Prosecution:**

SL. No	Exhibit Number	Description
1	Exhibit P-1/PW1	
2	Exhibit P-2/PW2	

**B. Defence:**

SL. No	Exhibit Number	Description
1	Exhibit D-1/DW1	
2	Exhibit D-2/DW2	

**C. Court Exhibits**

SL. No	Exhibit Number	Description
1	Exhibit C-1/CW1	
2	Exhibit C-2/CW2	

**D. Material Objects:**

SL. No	Material Object Number	Description
1	MO1	
2	MO2	

**Registrar General**

**No. 347/UHC/Admin.A/2021****Dated: October 23, 2021**

In exercise of the powers conferred by clause (2) of Article 229 of the Constitution of India, and all other powers enabling in that behalf, Hon'ble the Chief Justice is pleased to make the following amendments in the Allahabad High Court Officers and Staff (Conditions of Service and Conduct) Rules, 1976, (as applicable to High Court of Uttarakhand), and hereinafter referred to as the 'Principal Rules':-

**The Allahabad High Court Officers and Staff (Conditions of Service and Conduct) (as applicable to High Court of Uttarakhand) (Amendment) Rules, 2021**

1. (1) These Rules may be called the Allahabad High Court Officers and Staff (Conditions of Service and Conduct) (as applicable to High Court of Uttarakhand) (Amendment) Rules, 2021.
- (2) They shall come into force at once.
2. After Rule 22 in the Principal Rules, Rule 22A shall be inserted, as follows:-

**22A. Relaxation in Qualifying Service**

(1) *Where, for promotion to a post under these rules, prescribed length of service in feeding cadre is eligibility and sufficient candidates having such eligibility are not available for the promotion, Chief Justice may relax the eligibility for such length of service, as it deems fit.*

(2) *The relaxation under sub-rule (1), may also be given, where an aggregate prescribed length of service is the eligibility.*

(3) *Where for promotion under these rules, marks are awarded on the basis of entries in annual confidential reports for prescribed service years, and after the relaxation, such years of a person fall short of the prescribed years, the marks awarded shall be apportioned, as if, they are for the prescribed service years.*

3. After Rule 22A in the Principal Rules, Rule 22B shall be inserted as follows:

**22B. Ad-hoc Promotions**

*(1) Where for promotion under these Rules, eligible candidates are available, and for exigencies of work, the post can not be left vacant till the regular promotions are made, such post may be filled by Ad-hoc promotion amongst the eligible candidates.*

*(2) The Ad-hoc promotion under sub-rule (1) shall in no case be treated as regular promotion on the post concerned.*

*(3) Notwithstanding that pay and allowances of the post held on the Ad-hoc promotion are made admissible, but the service rendered on such post, shall not be counted for the purposes of seniority, future promotions or other like service benefits.*

*(4) Unless procedure for Ad-hoc promotions under this rule is made by Chief Justice, the promotions shall be in accordance with the seniority of eligible candidates in their respective feeding cadre, and by the authority, which is competent to make the regular promotions.*

**By Order of the Court**

**No. 348/UHC/Admin.A/2021**

**Dated: October 23, 2021**

In exercise of the powers conferred by clause (2) of Article 229 of the Constitution of India, and all other powers enabling in that behalf, Hon'ble the Chief Justice is pleased to make the following amendments in the High Court of Uttarakhand Information Technology (I.T.) Cadre Service Rules, 2019, hereinafter referred to as the 'Principal Rules':-

**The High Court of Uttarakhand Information Technology (I.T.) Cadre Service  
(Amendment) Rules, 2021**

1. (1) These Rules may be called the High Court of Uttarakhand Information Technology (I.T.) Cadre Service (Amendment) Rules, 2021.
- (2) They shall come into force at once.

2. After Rule 13 in the Principal Rules, Rule 13A shall be inserted, as follows:-

**13A. Ad-hoc Promotions**

(1) Where for promotion under these Rules, eligible candidates are available, and for exigencies of work, the post can not be left vacant till the regular promotions are made, such post may be filled by Ad-hoc promotion amongst the eligible candidates.

(2) The Ad-hoc promotion under sub-rule (1) shall in no case be treated as regular promotion on the post concerned.

(3) Notwithstanding that pay and allowances of the post held on the Ad-hoc promotion are made admissible, but the service rendered on such post, shall not be counted for the purposes of seniority, future promotions or other like service benefits.

(4) Unless procedure for the Ad-hoc promotions under this rule is made by the Chief Justice, the promotions shall be in accordance with the seniority of eligible candidates in their respective feeding cadre, and by the authority, which is competent to make the regular promotions.

**By Order of the Court**

**No. 350/UHC/Admin.A/2021**

**Dated: October 23, 2021**

In exercise of its powers conferred under Article 225 and 227 of the Constitution of India, the High Court of Uttarakhand, with the approval of the Government of Uttarakhand, hereby makes the following Rules for the purpose of amendments in the High Court of Uttarakhand Video Conferencing Rules, 2020 (hereinafter called 'the Principal Rules') :-

**The High Court of Uttarakhand Video Conferencing**  
**(Amendment) Rules, 2021**

1. (1) These Rules may be called the High Court of Uttarakhand

Video Conferencing (Amendment) Rules, 2021.

(2) They shall come into force at once.

2. **Amendment in Rule 2(ix)**- In Rule 2 (ix) of the Principal Rules, after the words 'through a video link', a *comma*, and thereafter, the words '*and shall include a Mobile Court Unit operating from a vehicle, which is authorized by the High Court, and is equipped with hardware and internet facilities for video conferencing*' shall be added.

3. **Amendment in sub-rule 5.6.3**- In sub-rule 5.6.3 of the Principal Rules, after the words 'video conference room', the words '*or the remote point, or the Mobile Court Unit, and such place where the Court may authorize the conduct of video conferencing under the provisions of sub-rule 8.9*' shall be inserted.

**By order of the Court**

**No. 357/UHC/Admin.A/2021**

**Dated: November 09, 2021.**

In exercise of the powers conferred by clause (2) of Article 229 of the Constitution of India, and all other powers enabling in that behalf, Hon'ble the Chief Justice is pleased to make the following amendments in the Allahabad High Court Officers and Staff (Conditions of Service and Conduct) Rules, 1976 (as applicable to High Court of Uttarakhand), and hereinafter referred to as the 'Principal Rules':-



**The Allahabad High Court Officers and Staff (Conditions of Service and Conduct) (as applicable to High Court of Uttarakhand) (Second Amendment) Rules, 2021**

1. (1) These Rules may be called the Allahabad High Court Officers and Staff (Conditions of Service and Conduct)(as applicable to High Court of Uttarakhand) (Second Amendment) Rules, 2021.  
(2) They shall come into force at once.
2. In Rule 8 (a) in the Principal Rules, for the words '*PBX Operators*', words '*Public Relation Assistants*' shall be substituted.
3. In Rule 8 (a) in the Principal Rules, for the words as mentioned in Column-A below, the words as mentioned in the Column-B shall be substituted:-

<b>Column A</b>	<b>Column B</b>
By direct recruitment through competitive examination conducted by the appointing authority	<p>(i) By promotion amongst the eligible Class-IV employees of the establishment of the High Court, who are graduate, and have completed five years of continuous regular service.</p> <p style="text-align: center;">Or</p> <p>By direct recruitment at the discretion of the Chief Justice, for which the candidate must be graduate, with basic knowledge of computer applications and inter-personal communication skills.</p>

(ii) For the promotions, applications from such number of eligible Class-IV employees, in accordance with their seniority in the Class-IV Cadre shall be invited, as fixed by the Chief Justice.

(iii) The promotion shall be made on the basis of merit-cum-seniority of the candidates, assessed by a Committee on the basis of appraisal of service records, assessment of basic knowledge of computer applications and inter-personal communication skills. The Committee shall be constituted by the Chief Justice.

(iv) For appraisal of service records, entries in Annual Confidential Reports of the last five years shall be assessed, and marks shall be given in the following manner:-

Outstanding- 5 marks

Very Good - 4 marks

Good - 3 marks

Poor/Adverse- 0 marks

(Total marks of service record-25 marks)

(v) Basic knowledge of computer applications shall be assessed by written and practical test, which shall carry maximum of 35 Marks.

(vi) Inter-personal communication skills shall be assessed by an interview, which shall carry maximum of 40 Marks.

	(vii) The promotion to the post of Public Relation Assistants shall be made as per merit of the candidates, in order of aggregate marks obtained in appraisal of service records, assessment of basic knowledge of computer applications and inter-personal communication skills.
--	---

4. In Rule 8 (b) in the Principal Rules, for the words as mentioned in Column-A below, the words as mentioned in the Column-B shall be substituted:-

<b>Column A</b>	<b>Column B</b>
(iii) 5% of the posts shall be filled up by promotion from amongst PBS Operators, who are graduate and completed five years of continuous service, on the basis of seniority-cum-suitability.	(iii) 5% of the posts shall be filled up by promotion on the basis of seniority-cum-suitability, amongst the Public Relation Assistants, who are graduates and have completed five years of continuous service as such.

5. Rule 9 (i) (a) and Rule 9 (c) of the Principal Rules shall be deleted.

**By Order of Hon'ble the Chief Justice**

**No.364/UHC/Admin.A/2021****Dated: November 24<sup>th</sup>, 2021**

In exercise of the powers conferred by Article 225 of the Constitution of India and all the other powers enabling in that behalf, the High Court of Uttarakhand hereby makes the following amendment in the High Court of Uttarakhand Rules, 2020-

<b>Sl. No.</b>	<b>Existing Rule</b>	<b>Amended Rule</b>
1.	48. An Advocate, desirous of out of turn listing of a fresh or pending case for urgent hearing, may make an oral mention before the Bench concerned by way of a Mention Memo, the format of which given in the schedule as 'Format No.5'	<i>48. An Advocate, desirous of out of turn listing of a case for urgent hearing, may file an urgency application for the urgent hearing under Rule-33 of Chapter VIII of the Allahabad High Court Rules, 1952 (as applicable in the Court).</i>
2.	49. No application for urgent hearing will be entertained by the Registry. Such an application, when presented in the Registry, shall be returned to person presenting the same.	<i>49. Where due to extreme urgency, it is not possible for an Advocate to file an urgency application as mentioned in the preceding rule, he may make an oral mention before the Bench concerned by way of a Mention Memo, the format of which is given in the Schedule as Format No. 5.</i>

This amendment shall come into force with immediate effect.

**By Order of the Court**

**CORRIGENDUM**

**No. 365/UHC/Admin. A (Recruitment Cell)/2021, Dated: 24 November, 2021.**

In compliance of the resolution dated 22.11.2021 of Hon'ble the Full Court, 02 more vacancies have been determined in the cadre of Higher Judicial Services for recruitment through promotion from the cadre of Civil Judge (Senior Division), on the principle of 'Merit-cum-Seniority' for the recruitment Year 2021. Thus, the resultant vacancies in Higher Judicial Service cadre, at Sr.i of the earlier Notification No. 33/UHC/Admin.A (Recruitment Cele/2021; Dated: 16.03.2021, to be filled from the cadre of Civil Judge (Senior Division) on the principle of merit-cum-seniority for the year 2021 shall be as under:

<b>Sr.</b>	<b>Quota (As per the Rules)</b>	<b>Vacant posts</b>
1.	Promotion from the cadre of Civil Judge (Senior Division) on the principle of merit-cum-seniority (65% of the total cadre strength).	07

**Registrar General**

**No.380/UHC/Admin.A/2021****Dated: Dec.18, 2021**

Shri Kanwar Amninder Singh, the then 1<sup>st</sup> Additional District & Sessions Judge, Haridwar, who was placed under suspension vide Office-Memorandum No. 10/UHC/Admin.A/2018 dated 22.04.2018 and now has been reinstated vide Office Memorandum No. 90/UHC/Admin.A/2021 dated 18.12.2021, is hereby posted as Additional District & Sessions Judge, Rudraprayag in the vacant Court with immediate effect.

**By Order of the Court****No. 381/UHC/Admin.A/2021****Dated: December 18, 2021.**

In exercise of the powers conferred by clause (2) of Article 229 of the Constitution of India, and all other powers enabling in that behalf, Hon'ble the Chief Justice is pleased to make the following amendments in the Allahabad High Court Officers and Staff (Conditions of Service and Conduct) Rules, 1976 (as applicable to High Court of Uttarakhand), and hereinafter referred to as the 'Principal Rules':-

**The Allahabad High Court Officers and Staff (Conditions of Service and Conduct) (as applicable to High Court of Uttarakhand)**

**(Third Amendment) Rules, 2021**

1. (1) These Rules may be called the Allahabad High Court Officers and Staff (Conditions of Service and Conduct) (as applicable to High Court of Uttarakhand) (Third Amendment) Rules, 2021.
- (2) They shall come into force at once.

2. After rule 22A in the Principal Rules, an explanation shall be inserted, as follows:-

”*Explanation-* The word “promotion” under this rule shall include selection through competitive examination under rule 8(e) of these Rules.”

**By Order of Hon’ble the Chief Justice**

**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:-

<b>Rule</b>	<b>Existing Rule</b>	<b>Amended Rule</b>
<b>Short title</b>	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.	<p>(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.</p>	<p>(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.</p>
6	<p>(a) The Vigilance Cell shall comprise of two Sections as mentioned below.</p> <p><b>Administrative Section:</b> It shall comprise of the following:-</p> <ol style="list-style-type: none"> <li>(1) One Assistant Registrar</li> <li>(2) One Section Officer</li> <li>(3) One Assistant Review Officer</li> <li>(4) Stenographer (English)</li> <li>(5) Stenographer (Hindi)</li> <li>(6) One Peon</li> </ol> <p><b>Investigation Section:-</b> It shall comprise of the following:-</p> <ol style="list-style-type: none"> <li>(1) One Vigilance Officer (of SSP/SP level, on deputation from police department, having minimum 8 years of service, preferably with experience</li> </ol>	<p>The Vigilance Cell shall comprise of two Sections as mentioned below.</p> <p><b>Administrative Section:</b> It shall comprise of the following:-</p> <ol style="list-style-type: none"> <li>(1) One Assistant Registrar</li> <li>(2) One Section Officer</li> <li>(3) One Assistant Review Officer</li> <li>(4) Stenographer (English)</li> <li>(5) Stenographer (Hindi)</li> <li>(6) One Peon</li> </ol> <p><b>Investigation Section:-</b> 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>



in vigilance/anti-corruption work/CID.

(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.

(3) Three Inspectors of Police having minimum 15 years of service, preferably with experience in Vigilance/anti-corruption work/CID.

(4) Three Head Constables having minimum 10 years of service.

(5) Six Constables with minimum 5 years of service.

**(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.

**(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

	<p>Chief 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>	
9	<p><b>(ii)</b> 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><b>(iii)</b> Further action on the complaint shall be taken on the directions of Hon'ble the Chief Justice.</p> <p><b>(iv)</b> 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</p>	<p><b>(ii)</b> 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><b>(iii)</b> 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</p>

<p>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 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>on the compliant 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 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>(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 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</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>
--	---

	<p>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>	
--	--	--

These amendments will come into force with immediate effect.

**By order of the Court,**

\*\*\*\*\*

## CIRCULARS

From

Registrar General,  
High Court of Uttarakhand,  
Nainital

To

1. All the District Judges, Subordinate to High Court of Uttarakhand.
2. Principal Judge/Judges, Family Courts, Subordinate to High Court of Uttarakhand.
3. Principal Secretary, Legislative & Parliamentary Affairs, Government of Uttarakhand, Dehradun.
4. Principal Secretary, Law-cum-L.R., Government of Uttarakhand, Dehradun.
5. Chairman, Commercial Tax Tribunal, F-6, Nehru Colony, Haridwar Road, Dehradun.
6. Chairman, State Transport Appellate Tribunal, House of Doctor Poonam Gambhir, Vaidik Kaya Ayurvedic Center, I<sup>st</sup> Floor, House No. 85/1, Laxmi Road, (Near Favvara Chauk), Dehradun.
7. Director, Uttarakhand Judicial and Legal Academy, Bhowali, District Nainital.
8. Legal Advisor to Hon'ble the Governor, Rajbhawan, Dehradun.
9. Secretary, Lokayukt, 3/3, Industrial Area, Patel Nagar, Dehradun.
10. Registrar, State Consumer Disputes Redressal Commission, House No. 23/16, Circular Road, Dalanwala, Dehradun, 248001.
11. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
12. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, District Udham Singh Nagar.
13. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, District Nainital.
14. Presiding Officer, Food Safety Appellate Tribunal, Dehradun and Haldwani, District Nainital.
15. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
16. Secretary-cum-Registrar, State Level Police Complaint Authority, Dehradun.
17. Chairman, Permanent Lok Adalat, Dehradun, Haridwar, Nainital and Udham Singh Nagar.
18. Legal Advisor to Uttarakhand Public Service Commission, Haridwar.
19. Deputy Director (Law), Competition Commission of India, 9<sup>th</sup> Floor, Office Block-1, Kidwai Nagar (East), New Delhi-110023.

**C.L. No. 12 /UHC/XVII-01/D.R.(I)/2015**

**Dated: October 4<sup>th</sup>, 2021**

**Sub: Utilization of the Allotted Budget and Timely Clearance of the Bills.**

Sir/Madam,

On the subject, I am directed to invite kind attention of all the District Judge, and other concerned towards the C.L. No. 01/UHC/XVII/DR(I)/2015 Dated 01.07.2015 of the Hon'ble Court,

wherein directions are given that the Claim Bills preferred by the officers and staff be cleared without delay.

2. In the matter, I am directed to say that the aforesaid directions of the Hon'ble Court are not being strictly complied with, resulting into situations that Bills are not cleared and kept pending and the budget allotted in the appropriate head is surrendered at the end of the financial year.

3. In this regard a serious note has been taken by the Hon'ble Court. Therefore, for the timely clearance of the Bills, and for the proper utilization of the allotted Budget, the Hon'ble Court is pleased to direct all the concerned that directions issued vide the Circular cited under reference be strictly complied with.

4. I am further directed to say that at the end of the financial year, all the District Judges and Principal Judge/Judges, Family Courts while surrendering the budget shall furnish a certificate that no claim Bill preferred by the officers and staff is pending in their respective offices for the payment.

From,

Registrar General,  
High Court of Uttarakhand,  
Nainital.

To,

1. All the District Judges, Subordinate to High Court of Uttarakhand.
2. Principal Judge/ Judges, Family Courts, Subordinate to High Court of Uttarakhand.
3. Principal Secretary, Legislative & Parliamentary Affairs, Government of Uttarakhand, Dehradun.
4. Principal Secretary, Law-cum-L.R., Government of Uttarakhand, Dehradun.
5. Chairman, Commercial Tax Tribunal, F-6, Nehru Colony, Haridwar Road, Dehradun.
6. Chairman, State Transport Appellate Tribunal, House of Doctor Poonam Gambhir, Vaidik Kaya Ayurvedic Centre, Ist Floor, House No.85/1, Laxmi Road, (Near Favvara Chauk), Dehradun.
7. Director, Uttarakhand Judicial and Legal Academy, Bhowali, District Nainital.
8. Legal Advisor to Hon'ble the Governor, Raj Bhawan, Dehradun.

9. Secretary, Lokayukt, 3/3, Industrial Area, Patel Nagar, Dehradun.
10. Registrar, State Consumer Disputes Redressal Commission, H.N. 23/16, Circular Road, Dalanwala, Dehradun.
11. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
12. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, District Udham Singh Nagar.
13. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, District Nainital.
14. Presiding Officer, Food Safety Appellate Tribunal, Dehradun and Haldwani, District Nainital.
15. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
16. Secretary-cum-Registrar, State Level Police Complaint Authority, Dehradun.
17. Chairman, Permanent Lok Adalat, Dehradun, Haridwar, Nainital and Udham Singh Nagar.
18. Legal Advisor to Uttarakhand Public Service Commission, Haridwar.
19. Deputy Director (Law), Competition Commission of India, 9th Floor, Office Block-1, Kidwai Nagar (East), New Delhi-110023.
20. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.

**C.L. No. 13/UHC/Admin.A/2021 Dated: October 11, 2021.**

**Subject: Nomination of Administrative Judge(s).**

Sir/Madam,

In supersession of earlier Circular Letters on the subject noted above, I am directed to inform that Hon'ble the Chief Justice is pleased to nominate the following Hon'ble Judges as the Administrative Judge In-charge of the District(s) shown against their names in the list given below with immediate effect.

- |  |                                 |
|--|---------------------------------|
| 1. Hon'ble Mr. Justice Sanjaya Kumar Mishra  | -Dehradun and Tehri Garhwal.    |
| 2. Hon'ble Mr. Justice Manoj Kumar Tiwari    | -Haridwar and Pithoragarh.      |
| 3. Hon'ble Mr. Justice Sharad Kumar Sharma   | - U.S.Nagar and Bageshwar.      |
| 4. Hon'ble Mr. Justice Narayan Singh Dhanik  | -Nainital and Rudraprayag.      |
| 5. Hon'ble Mr. Justice Ramesh Chandra Khulbe | - Pauri Garhwal and Uttarkashi. |
| 6. Hon'ble Mr. Justice Ravindra Maithani     | -Almora and Champawat.          |
| 7. Hon'ble Mr. Justice Alok Kumar Verma      | -Chamoli.                       |

You are therefore, informed accordingly.



From,

Registrar General,  
High Court of Uttarakhand,  
Nainital

To

1. All the District Judges, Subordinate to High Court of Uttarakhand.
2. Principal Judge/Judges, Family Courts, Subordinate to High Court of Uttarakhand.
3. Principal Secretary, Legislative & Parliamentary Affairs, Government of Uttarakhand, Dehradun.
4. Principal Secretary, Law-cum-L.R., Government of Uttarakhand, Dehradun.
5. Chairman, Commercial Tax Tribunal, F-6, Nehru Colony, Haridwar Road, Dehradun.
6. Chairman, State Transport Appellate Tribunal, House of Doctor Poonam Gambhir, Vaidik Kaya Ayurvedic Center, I st Floor, House No. 85/1, Laxmi Road, (Near Favvara Chauk), Dehradun.
7. Director, Uttarakhand Judicial and Legal Academy, Bhowali, District Nainital.
8. Legal Advisor to Hon'ble the Governor, Rajbhawan, Dehradun.
9. Secretary, Lokayukt, 3/3, Industrial Area, Patel Nagar, Dehradun.
10. Registrar, State Consumer Disputes Redressal Commission, HouseNo.23/16, Circular Road, Dalanwala, Dehradun, 248001.
11. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
12. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, District Udham Singh Nagar.
13. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, District Nainital.
14. Presiding Officer, Food Safety Appellate Tribunal, Dehradun and Haldwani, District Nainital.
15. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
16. Secretary-cum-Registrar, State Level Police Complaint Authority, Dehradun.
17. Chairman, Permanent Lok Adalat, Dehradun, Haridwar, Nainital and Udham Singh Nagar.
18. Legal Advisor to Uttarakhand Public Service Commission, Haridwar.
19. Deputy Director (Law), Competition Commission of India, 9<sup>th</sup> Floor, Office Block-1, Kidwai Nagar (East), New Delhi-110023.

**C.L. No. 14/UHC/Ins/XVII-06/2021****Dated: October 20<sup>th</sup>, 2021****Sub: Timely Payment of Retirement Benefits to Retiring Employees.**

Sir/Madam,

On the aforesaid subject, I am directed to say that all the District Judges will agree that timelines are already prescribed for processing of pension and other retirement benefits cases of the retiring employees. For this purpose, various existing instructions also provide for advance processing of the retirement benefits papers before retirement of an employee.

2. However, in spite of the prescribed timelines and instructions for advance processing of retirement benefits papers, it has come to the notice of the Hon'ble Court that payment of said benefits still gets delayed in some Judgeships. Keeping the retirement benefits matters pending at their end/in their offices by some of the District Judges is one of the reasons for such delays, which has been taken very seriously by the Hon'ble Court.

3. In view of the above, I am directed to say that all the District Judges shall personally monitor progress of payment of retirement benefits to the retiring employees of their respective Judgeship. They shall also ensure that in all cases, amount of final settlement of the GPF, Leave Encashment, GIS is made to the employees without any unnecessary delay.

4. Though the pension papers are processed six months before the due date of the retirement, but due to necessity of issuance of the LPC and online submission of the pension papers, now the PPO is not possible to be issued immediately after the retirement. However, in such cases also issuance of the PPO and payment of the pension is possible within two months from the retirement. For this, District Judges shall ensure that pension papers are processed on priority basis without any delay to ensure that the retired employee gets his pension at the earliest.

5. I am also directed to say that for the aforesaid purpose, all the District Judges shall submit a quarterly certificate to the Hon'ble Court that with respect to the employees retired from their Judgeships in the quarter, payment of all the retirement benefits, including the pension have been made as per the instructions of the Hon'ble Court in this Circular.

6. I am further directed to say that these instructions of the Hon'ble Court are for strict compliance and no deviation of whatsoever will be accepted. I am further directed to say that non-compliance of these instructions, particularly non or delayed processing of retirement benefits papers, and the payment will invite serious action.

7. These orders shall also apply to Principal Judge/Judges of the Family Courts.

From,

Registrar General,  
High Court of Uttarakhand,  
Nainital

To

1. All the District Judges, Subordinate to High Court of Uttarakhand.
2. Principal Judge/Judges, Family Courts, Subordinate to High Court of Uttarakhand.
3. Principal Secretary, Legislative & Parliamentary Affairs, Government of Uttarakhand, Dehradun.
4. Principal Secretary, Law-cum-L.R., Government of Uttarakhand, Dehradun.
5. Chairman, Commercial Tax Tribunal, F-6, Nehru Colony, Haridwar Road, Dehradun.
6. Chairman, State Transport Appellate Tribunal, House of Doctor Poonam Gambhir, Vaidik Kaya Ayurvedic Center, I st Floor, House No. 85/1, Laxmi Road, (Near Favvara Chauk), Dehradun.
7. Director, Uttarakhand Judicial and Legal Academy, Bhowali, District Nainital.
8. Legal Advisor to Hon'ble the Governor, Rajbhawan, Dehradun.
9. Secretary, Lokayukt, 3/3, Industrial Area, Patel Nagar, Dehradun.
10. Registrar, State Consumer Disputes Redressal Commission, House No.23/16, Circular Road, Dalanwala, Dehradun, 248001.
11. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
12. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, District Udham Singh Nagar.
13. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, District Nainital.
14. Presiding Officer, Food Safety Appellate Tribunal, Dehradun and Haldwani, District Nainital.
15. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
16. Secretary-cum-Registrar, State Level Police Complaint Authority, Dehradun.
17. Chairman, Permanent LokAdalat, Dehradun, Haridwar, Nainital and Udham Singh Nagar.
18. Legal Advisor to Uttarakhand Public Service Commission, Haridwar.
19. Deputy Director (Law), Competition Commission of India, 9<sup>th</sup> Floor, Office Block-1, Kidwai Nagar (East), New Delhi-110023.

**C.L. No. 15/UHC/Ins/XVII-05/2021**

**Dated: October 20<sup>th</sup>, 2021**

**Sub: Call on and meeting with other officers on posting in the Station.**

Sir/Madam,

On the subject above, may I invite kind attention of all the judicial officers of the State towards the C.L. No. 56 dated 17.04.1974 of the Hon'ble High Court of Judicature at Allahabad, which with a view to promote good and healthy relations amongst the Judicial Officers, emphasize that they should associate with their brother/sister officers, and make it obligatory for every Officer, newly posted in District to call on and meet officers posted at the station.

2. However, it has come to the knowledge of the Hon'ble Court that the guidelines given in the aforesaid Circular are not being followed by some officers, particularly those who are new in service. I am, therefore, directed to reiterate the instructions given in the said circular for information of the all concerned, and advise all the officers that on their posting in the District, they should call on and meet their brother/sister officers posted at the station.

3. While emphasizing the guidelines given in the Circular quoted under reference, I am further directed to request all the District Judges that as soon as a new officer joins in the District, he/she should also be introduced to all the officers posted at the station by the District Judge in the monthly meeting or in other meeting convened in this regard, and when the officer joins an outlying Court, this practice may also followed at the outlying place by the senior most judicial officer of such Court

4. These orders shall also apply to Principal Judge/Judges of the Family Courts.

From:

Registrar General,  
High Court of Uttarakhand,  
Nainital.

To,

1. All the District & Sessions Judges, Subordinate to High Court of Uttarakhand.
2. Principal Judge, Dehradun/ Judges, Family Courts, State of Uttarakhand.
3. Principal Secretary (Law)-cum-, L.R., Government of Uttarakhand, Dehradun.
4. Principal Secretary, Legislative & Parliamentary Affairs, Government of Uttarakhand, Dehradun.
5. Director, Uttarakhand Judicial & Legal Academy, Bhowali, District Nainital.
6. Chairman, Commercial Tax Tribunal, F-6, Nehru Colony, Haridwar Road, Dehradun.

7. Chairman, State Transport Appellate Tribunal, House of Dr. Poonam Gambhir, Vaidik Kaya Ayurvedic Center, 1<sup>st</sup> Floor, House No. 85/1, Laxmi Road (Near Favvar Chauk), Dehradun.
8. Legal Advisor to Hon'ble the Governor, Rajbhawan, Dehradun.
9. Secretary, Lokayukt, 3/3, Industrial Area, Patel Nagar, Dehradun.
10. Registrar, State Consumer Redressal Commission, House No. 23/16, Circular Road, Dalanwala, Dehradun-248001.
11. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
12. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, District Nainital.
13. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, District Udham Singh Nagar.
14. Presiding Officer, Food Safety Appellate Tribunal, Dehradun and Haldwani (Nainital).
15. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
16. Secretary-cum-Registrar, State Level Police Complaint Authority, Dehradun.
17. Chairman, Permanent Lok Adalat, Dehradun, Haridwar, Nainital and Udham Singh Nagar.
18. Legal Advisor to Public Service Commission, Uttarakhand, Haridwar.
19. Deputy Director (Law), Competition Commission of India, New Delhi

**C.L. No. 16/UHC/Admin.A/2021**

**Dated: Oct .21, 2021.**

**Subject: Policy regarding fooding and lodging charges from the trainee participants of Uttarakhand Judicial & Legal Academy, Bhowali, District Nainital.**

Sir/Madam,

In furtherance of C.L. No. 05/XI-f-1/Admin.A/2015 dated Oct. 28, 2015 on the subject noted above, I am directed to inform that, henceforth, Judicial Officers coming for Induction/Foundation Training programmes at UJALA shall not be charged for fooding and lodging on the condition that they will not draw any D.A. for attending their Induction/Foundation Training programme and this provision will also be applicable for the Judicial Officers of Civil Judge (Jr. Div.) 2019-Batch, presently undergoing Induction/ Foundation Training at the Academy.

Rest provisions of C.L. No. 05/XI-f-1/Admin.A/2015 dated Oct. 28, 2015 shall remain intact.

You are, therefore, requested to inform all concerned.

From:

Registrar General,  
High Court of Uttarakhand,  
Nainital

To,

1. All the District & Sessions Judges, Subordinate to High Court of Uttarakhand.
2. Principal Judge, Family Court, Dehradun/ Judges, Family Courts, State of Uttarakhand.
3. Principal Secretary (Law)-cum-, L.R., Government of Uttarakhand, Dehradun.
4. Principal Secretary, Legislative & Parliamentary Affairs, Government of Uttarakhand, Dehradun.
5. Director, Uttarakhand Judicial & Legal Academy, Bhowali, District Nainital.
6. Chairman, Commercial Tax Tribunal, F-6, Nehru Colony, Haridwar Road, Dehradun.
7. Chairman, State Transport Appellate Tribunal, House of Dr. Poonam Gambhir, Vaidik Kaya Ayurvedic Center, 1st Floor, House No. 85/1, Laxmi Road (Near Favvar Chauk), Dehradun.
8. Legal Advisor to Hon'ble the Governor, Rajbhawan, Dehradun.
9. Secretary, Lokayukt, 3/3, Industrial Area, Patel Nagar, Dehradun.
10. Registrar, State Consumer Redressal Commission, House No. 23/16, Circular Road, Dalanwala, Dehradun-248001.
11. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.
12. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, District Nainital.
13. Presiding Officer, Labour Courts, Dehradun, Haridwar and Kashipur, District Udham Singh Nagar.
14. Presiding Officer, Food Safety Appellate Tribunal, Dehradun and Haldwani (Nainital).
15. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.
16. Secretary-cum-Registrar, State Level Police Complaint Authority, Dehradun.
17. Chairman, Permanent Lok Adalat, Dehradun, Haridwar, Nainital and Udham Singh Nagar.
18. Legal Advisor to Public Service Commission, Uttarakhand, Haridwar.
19. Deputy Director (Law), Competition Commission of India, New Delhi.

C.L. No. 17 /UHC/Admin.A/2021

Dated: December 29 , 2021.

**Subject: Formats of Judgments for Civil and Criminal Side.**

Sir/Madam,

On the subject above, I am directed to enclose herewith formats of judgments for Civil and Criminal side, which are duly approved by the Hon'ble Court for guidance of all the Judicial Officers.

2. In addition to above, I am also directed to convey following directions of the Hon'ble Court for scribing the judgments:-

- (A) On Criminal side, the identity of Rape/POCSO Act victim should not be disclosed by the Courts, as mandated by Hon'ble Supreme Court in **Nipun Saxena & another vs. Union of India & others**, reported in **(2019) 2 SCC 703**.
- (B) In all the judgments, Civil as well as Criminal:-

- (i) Judicial Officers must follow the Rules while marking the Exhibits on every proved document;
- (ii) Presiding Officer must put his/her signature on every Exhibit;
- (iii) In case, it is found that the previous Presiding Officer has not put his/her signature on the Exhibit, it shall be signed by the present Presiding Officer with current date. This fact may also be reflected in the order-sheet.

3. In MACT cases, it should be clearly mentioned on the first page of the judgment whether permission under Section 170 of the Motor Vehicles Act, 1988 has been granted or not.

4. I am further directed to say that the formats of the judgments and the aforesaid instructions, which also hold good for orders, like use of font type and size, paragraphs numbering etc., shall also be followed by all the concerned while scribing the orders.

**DRAFT FORMAT OF JUDGMENT FOR CIVIL CASES**

<b>IN THE COURT OF ..... (COURT NAME)</b> <b>PRESENT:- ABC,(Name of Presiding Officer), UKJS/UKHJS</b> <b>O.S. NO. 1/2021 (SUIT No.)</b>  <b>CNR No.</b>  <b>Type of Suit:</b>	
NAME AND ADDRESS	PLAINTIFF
Versus	
NAME AND ADDRESS	DEFENDANT
COUNSEL FOR PLAINTIFF:	
COUNSEL FOR DEFENDANT:	
DATE OF INSTITUTION OF SUIT:	
VALUATION OF SUIT:	
DATE ON WHICH ARGUMENT IS HEARD:	
DATE OF JUDGEMENT:	

**JUDGMENT**

- 1- Brief introduction about the nature of suit and relief claimed.
- 2- Brief facts of the Plaintiff's case.
- 3- Brief facts of the Defendant's case.
- 4- Issues to be Decided.
- 5- Brief description of oral and documentary evidences adduced by Plaintiff.
- 6- Brief description of oral and documentary evidences adduced by Defendant.
- 7- Arguments/ Contention of Plaintiff.
- 8- Arguments/ Contention of Defendant.
- 9- Findings of Court with reasons on each Issue / Point for determination in light of arguments advanced by both sides with relevant facts, law and evidence (oral and documentary) produced on record.
- 10- Summary of Court's finding for granting or refusing the relief claimed in the suit under the issue relating to 'Relief'.
- 11- Whether the suit is decreed or dismissed, with or without Cost must be specified.

Signature of PO/ Court Name

Suit No.-



2

12- Mention that the Judgment is signed, dated and pronounced in open Court today.

**Name of Presiding officer with designation**

Signature of PO/ Court Name

Suit No.-

**APPENDIX OF EVIDENCE****LIST OF PLAINTIFF/DEFENDANT WITNESSES (Annexure 1)****A. PLAINTIFF WITNESSES:**

<b>RANK</b>	<b>NAME</b>	<b>NATURE OF EVIDENCE (WITNESS OF FACT, WITNESS OF DOCUMENT, EXPERT WITNESS, OTHER WITNESS)</b>
PW1		
PW2		

**B. DEFENDANT WITNESSES:**

<b>RANK</b>	<b>NAME</b>	<b>NATURE OF EVIDENCE (WITNESS OF FACT, WITNESS OF DOCUMENT, EXPERT WITNESS, OTHER WITNESS)</b>
DW1		
DW2		

**LIST OF PLAINTIFF/DEFENDANT EXHIBITS (Annexure 2)****A. PLAINTIFF:**

<b>S.NO.</b>	<b>Exhibit Number</b>	<b>Description</b>
1.	As per rule 57 of the General Rules (Civil), 1957	
2.	As per rule 57 of the General Rules (Civil), 1957	

**B. DEFENDANT:**

<b>S.NO.</b>	<b>Exhibit Number</b>	<b>Description</b>
1.	As per rule 57 of the General Rules (Civil), 1957	
2.	As per rule 57 of the General Rules (Civil), 1957	

**Designation of Presiding Officer.**

Signature of PO/ Court Name

Suit No.-

**Key Points-**

1. A judgment should be a self-contained judgment.
2. Judgment of a Court of Small Causes need not contain more than the points for determination and decision thereon. (Order XX CPC).
3. Notwithstanding that the case may be disposed of on a preliminary issue, the court shall, subject to the provision of sub rule 2 of order XIV CPC shall pronounce judgment on all issues.
4. Where a finding is given on a preliminary issue at the time of trial that must be stated in Judgment.
5. In Prescribed Authority cases separate findings be given on *bona-fide* need and comparative hardship (Section 21 Act No. 13 of 1972).
6. Judgment shall be on foolscap (legal size) paper, one quarter page being left blank. (General Rules (Civil), 1957, Rule 90). Certified copies of the Judgment must also be prepared on the same size paper.
7. Judgment, if scribed in Hindi, shall be in Kruti Dev 010 font variant with font size 16 with 1.5 line spacing. Judgment if scribed in English, shall be in Times New Roman 15 Font size with 1.5 line spacing
8. A reference to a party or witness shall be by name and number, and not merely by the number like P.W.1 or defdt.1
9. Judgments shall contain the terms in full and not in abbreviated forms except where the abbreviations are well recognized and are in common use, such as a.m., p.m., e.g. etc. (General Rules (Civil), 1957, Rule 91)

Signature of PO/ Court Name

Suit No.-

**DRAFT FORMAT OF JUDGMENT FOR CRIMINAL CASES**

IN THE COURT OF ..... Present:- ABC, HJS( <b>Name of Presiding Officer</b> ),UKJS/UKHJS <b>Criminal Case No./ST NO....</b> <b>CNR No.....</b>	
<b>(Details of FIR/Crime and Police Station)</b>	
Complainant	STATE OF..... OR NAME OF COMPLAINANT.
REPRESENTED BY	NAME OF ADVOCATE
ACCUSED	1.NAME WITH ALL PARTICULARS (A1) 2.NAME WITH ALL PARTICULARS (A2)
REPRESENTED BY	NAME OF ADVOCATES

Date of Offence	
Date of FIR	
Date of Chargesheet	
Date of framing of charges/ Statement of Accused on substance of accusation under section 251 Cr.P.C.	
Date of commencement of evidence	
Date on which Judgment is reserved	
Date of the Judgment	
Date of the Sentencing order,if any	

**Accused Details:**

Rank of the accused	Name of the accused	Date of arrest	Date of release on bail	Offence charged with	Whether acquitted or Convicted	Sentence imposed	Period of Detention undergone during trial for the purpose of section 428, Cr.PC

Signature of PO/Court Name

Case No.

-2-

**JUDGMENT**

- 1-Brief introduction of the case....(How the case has come before the Court)
- 2-Brief facts of the case.
- 3-Compliance of Section 207/208 of Cr.P.C and framing of charge or Substance of accusation to be stated to the accused under Section 251 Cr.P.C.
- 4- Brief description of oral and documentary evidence adduced by prosecution.
- 5- Examination of accused recorded under section 313 Cr.PC.
- 6- Brief description of oral and documentary evidences, if any, adduced by defence.
- 7- Points for determination with regard to each charge in a warrant case or accusation against accused in a summons case.
- 8- Arguments/ Contention of Prosecution/Complainant.
- 9- Arguments/ Contention of Defence.
- 10- Findings of Court with cogent reasons on each point for determination with regard to charge/accusation against accused in light of oral and documentary evidence produced on record.
- 11- Summary of Court's finding to arrive at Conclusion regarding each charge or accusation against accused.
- 12- **If accused is found not guilty:**
  - i) Order of Acquittal and direction that accused be set at liberty.
  - ii) If Accused is on bail, order of discharge of sureties.
  - iii) If accused is in custody, order about release of accused and its communication to Jail Authorities.
- 13- **If accused is found guilty:**
  - i) Order of conviction on each charge in which accused is to be convicted. In case there are multiple accused, each of them shall be

Signature of PO/Court Name

Case No.

-3-

dealt with separately. (In case any charge is not proved, order of acquittal is to be recorded in respect of such charge).

ii) Hearing on quantum of Sentence and discussion for imposition of appropriate sentence.

iii) Separate sentence for every offence for which accused is found guilty. Also specify the nature of sentence whether rigorous or simple.

iv) Mention whether sentence of imprisonments are to run concurrently or consecutively. (*Sunil Kumar@ Sudhir Kumar and another vs State of Uttar Pradesh, 2021 SCC Online SC 413*)

v) Mention sentence of imprisonment in default of payment of fine. (Section 30 Cr.P.C)

vi) Mention the period of detention already undergone by the accused to be set off against the sentence of imprisonment. (Section 428 Cr.P.C)

vii) Order to pay compensation. (*Ankush Shivaji Gaikwad v. State Of Maharashtra, AIR 2013 SC 2454*)

viii) Intimation to convict about right of appeal.

ix) Copy of judgment to be given free of cost to the accused. (Section 363 of Cr.P.C)

14-Order about disposal of case property.

15-Mention about compliance of Section 437-A Cr.P.C.

16- Mention that Judgment signed, dated and pronounced in open Court today.

**Name of Presiding officer  
with designation**

Signature of PO/Court Name

Case No.

-4-

**APPENDIX OF EVIDENCE****LIST OF PROSECUTION/DEFENCE/COURT WITNESSES****(Annexure 1)****A. Prosecution**

<b>RANK</b>	<b>NAME</b>	<b>NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)</b>
PW1		
PW2		

**B. Defence Witnesses, if any:**

<b>RANK</b>	<b>NAME</b>	<b>NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)</b>
DW1		
DW2		

**C. Court Witnesses, if any:**

<b>RANK</b>	<b>NAME</b>	<b>NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)</b>
CW1		
CW2		

Signature of PO/Court Name

Case No.

-5-

**LIST OF PROSECUTION/DEFENCE /COURT EXXHIBITS  
( Annexure 2)**

**A. Prosecution:**

S.NO.	Exhibit Number	Description
1.	Exhibit P-1/PW1	
2.	Exhibit P-2/PW2	

**B. Defence:**

S.NO.	Exhibit Number	Description
1.	Exhibit D-1/DW1	
2.	Exhibit D-2/DW2	

**C. Court Exhibits:**

S.NO.	Exhibit Number	Description
1.	Exhibit C-1/CW1	
2.	Exhibit C-2/CW2	

**D. Material Objects:**

S.NO.	Material Object Number	Description
1.	MO1	
2.	MO2	

**Name of Presiding officer with designation**

Signature of PO/Court Name

Case No.



-6-

**KEY POINTS-**

1. A judgment should be a self-contained judgment.
2. Where the case comes within the ambit of Section 4 or 6 of the Probation of Offenders Act or Section 360 of Cr.P.C, benefit of these provisions must be conferred. If the accused is not given benefit of probation or Section 360 Cr.P.C, special reasons must be assigned in the Judgment (*Chhanni v. State of UP, (2006)5 SCC 396*).
3. It is mandatory on the part of the Court to call for a report from the probation officer before proceeding under Section 4(2) of Probation of offender Act, 1958 {*M.C.D. v. State Of Delhi And Anr. (2005)4 SCC 6052*}.
4. Previous conviction, if any, to be noted in the Judgment.
5. Court of Session and Chief Judicial Magistrate to send copy of finding and sentence to District Magistrate. (Section 365 Cr.P.C).
6. In no case sentence less than minimum prescribed under law for that offence be awarded.
7. Nature of imprisonment i.e. 'simple or rigorous' must be specified.
8. Language of Judgment should be simple and respectful.
9. Period of custody of accused person or of each accused, where there are more than one, should be specifically mentioned in the judgment and also the particulars of split cases, if any.
10. The practice of marking x x x x for showing cross examination should be dispensed with and instead cross examination by Ld. counsel for accused no.(Name)/re-examination by - - -, should be specifically mentioned.
11. Abbreviation and Latin maxims are to be generally avoided and if necessary their grammatical meaning must be quoted.

Signature of PO/Court Name

Case No.

-7-

12. Judgment shall be written in paragraphs and each paragraph shall be numbered in series. Distinct point must be discussed in distinct paragraph. (*In re: To Issue certain Guidelines regarding Inadequacies and deficiencies in Criminal Trials v. The State of Andhra Pradesh and Ors, Suo Moto Writ ( CRL) No.(S)1/2017, Date of Judgment- April 20, 2021*).
13. The Presiding Officers may in their discretion, organize the Judgment into different sections. (*In re: To Issue certain Guidelines regarding Inadequacies and deficiencies in Criminal Trials v. The State of Andhra Pradesh and Ors, Suo Moto Writ (Crl) No.(S)1/2017, Date of Judgment- April 20, 2021*).
14. Citations must be written in correct manner.
15. Rules of 'Précis writing' must be followed.
16. Designation must be cited correctly.
17. Judgment shall be on foolscap (legal size) paper, one quarter page being left blank. Certified copies of the Judgment must also be prepared on the same size paper.
18. Judgment, if scribed in Hindi, shall be in Kruti Dev 010 font variant with font size 16 with 1.5 line spacing. Judgment if scribed in English, shall be in Times New Roman Font size 15 with 1.5 line spacing.

**N.B. Exhibits and Material Objects are marked and numbered in accordance with the directions given by Hon'ble Apex Court In *Suo Motu* Writ (CrI) No.(s) 1/2017 dated 20.04.2021 and Uttarakhand Criminal Courts Procedure and Practice Rules, 2021.**

Signature of PO/Court Name

Case No.

\*\*\*\*\*

**Proceedings of Superannuation of the Hon'ble Mr. Justice Raghvendra Singh Chauhan,**

**Chief Justice of the High Court of Uttarakhand**

**Full Court Reference, held on 23<sup>rd</sup> of December, 2021**

**In**

**The Court of the Chief Justice**

**At 02.30 P.M.**

**Order of address**

- ❖ **Sri S.N. Babulkar, Advocate General, High Court of Uttarakhand.**
- ❖ **Sri Avtar Singh Rawat, President of the High Court Bar Association, Nainital, Uttarakhand.**
- ❖ **Hon'ble Sri Justice Sanjaya Kumar Mishra, Senior Judge, High Court of Uttarakhand.**
- ❖ **Hon'ble The Chief Justice, Sri Raghvendra Singh Chauhan, High Court of Uttarakhand.**

**❖ Address by Sri S.N. Babulkar, Advocate General, High Court of Uttarakhand:**

My Lord, Hon'ble Mr. Justice Raghvendra Singh Chauhan, Chief Justice of Uttarakhand High Court, Nainital, Hon'ble Mr. Justice Sanjaya Kumar Mishra, Senior Judge, their Esteemed Companion Judges, gracing the occasion by their benign presence, President, High Court Bar Association, Senior Advocates, Assistant Solicitor General, Learned Registrar General, my colleagues on government side, members of the Bar, members of the Registry, ladies and gentlemen.

We have assembled here to bid a farewell to Hon'ble the Chief Justice Mr. Raghvendra Singh Chauhan on his superannuation as a Chief Justice from this

Hon'ble High Court Moments of farewell are always normally painful, as a result, throat gets choked, one does not get words to express his emotions, but the cruel rule of duty always dominates over the tender feelings.

His Lordship started his career as an Advocate on 30<sup>th</sup> November, 1983 in Rajasthan High Court His Lordship's field of specialization was in criminal and civil matters. His Lordship elevated as an Additional Judge of Rajasthan High Court on 30<sup>th</sup> June, 2005. His Lordship was promoted as a permanent Judge on 24<sup>th</sup> January, 2008. Thereafter, His Lordship was transferred as a Judge of Karnataka High Court on 10<sup>th</sup> March, 2015. Again His Lordship was transferred as a Judge of Telangana High Court on 8<sup>th</sup> November, 2018, thereafter, His Lordship was appointed as Acting Chief Justice of Telangana High Court on 3<sup>rd</sup> April, 2019. On 22<sup>nd</sup> June, 2019, His Lordship was appointed as Chief Justice of Telangana High Court.

His Lordship was appointed to perform the duties of the office of Chief Justice of Uttarakhand High Court on 31<sup>st</sup> December, 2020 and took oath on 17th January, 2021.

As a head of this family, His Lordship's magnetic personality has swayed everyone having found his Lordship besides, being a kind hearted person, a disciplined hard worker, a brilliant and just Judge, a positive thinker, academician and a great orator and among them all a wonderful Coordinator and Administrator.

Sir, undoubtedly your multifaceted personality has left indelible stamp on our heart, which we will cherish as a souvenir lifelong.

Sir, we wish you and your family a very good health and prosperity in life. But since we belong to this land which is abode of God and since this is a part of our cherished culture that whenever we bid farewell to our beloved, we pray Almighty to make His path free from all trouble. I also accomplish this tradition, but in the words of Saint Tulsi

"प्रबिसि नगर कीजै सब काजा । हृदय राखि कोसलपुर राजा ॥  
गरल सुधा रिपु करहिं मितार्ई । गोपद सिन्धु अनल सितलाई ॥

Thanking you.

❖ **Address by Shri Avtar Singh Rawat, President High Court Bar Association, Nainital:**

Hon'ble The Chief Justice of High Court of Uttarakhand, Hon'ble Judges of the Uttarakhand High Court.

Today, we have assembled here to bid adieu to our beloved Chief Justice Hon'ble Mr. Justice Raghvendra Singh Chauhan. The Hon'ble Chief Justice has a very illustrious legal career as an Advocate as a Judge. Prior to joining the Legal Profession, Lordship had a brilliant academic record. Lordship had done his graduation in History and Fine Arts all with First Class and Gold Medal from Arcadia University Glenside PA (USA) and thereafter his law degree from Campus Law Centre, Delhi University that too in a 1<sup>st</sup> Division. His Lordship enrolled himself as an Advocate with the Bar Council of Rajasthan and started his legal practice in High Court of Rajasthan in the year 1983. As his Lordship being a very hard-working, dedicated Advocate, Lordship has practiced in all fields of Law but mainly in Criminal Law. Due to Lordship legal acumen, Lordship was offered panels by Government of Rajasthan in various Government Departments like State Road Transport Corporation, Agricultural Marketing Board Rajasthan, Advocate for Department of Stamp & Registration, Government of Rajasthan Income Tax Department etc. Due to his Lordship versatility in all fields of Law and dedication to legal field, Hon'ble High Court of Rajasthan offered him a Judgeship in High Court of

Rajasthan and Lordship was elevated to the High Court of Rajasthan in the year 2005. His Lordship while holding the post of High Court Judge, Lordship has presented papers like Trial by Media in International perspective International Law, Conference on dispensation of Justice in 2007. The Indian Constitution Panacea for Social Conflict (2008), a paper presented at Lal Bahadur Shastri National Academy of Administration Mussoorie. Creativity confined in the age of freedom, a paper presented before the International Jurist Commission, Karnataka.

Lordship has been Judge of Karnataka High Court and thereafter, Chief Justice of Telangana High Court and joined Uttarakhand High Court on 17<sup>th</sup> January, 2021. After joining his Lordship this High Court, Lordship has been appreciated as a hardworking, brilliant and most well behaved Judge of this High Court. The entire perception in the bar, My Lordship is quite evident that the crowd, which has gathered here today, My Lords that your Lordship has been very good to all the Advocates whether junior or seniors. While Chief Justice of this High Court, Lordship has pronounced trendsetting judgements on Jail Reforms.

Regarding COVID pandemic period, Lordship has been very motivating factor to all the persons, those who are in a good position to help the needy one and because of Lordship was always concerned about the hardship to be confronted by Lawyers particularly, Juniors Lawyers and motivated the Bar Association to help Junior Members of the Bar, and Bar Association and because of the Lordship's motivation the Bar Association distributed about 12 lakhs amongst the affected and needy Lawyers. The Lordship has also issued various directions during pandemic in order to save this State, particularly the down trodden from being affected by this disease and issued various direction to the State Government so this pandemic could not be spread and the direction of the Hon'ble the Chief Justice was carried in letter and spirit by the State and many untimely death was prevented. My Lords this is the

departing the company is very painful, but it is the cyclic order of human being one day one has to go but My Lords, we can never forget Lordship's tenure here, in this High Court and now finally, the I, on my own behalf and on behalf of the Bar, wish a very healthy, peaceful and very active life to the Lordship after retirement as well as to the entire family. My Lords.

**❖ Address by Hon'ble Sri Justice Sanjaya Kumar Mishra, Senior Judge, on superannuation of Hon'ble Sri Justice Raghvendra Singh Chauhan, Chief Justice, High Court of Uttarakhand.**

Hon'ble Chief Justice Shri Raghvendra Singh Chauhan, My Brother Judges of this Court, Gracious lady present-Madam Rekha Chauhan, Spouses of my Brother Judges,

Daughter and Son of Chief Justice Chauhan, the friends of Justice Chauhan was travelled all the way from Jaipur. Mr. A.S. Rawat, President of the High Court Bar Association, Nainital, Shri S.N. Babulkar, learned Advocate General, High Court of Uttarakhand, Learned Senior Advocates, Members of the Registry, Esteemed Members of the Bar, ladies and gentlemen.

Today, we have gathered here to bid farewell to Hon'ble Chief Justice Shri Raghvendra Singh Chauhan, who is demitting office today on his superannuation.

Chief Justice Chauhan was born on 24<sup>th</sup> of December, 1959, to Dr. P.S. Chauhan and Smt. Sushila Chauhan at Kathmandu, Nepal. He had his schooling as well as graduation mostly in, Glenside, PA, United States of America. In 1983 he passed LLB in first division from the campus Law Centre, Delhi University.

I may pause here and say that, He is my elder brother in Campus Law Centre and my alma mater. I have been always looking forward the day I came here as my elder brother and true to my expectation, he was very affectionate and caring elder

brother. I must express my gratitude and thanks to Chief Justice Chauhan, in presence of all of us.

Thank You.

Justice Chauhan.

I am really obliged.

He joined the profession and enrolled himself as an Advocate in the State Bar Council of Rajasthan. He was elevated as Judge of the High Court of Rajasthan on 13<sup>th</sup> June, 2005. He worked almost for 10 years. Thereafter, he was transferred as a Judge of the High Court of Karnataka on March 10, 2015. He was again transferred to the High Court of Andhra Pradesh and Telangana on 23<sup>rd</sup> November, 2018. On separation of the State of Andhra Pradesh from Telangana on 1<sup>st</sup> of January, 2019, he was elevated as the Acting Chief Justice of Telangana High Court on 4<sup>th</sup> of April, 2009. He was appointed and assumed Office as Chief Justice of the High Court of Telangana on 22<sup>nd</sup> June, 2019. He became the Chief Justice of Uttarakhand High Court on 7<sup>th</sup> of January, 2021. Chief Justice Chauhan has been an expert in Criminal Law, Constitutional Law and Service Law. While he was an Advocate, he acted as panel Lawyer for several institutions like, Rajasthan State Transport Corporation; Jaipur Development Authority; Rajasthan Agricultural Marketing Board; Department of Stamp and Registration, Rajasthan; Income Tax Department; United India Assurance Company; Directorate of Revenue Enforcement, New Delhi; Central Excise and Customs Department; Western Railways and the National Insurance Company.

He authored several papers on various issues like The Unorganized Sector and the Courts: A new Horizon, Secularism and Our Times etc. In total he has presented 12 publications/papers at different conferences and assignments.



Beside the above, he also acted as the Editor-in-Chief of the Rajasthan Criminal Cases and was also a Member of the Editorial Board. He while serving as the Chief Justice of Telangana High Court, he was also discharging duty as the Chancellor of the National Academy and Legal Studies and Research, very popularly known as (NALSAR), Hyderabad. During his tenure in the High Court of Uttarakhand, Chief Justice Shri Chauhan has disposed of as many as 687 cases.

Chief Justice Chauhan has disposed of several important cases. To mention a few: in a PIL, in the case of Sachidanand Dabral vs. Union of India, Hon'ble Chief Justice in a Division Bench gave series of directions to the Government regarding holding of Kumbh Mela 2021 in Haridwar. He also gave various directions to the State Government regarding facilities like hospital and strengthening health structure or health infrastructure in the State during pandemic. He also gave slew directions regarding holding of Chardham Yatra in the State of Uttarakhand which included directions to State Government to live stream the ceremonies like, Puja Archana carried out within sanctorum of the Chardham Temples.

In my short tenure at the Uttarakhand High Court, I have a deep belief that Hon'ble Chief Justice Chauhan is not only a very erudite and progressive Judge but his judgment are laced with compassion for the fellow human being especially the underprivileged and down trodden of the society. His judgment has a unique style of writing. His flawless English used in the judgment make those judgments a treat to the reader. Moreover, Chief Justice Chauhan is a very strict Administrator though while taking difficult decisions and giving harsh directions Chief Justice always smiles which makes the person on the receiving end also feel a bit happy and relaxed than tensed.

Chief Justice Chauhan is not only a very good Judge and able Administrator but also he is a very fine gentleman and a compassionate human being.

We, that is myself, my Brother Judges of the Uttarakhand High Court believe and also pray lord Almighty that the experiences of the Chief Justice Chauhan should be put to use either by the State Government or by the Union Government in keeping him in the domain of public service even after his demitting the office of the Chief Justice of this Court.

Therefore, at the end, we all pray the lord Almighty to give good health, happiness and prosperity to Chief Justice on his demitting office and his family.

Thank You.

**❖ Farewell Address by Hon'ble the Chief Justice, Sri Raghvendra Singh Chauhan, on the eve of His Lordship's superannuation.**

My Esteemed Brothers on the Bench;

My own family; consisting of my wife; Rekha Chauhan; my two children, Aditi and Aditya Chauhan;

The family members of my esteemed colleagues;

Mr. S.N. Babulkar the learned Advocate General/ for the State of Uttarakhand;

Mr. G.S. Sandhu, the learned Government Advocate for the State;

Mr. C.S. Rawat, the learned Chief Standing Counsel for the State;

Mr. Rakesh Thapliyal, the learned Assistant Solicitor General of India

Mr. A.S. Rawat the President of the High Court Bar Association;

Mr. Vikas Bahuguna, the Secretary of the High Court Bar Association and other Members of the Executive;

The learned Senior Advocates:

The learned Members of the Bar;

Mr. Dhananjay Chaturvedi, the learned Registrar General and the other learned Registrars of the High Court;

Dear Law Clerks;

The staff of the High Court;

Ladies and gentlemen.

Every dawn has its dusk; every night, its morning. Perhaps the evening hours are the best time in life. For, it gives a person a moment to reflect on his past to introspect his present, and to plan his future. Today, I sit in the twilight zone, when the lights are dimmed, and time has come to switch on one's inner lights to illuminate my future paths.

A journey of thirty-eight years as a Member of the legal fraternity is a long time to reminisce. While I spent twenty-two years as a Lawyer, I have spent sixteen years as a Judge. At times, the journey has been uncertain and even mysterious. But over all, it has been a deeply satisfying and often, an exhilarating one.

The training of the Lawyer and the Judge is the same, but we evolve into two different species. Skills required are similar but not identical. Ability to understand the facts, to know and interpret the law, to apply the law to the facts, to ensure fairness to the parties: ultimately, to do justice to the parties, and therefore to ensure peace and tranquillity in the society.

But the focus of the Bar and the Bench is different. A Lawyer fights for and defends the rights and interests of his or her clients. A Judge on the other hand must rise above the rights and interest of the parties. The Judge must see a legal problem in a wider perspective as a societal issue, as a human problem, as a constitutional puzzle. The vision of the Judge has to be holistic, not myopic. The spirit of the Judge must be liberal, not conservative. The mind of the Judge has to be flexible, not rigid. The viscosity of the judicial thought should be like water: adjustable to new thoughts,

philosophies and technologies, it cannot afford to be rigid like the rock, crystallised by prejudices and biases. There are times when law has no answers as Hon'ble Mr. Justice J. S. Verma, the former Chief Justice of India says in his book, *The New Dimensions of Justice*, and I quote "there are the times when a Judge must rise above the mundane and the petty squabbings, above the heat and dust of the current events. He must rely on his sense of history and morals, on his understanding of the Constitution of India and the laws on his sense of justice and fairness to resolve a quixotic legal mysteries. After all the Constitution of India remains the same in the din of a battle, and the silence of tranquillity". Thus, a Judge must be armed with more than just knowledge of law, he must equip himself with the finer subjects of human knowledge. Simultaneously, he must be aware of and keep abreast of the new developments in science and technology, in finance and global politics. We no longer live in isolation, we are part of the world wide web of integrated thoughts and systems. What may happen in Wuhan may suddenly impact all of us.

Of course the, Judges are bound by our oath; to decide without fear or favour, without affection or ill will: The judiciary cannot afford to be docile or meek. The Constitution has bestowed upon us a dynamic role as the guardian of the people, as the watch dog of the State as the upholders of Rule of Law and indeed, of the democracy itself. Justice Benjamin N. Cardozo reminds us that Judges cannot act like knights in a shining armour. But within our well defined jurisdiction, we must be bold and upright, courageous and independent and as Socrates tells us, we must hear courteously, answer wisely, consider soberly, and decide impartially. In fact, impartiality and independence have to be the hallmark of any judiciary. And as Theodore Roosevelt, the famous American President once said, "Speak softly, but carry a big stick." Our big stick is the Constitution of our Nation. We should be guided by its mandates, by its philosophy, we should be inspired by its dreams,

dreams beautifully inscribed in its Preamble. The preamble contains our Ten Commandments. To deviate from these commandments is to commit a jurisprudential cardinal sin, to dilute them is to betray the faith of the people, to make them subservient to a misplaced notion of governance is to abdicate our Constitutional role. We are baptised by the laws, we are dedicated to sacred creed. By words or deeds we cannot commit a judicial sacrilege. The Bar and the Bench are like the inseparable pair of Mahabharata: Arjun and Lord Krishna. Like Arjun the Bar members have to spend sleepless nights sharpening their legal skills. Like him, you have to be focused in your pleas, logical in your contentions, and persuasive in your rhetoric. Like him, you should be courageous, yet humble; like him you should be both protector of Dharma of the laws and be triumphant in your endeavours. Like Judges, you too have responsibilities. Your duties are towards the Court and the client, towards the society and the Nation. The legal profession is a divine one you have to act like Bodhisattvas in the Buddhist pantheon, who repeatedly reincarnate themselves only for the sake of relieving people of their pain and agonies. Since you have to uphold the Rules of Law, neither by your deeds, nor by your conduct, can you afford to break the laws. You are the potential leaders of the Nation. You must lead by your example.

Both as Lawyer and as a Judge, I have tried to adhere to the above-mentioned ideals. But, being a mortal, I may have faltered. However, I have tried to custom-tailor my conduct and behaviour to the requirements of my profession. If I have made any mistakes, or hurt the sentiments or feelings of the learned Members of the Bar, I can only seek forgiveness. For, to err is human, to forgive, divine.

My learned brother Hon'ble Mr. Justice Sanjaya Kumar Mishra, and both Mr. S.N. Babulkar, the learned Advocate General and Mr. A.S. Rawat, the learned President of the Bar, have been rather generous in their praises about my work and my personality. However one should not take such eulogies at their face value. Judges

may author judgments, but Judges are like Chefs, who merely prepare a dish to be served to the public at large. The spices are provided by the learned Members of the Bar through their erudite arguments and exposition of the law. Judges merely take these ingredients and compose the judgments. But, even the composition is really not that of the Judge, but of the divine power, who places the words, the sentences and the reasoning into our minds only to be dictated by us. We, the Judges are, thus merely a pen in the hands of the divinity. The fate of the litigant is not decided by us; it is decided by that super-conscious power, which pervades through the Universe. Hence, the credit does not really belong to a Judge, to us, but goes to the Almighty.

In my sixteen years as a Judge, I am fortunate that I have served in four different High Courts of the country, two in the North, two in the South. I am eternally grateful to the respected Members of the Hon'ble Collegium for transferring me out of Rajasthan, at my own behest, in 2015. The three and a half years that I spent in the Hon'ble High Court of Karnataka were perhaps the best years of my life. I came across not only a brilliant Bar and affectionate colleagues, but also had the opportunity to closely observe the beauty of South Indian culture. Like the Pahadi people of Uttarakhand, the Kannadigas are simple in their habits and lifestyle. Like Uttarakhand, Karnataka too is a paradise on Earth.

Telangana, on the other hand, was full of challenges. For, the judiciary in Telangana is beset by inadequate infrastructure. Since the State is a new one, there are plenty of challenges for strengthening the judicial infrastructure both in terms of physical infrastructure and in terms of human resources. The problems in Telangana were further aggravated by the onslaught of Covid-19 Pandemic. However, thanks to my learned colleagues on the Bench, and thanks to my efficient Registry, we carried on our judicial work right through the Pandemic storm. Quickly, we adapted to Video Conferencing and functioned as a virtual court. In order to meet out the difficulties of

the Lawyers and the litigants, with the cooperation of the Government, we flagged-off Mobile Vans throughout the State. Through the Mobile Vans, the Lawyers could argue before the trial courts; the witness could depose before the Courts. According to the National Survey held in the year 2020, Telangana High Court was declared as the third best High Court in the country. Obviously the credit goes both to my colleagues and to the members of my Registry.

Before I could complete my task in Telangana, I was transferred to the beautiful land called “Dev Bhoomi”. Due to the sudden transfer, people may have been perplexed, but I saw it only as a part of a divine plan. It is my great fortune that God brought me to Uttarakhand, thereby giving me a chance to see a beautiful part of our nation, to meet the people of this State, to rejoice in the company of my brothers, and friends and to tackle new complexities.

Undoubtedly, I am blessed with a great set of colleagues, who have selflessly guided me in my short tenure as the Chief Justice of this State. Since there are only eight of us, we have bonded like a family, and have followed the moto of the famous novel called the “Three Musketeers” "one for all, all for one". I am extremely grateful to my learned Brothers for the love and affection, bestowed upon me and my family. Most importantly, I am thankful to my colleagues, who have shared the Bench with me. I have learnt a great deal from their legal acumen and court craft.

Without a doubt we have a very fine Bar in the High Court - a Bar, which is disciplined and courteous, intelligent and articulate. The younger members of the Bar, hardworking and conscious of their role as Lawyers are a delight to hear. I have high hopes that in times to come, the High Court Bar Association will produce many new legal luminaries, who will go on to become Senior Advocates, and certainly Judges of this Court. I would only request the members of the Bar to follow the great traditions of the Bar, and not to permit the Bar to decline to a low ebb. I am sure the learned

members of the Bar, under the guidance of the learned Senior Advocates, will rise to the occasion, and would live up to my great expectations.

Like Telangana, Uttarakhand too has many travails for the judiciary to overcome. Cocooned in our mountainous terrain, we have the problem of physical connectivity and internet inaccessibility. Our people are scattered and isolated on mountain tops. Lack of roads, lack of basic amenities force our people to live a harsh life in severe climate. Nonetheless, the people have proven their courage and ingenuity in tackling the most cruel climatic conditions. There is a sense of a joy-davie, joy of life in the hearts and souls of our people. However, we cannot abandon our brothers and sisters. After all, the focus of our Constitution is the common man, although my stint has been a short one, but due to the co-operation of the Government we have managed to resolve many of the problems facing the common man. The Government has been kind enough to provide thirteen Mobile Vans for ensuring connectivity throughout the State. The Government has transferred lands for the construction of the Courts, for the construction of the resident colonies for our Judicial Officers, and for the construction of chambers for our Lawyers. In order to ensure that our Judicial Officers would have ample time to devote to their judicial work, the Government has agreed to provide a stipend for our Judicial Officers to afford private staff members. I am extremely grateful to the Government for its sensitivity and for its appreciation of the difficulties faced by the judiciary in our State. After all let us remember, the stronger the legal fraternity the more peaceful the State.

I am extremely grateful to Mr. Dhananjay Chaturvedi, the learned Registrar General, and to the other learned Registrars, who, ungrudgingly and very efficiently discharged all the duties assigned to them. Mr. Gurpreet Singh, my Principal Private Secretary, took care of all my needs and has never ever given me a cause to complain. I was fortunate to also have the valuable assistance of a very efficient team of Mr. P.S.



Rathour, my Private Secretary, Mr. Nishant Kumar and Mr. Rahul Prajapati, my two Personal Assistants, Mr. Diwan Singh Bisht and Mr. S.S. Gusain, my Bench Secretaries and Ms. Urvashi Agarwal and Mr. Aman Uniyal, my two Law Clerks. But for their unstinted support, my judicial work would have suffered considerably. My special thanks to Mr. Vijay Sajwan, my Court Attendant whose positivity and efficiency is highly impressive. I am equally grateful to Mr. Vinod Jagwan, my other Attendant and to Mr. Manoj Sharma, the Kitchen Attendant. I also thank the staff attached with me at the High Court and those at my residence. Their ability to discharge their duties, day in and day out, always with a smile has never ceased to amaze us. My sincere thanks to both my Drivers, Mr. Pradeep Naugai and Mr. Sudish Raturi, who took me and my family around this beautiful State of Uttarakhand. My sincere thanks to my Personal Security Officers and the other security personnel entrusted with my security.

My sincere thanks to Dr. L.M.S. Rawat and his team of Doctors, who not only took good care of my family but most importantly took care of all of us, during the pandemic avalanche.

A man's home is said to be his castle. My hearth and home have been kept warm and cheerful by my dear wife Rekha. In Durga Saptasati, and now let me make a public confession. In Durga Saptasati, there is a shloka, which says, "Divine mother, give me a wife, who will help me swim through the ocean of this world throughout my life. Let me confess that as a bachelor, I recited this shloka fervently every day and my prayers have been answered. Rekha has stood by me like the Rock of Gibraltar. I have no words to express, my gratitude towards her. My two children, Aditi and Aditya, are the two wheels of my chariot. Their endless questions, their curiosity, their free conversations, their quirky sense of humour, keeps me alive. I am certainly grateful to the Gods for giving me such fine children.

My friends, some of whom have come all the way to Nainital from Jaipur that too for the purpose of taking me back "dasti", are my shock-absorbers. Without them, life would have been quite jerky and rather uncomfortable. I am indebted to all of them.

Last, but certainly the most important persons in my life, my parents and all three of them, my father, Dr. P.S. Chauhan, my Late mother, Mrs. Sushila Chauhan and my other mother, Dr. Vijay Lakshmi Chauhan. Whatever I am today, and whoever I may become tomorrow is due to their endless sacrifices and infinite blessings.

Before I rise from this Court and demit my Office, let me say a small Irish prayer for all of you,

May the road rise up to meet you.

May the wind be always at your back.

May the sun shine warm upon your face.

The rains fall soft upon your fields.

And until we meet again,

may God hold you in the palm of his hand.

And now, I will take my last bow to the learned Members of the Bar.

Thank you.

\*\*\*\*\*

**NOTICE OF HIGH COURT OF UTTARAKHAND, AT NAINITAL**  
**FOR THE PERIOD OCTOBER 2021 TO DECEMBER 2021**

**No. 46/UHC/Admin. B /2021**

**Dated: 20/21.12.2021**

This is to inform that ‘Officers/Employees Mutual Welfare Scheme’ has been drafted, in order to support the Officers/ Employees of High Court of Uttarakhand and Subordinate Courts of the State of Uttarakhand, in emergency situations.

In this regard, copy of draft of ‘Officers/Employees Mutual Welfare Scheme’ is hereby enclosed, with the request to submit your valuable suggestions, if any, with regard to the aforesaid Draft Scheme, within a period of two weeks.

**By orders of Hon’ble the Chief Justice**

## Officers/Employees Mutual Welfare Scheme

There are certain disasters which severely affect the lives of people. At present, the entire world is experiencing devastation of Corona virus, Covid-19 pandemic. Judicial officers and staff of High Court & Subordinate are also deeply affected by Covid-19.

Besides above specific Pandemic, sometimes, Judicial Officers and Staff in their life feels urgent need of financial assistance. Such as, in case of unfortunate death, disability due to accident, other medical need etc.

Therefore, a collective corpus is necessary so that Judicial Officers and staff of High Courts & Subordinate Courts (members) may get immediate financial assistance in case of urgent need, particularly in case of medical need. Collective Corpus denotes that corpus be collected through contribution of members, Judicial officers and staff of High Court & Subordinate Courts, themselves.

The purpose of the Scheme is as follows:-

- (a) to provide financial assistance to the dependent of the members, who have succumbed during their Service
- (b) to provide financial assistance to the member who have to discontinue their Service due to bodily infirmity.
- (c) to provide financial assistance to the member in case of serious illness of the members, **or** his/her dependent.

The present scheme seeks to achieve the above objects.

1. **Short title, commencement and application**

- (1) This Scheme may be called the Officers/Employees Mutual Welfare Scheme.
- (2) It shall come into force with effect from the date when it is notified by the High Court.
- (3) It shall apply to all the subscribers of the Scheme who regularly subscribe to this fund.

2. **Definitions**

In this Scheme, unless the context otherwise requires;-

- (a) “*Beneficiary of the Scheme*” means all the subscribers of the Scheme and contractual/outsourced employees working in the High Court and Subordinate Courts;
- (b) “*Chief Justice*” means the Chief Justice of High Court of Uttarakhand;
- (c) “*Committee*” means Committee constituted under rule 4;
- (d) “*Dependents*” means :-
  - i. Husband or wife, as the case may be;
  - ii. Unemployed son, dependent on Subscriber;
  - iii. Unmarried/Divorced/Widowed/Disserted daughter, dependent on Subscriber;
  - iv. Widowed daughter-in-law, dependent on Subscriber
  - v. Mother and Father, dependent on Subscriber; and
  - vi. Children who are physically or mentally infirm, dependent on Subscriber.

- (e) “*Officers/Employees Mutual Welfare Fund*” means a Fund collected through contribution by the subscribers;
- (f) “*Fund*” means the Officers/ Employees Mutual Welfare Fund” referred to in Clause 3 of the Scheme.
- (g) “*Head of Department*” means Registrar General for High Court & Officers on Deputation, District & Sessions Judge for District Judgeship, Principal Judge/Judge for Family Courts & Senior most officer of any other.
- (h) “*High Court*” means the High Court of Uttarakhand;
- (i) “*Judicial Officers*” means an Officers belong to the Judicial Service Subordinate to the High Court;
- (j) “*Registrar General*” means Registrar General of High Court;
- (k) “*Scheme*” means Officers/ Employees Mutual Welfare Scheme;
- (l) “*Serious Illness*” includes cancer, Heart disease (Having bypass surgery, stent), kidney disease or any other serious disease.
- (m) “*Subscriber*” means Judicial Officers and Staff of the High Court & Subordinate Courts, except contractual/outsourced employees, who regularly subscribe to the Scheme.
- (n) “*Treasurer*” means the Treasurer of the Fund, appointed by the Chief Justice.

### **3. Establishment of the Fund**

(1) There shall be a Fund in which the amount of the contributions received from the Subscribers shall be deposited.

(2) Every Subscriber shall contribute such amount, as prescribed in the following table, per month towards the Fund:-

<b>Sl. No.</b>	<b>Subscriber's Status</b>	<b>Amount per month to be deducted</b>
1.	Judicial Officers	300/-
2.	Ministerial Staff of the Subordinate Courts/ Officers, and Staff of the High Court	200/-
3.	Group D Employees	100/-

(3) Subscription shall be deducted from the Salary of the Subscriber. It shall be the responsibility of the concerned DDO to ensure its deduction. Fund shall be credited directly into the account opened in the name of Registrar General.

(4) To create immediate Corpus, after the implementation of the Scheme, Subscriber shall deposit three months subscription in advance into the Fund immediately as this Scheme comes into force.

#### **4. Constitution of the Committee**

(1) There shall be a Committee of Judges of the High Court for administration of the Fund of this Scheme.

(2) The Committee shall consists of the Chief Justice and two Judges of the High Court as nominated by the Chief Justice.

(3) Registrar General shall be the Secretary of the Committee who shall assist the Committee and execute the direction of the Committee with the help of the Treasurer, who shall be the Deputy Secretary of the Committee.

**5. Procedure for disbursement of funds to the beneficiary.**

- (1) Any beneficiary or his/her dependent (in case of clause (i)) of the Scheme may apply for the funds on following grounds:-
- i. Death of the beneficiary.
  - ii. Permanent disability of the beneficiary which result into discontinuation and his/her dependent.
  - iii. Any other medical need for serious illness of the beneficiary and his/her dependent.
- (2) Application for release of funds, as prescribed by this Scheme, shall be moved through Head of Department of the beneficiary with the necessary documents. While forwarding the application, Head of Department shall annex his/her comments.
- (3) Maximum limit of the funds to be released on above grounds shall be as follows:-
- i. In case of clause (i) & (ii) of sub-rule(1)- Rs. 5,00,000/-
  - ii. In case of clause (iii) of sub-rule(1)- Rs. 3,00,000/-
- (4) Funds, subject to its sufficiency, shall be payable directly to the account of the beneficiary or his/her dependent (in case of death of beneficiary) through account payee cheque/DD/internet banking.



- (5) The Committee may reject the application of the beneficiary citing the reasons in case of clause (iii) of sub-rule(1).
- (6) The Chief Justice shall have the power to disburse 50% of the aforesaid mentioned maximum limit to any beneficiary or his/her dependent( in case of death of beneficiary) without application, if the Chief Justice **is** satisfied that need is of utmost emergency.

#### **6. Repayment of the fund**

- (1) Payment of fund to the beneficiary under clause (iii) of sub-rule (1) of rule 5 shall be subject to repayment. Beneficiary shall repay the fund released to him in such installments as the Committee decides. Above repayment shall be interest free and beneficiary have to repay only the Principal amount released in his/her favour.
- (2) Committee shall have right to waive the repayment in specific cases after citing the reasons.

#### **7. Refund of the subscriptions**

- (1) Subscription to the fund shall be refundable, without any interest, subject to this rule.
- (2) Subscriptions shall be refundable at the time of superannuation/retirement of the subscriber or when he/she ceases to remain in service.
- (3) Refund of subscriptions shall be subject to the any benefit availed under this Scheme.

(4) Subscription shall be refundable with bonus as per following table:-

<b>Sl. No.</b>	<b>Subscription</b>	<b>Eligible for refund amount</b>
1.	Below 3 years	The Principal amount Contributed by the subscriber shall be refunded. No Bonus.
2.	3-10 years	The Principal amount Contributed by the subscriber shall be refunded with a bonus of 10%
3.	10-15 years	The Principal amount Contributed by the subscriber shall be refunded with a bonus of 25%
4.	15-20 years	The Principal amount Contributed by the subscriber shall be refunded with a bonus of 50%
5.	20-28 years	The Principal amount Contributed by the subscriber shall be refunded with a bonus of 75%
6.	Above 28 years	The Principal amount Contributed by the subscriber shall be refunded with a bonus of 100% (Double the amount)

**8. Use of Funds for other purposes**

Committee may decide, in case sufficient fund available, in consultation with other Judges of the High Court to use the Fund for any other beneficial purposes of its beneficiary.

**9. Opt Out and Re-entry**

- (1) Any Subscriber may opt out from this Scheme.
- (2) For opting out, subscribers shall mover a written application to their respective Head of Department about his/her intention to opt out from the Scheme.
- (3) Subscriber shall be deemed to un-subscribe the Scheme from the date of his application and no deduction, under this scheme, shall be made from his/her salary thereafter.
- (4) After opting out, subscriber shall get all his Principal amount deposited by him in the Scheme as per rule 7, subject to any benefit availed by him under the scheme.
- (5) At the time of opting out, if subscriber has availed ant benefit under clause (iii) of sub-rule (1) of rule 5 which is subject to repayment, subscriber shall repay remaining amount in this Scheme.
- (6) Any subscriber, who has opted out from this Scheme under this rule, may re-enter as a subscriber in this Scheme upon fulfilling the following conditions:-

- i. He/she shall deposit all the principle amount repayed, if any, to them at the time of opting out,
  - ii. He/ she shall deposit amount, as per table provided under rule 3 sub-rule (2), during their non-subscription period, and
  - iii. He/she shall deposit a penalty of Rs. 1000/-.
- (7) Subscriber shall use option of re-entry only once in their service tenure.

## 10. **Functions of the Registrar General**

The functions of the Registrar General shall be:-

- (1) To administer the Fund;
- (2) To receive applications from the beneficiary or his/her dependent (in case of death of beneficiary) for financial assistance and place before the Committee.
- (3) Subject to the order of the Committee, provide financial assistance to the beneficiary or his/her dependent ( in case of death of beneficiary) without undue delay;
- (4) To do such other functions as may be assigned to him by the Committee;

Explanation:- If any dispute arises as to the entitlement or amount of the financial assistance, the decision of the Chief Justice shall be final.

**11. Functions of the Treasurer**

The functions of the Treasurer shall be:-

- (1) To maintain correct accounts of the fund.
- (2) To deposit the contributions in the account of the Scheme in Savings Bank Account/ Fixed deposit in a Nationalized bank at Nainital, opened in the name of Registrar General, and shall be operated jointly by the Registrar General and Treasurer;

**12. Amendment of the Scheme**

The Chief Justice after consultation of the Judges of High Court, amend any of the provisions of the Scheme.

**13. Interpretation**

If any doubt or dispute arises as to the interpretation of any provisions of the Scheme, the decision of the Chief Justice shall be final. The Chief Justice may pass such orders consistent with the Scheme, as he may deem fit and appropriate, for giving effect to these Scheme and for their effective implementation.

\*\*\*\*\*