

NOTIFICATION RULES RELATING TO THE APPOINTMENT AND CONTROL OF THE SUPERINTENDENTS OF THE COURTS OF DISTRICT AND SESSIONS

HIGH COURT PP&DESH AT SHIMLA. No. æc/E. s. -1/71- Dated March 22 e 1978 NOTIFICÂTION In exercise of the powers conferred by Sub Section (3) of Section 18 of the Himachal Pradesh Courts Act, 1976 (Act No .23 of 1976) , the Eon t ble the Chief Justice and Judges of this Court, after obtaining previous approval of the Governor of Himachal Pradesh, are pleased to make the following rules relating to the appointment and control of the superintendents of the Courts of District and Sessions Judges in Pradesh:—

10 Short title and Commencement. Authority Competent to make the appointment e Method of Appo i trent and Quali fication (i) These rules rmay be called the and Control Rules of Superintendents to the District and Sessions Judges in Himachal Pradesh. 20 (i i) These rules shall come into force at once e (i) There shall be as many posts of the Superintendents as there may be Sessions Divisions in the State of Himachal Pradesh. (E) The posts of Superintendents to the District and Sessions Judge shall carry the scale of pay as may be sanctioned by the Himachal Pradesh Government from time to time. The existing strength of the posts of Superintendents with their pay scales is shown in Annexure "A" 30 The apz- .ointment to the post of Superintendents to the District and Sessions Judge whether permanent or officiating shall be made by the Chief Justice and Judges of the high Court. 40 (i) The high Court shall maintain a Panel c f Candidates accepted for appointments as Superintendents. This list shall ordinarily contain such number of candidates as can 'ce absorbed wi thin two years o (i i) The post of Cuperintendent to the District and Sessions judges shall be a selection post and shall form a State cadre o (Iii) The Superintendent Grade—II in the courts subordinate to the High Court with a minimum educational qualification of graduates frora a recognised university shall form a feader category for the post of Superintendents Note : — However, this sub rule shall not apply to these candidates who have already been appointed as such on regular basis o The selection to the post of Superintendents will be made on the basis of service record and oral examinationo Confinnation transfer and leave etc. Leave Transfer 50 de I e ted) Every person appointed as Superintendent to the Court of District and Sessions Judge shall be on probation for a period o: two years 0 This period of probation may be extended by the Chief justice and the Judges for a maximum period of a.nother one year for reasons to be recorded in writi ngo A person who has been declared by the Chief justice and the Judges, on the recommendations of the District and Sessions Judge concerned, to have satisfactorily completed his period of probation may be confirmed as Superintendent subj ect to the availability of permanent posto In case of unsatisfactory work and conduct, the official can be reverted to the post which he held prior to his appointment as Superintendent 0 (iii) The District and Sessions judge concerned will be competent to grant leave of any kind to the Superintendent of his Court provided that where a substitute is to be appointed, the application for le-.ave shall be referred to the Chief justice and the Judges of the High Court for sanction. (iv) The Superintendents to the District and Sessions judge will be liable to transfer under orders of the Chief * Substituted by lind Änendrment vide aigh Court Notification No.HHC/R-5-1/71, dated 2001.19960 ** Deleted by I Ind Amendment vide High Court Notification HHC/R-5-1/71, dated 20.1019960 *** Substitued vide III Amendment dated 9-1-1 99B Not if ica t ion dated 9—1 —1998 Penalty and Disciplinary Authorities Re s iduary Matters Justice and the judges of the High Court from one Sessions Division to another. The Superintendents to the District and Sessions Judges shall in matters relating to discipline, punishment Civil and appeal, be governed by the Central/ Services (Classificati— —on Control and Appeal) Rules, 1965 as are applicable to Himachal Pradesh or such other rules as the Government of Himachal Pradesh may hereafter make in this behalf provided that : The District and Sessions Judge may impose on his (i) Superintendent the punishment of (a) censure; (b) recovery from his pay of the whole or F.art cf anv pecuniary less caused by him to the Government by negligence or breach of order and (c) withholding of iucuments of y The Ijower to impose all other punishments shall vest in the Chief Custice and Judges, but such powers may be exercised by the Cudge Incharge of the Admir.istrative business of the Eich Court or a Judge no.-ninated by the Chief Justice in this behalf. (i i) An appeal against the order cÆ the District and Zessions Judge imposing any penalty aforesaid shall lie to the Chief justice and Cadges and such azellate E,ower be exercised by the Cudge Incharge cf the Administrative business of the Eigh Court or a Judge nominated by the Chief Justice in this behalf e An dppeal shall lie against the order Eassed by the Judge Incharge of the

Administrative business of the High Court or a judge nominated by the Chief Justice under sub para (i) to the proviso to this rule to a bench of two Judges to be nominated by the Chief Justice. (i) In respect of such matters regarding the conditions of service for which no provision or insufficient provision has been made in these rules, the rules or orders for the time being in force and applicable to the servant holding corresponding posts in connection with the service and affairs of the State of Himachal Pradesh shall regulate the (i) The Chief Justice and the Judges subject to the prior approval of the Governor reserve to themselves the right to relax the provision of any of these rules in their discretion. (i) On the date on which these rules come into force the corresponding rules pertaining to the appointments of the Clerks of Courts contained in Chapter 18—1, VOL. I of the High Court Rules and Orders as applicable to Himachal Pradesh and the corresponding rules contained in the Civil Courts Establishment (Appointment and Conditions of service) Rule shall stand repealed by Order (HoD. Kainthla) REGISTRAR * ANNE-XUZ List of the posts of Superintendents provided for the Courts of District and Sessions Judges in Himachal Pradesh. Sr. No. 10 20 3. 100 Post Superintendent —do— —do— Court for which post sanctioned. District Sessions Judge, Shimla Nahan Hamirpur Kangra Solan. Chamba . Una Bilaspur. Kinnaur at Rampur. Substituted by 1st Amendment vide High Court Notification No. HC/R-5-1/71- dated 20.1.1996. HIGH COURT OF HIMACHAL PRADESH No. 111C/E- 5-1/71- NOT 1 FILED In exercise of Dated 9th January, 1998 powers conferred by Sub 1998. Section (3) of Section 18 of the Himachal Pradesh Courts and the Chief Justice Act, 1976 (Act No, 23 of 1976); , the Hon'ble and Judges of this High Court are pleased to make the following amendments in the Appointment and Control the Superintendents of the Courts of District and Sessions . Judges in Himachal Pradesh, Rules, 1978 as amended by the Appointment and Control (2nd Amendment) Rules of 1995 to the District and Sessions Judges in Himachal Pradesh, 1995 : — Short title 1. and commencement 2. I(i) (11) These rules shall be called the Appointment . and Control Of tendents •to the District and Sessions Judge (3rd Amendment) 1998. These rules shall come into force with immediate effect In Rule-4 the existing sub rule (i) shall be substituted by the following sub rule: — (iv) The selection to the post of Superintendent will be made on the basis of service record and oral examination. BY ORDER OF HON'BLE THE JUSTICE AND JUDGES. (KeCeNegi) District & Sessions Judge(R) Ends HHC/E-5-1/71- forwarded to . Dated 9.1.1998 9. The Special Secretary. To , the Hon'ble : Chief Justice High Court. of Himachal Pradesh". •the District & Sessions Judges in Himachal Pradesh The Sessions Judge' •High Court of Himachal Pradesh . The. Secretary. Government of H. P. The- Addl. Registrar High Court of H.P. All(traps/ Assistant Registrars/ Court es/Readers/ Superintendents High Court of HAP. Chief Librarian, High Court H.P. & Editor 1 'L.R (H .mseries) . Court of H.P. P. SS Registrar/Registrar(V) High Court of Himachal Pradesh. The Controlling Officer of the Land Stationary Department, (Shifted for publication in the Himachal Pradesh' Gazette) With request that if of the publication be forwarded to this Registry for Guard file. Dealing hand. in the spare copies Adm%. I-manch with 6 District* & Sessions Judge' (Rules)