

<sup>1</sup> [CHAPTER-IA]**BUSINESS NOT OF A JUDICIAL CHARACTER**<sup>2</sup>[A- STANDING COMMITTEES]

<sup>3</sup>[1. **Standing Committees.**-(1) For the purposes of these Rules, there shall be the following Standing Committees:

- (a) General Administration Committee (hereinafter referred to as the G.A Committee);
- (b) Rule Committee;
- (c) Monitoring Committee for the High Court Division;
- (d) Monitoring Committee for the Subordinate Courts.

(2) In addition to the Standing Committees mentioned in sub-rule (1), the Full Court may appoint such other Standing Committee(s) for performing such functions as it considers necessary and as are not assigned to the standing committees mentioned in sub-rule (1).]

<sup>4</sup>[1A. **Composition of G.A Committee.**-The G.A Committee shall consist of the Chief Justice and not more than four Judges as the Chief Justice may appoint from time to time.]

<sup>5</sup>[2. **General power of G.A Committee.**-(1) The G.A Committee shall be in charge of the superintendence and control over the affairs of all courts and tribunals subordinate to the High Court Division, so far as such superintendence and control are exercised otherwise than judicially.

<sup>1</sup> Original Chapter I was re-numbered as Chapter IA by Notification No. 181-G dt. 22-10-2012.

<sup>2</sup> The heading "A- Standing Committee" was substituted for the heading "The General Administration Committee" by Notification *ibid*.

<sup>3</sup> Rule 1 was inserted by Notification *ibid*.

<sup>4</sup> Rule 1A was substituted for the original rule 1 by Notification *ibid*.

<sup>5</sup> Rule 2 was substituted for the original rule 2 by Notification *ibid*.

(2) The G.A Committee shall have power, without reference to the Full Court:

(a) to dispose of all correspondence relating to its business, urgent in its nature and not of general importance;

(b) to make recommendations for posting, disciplinary action including imposition of penalty upon, grant of leave to, and suspension and promotion of judicial officers; but recommendations of the G.A Committee with regard to promotion of and imposition of penalty on, a judicial officer shall be placed before the Full Court for approval;

(c) to formulate general guidelines for the purpose of exercising its power under clause (b).

(3) The Chief Justice may at any time direct that the powers conferred on the G.A Committee under sub-rule (2) above shall be exercised by one or more Judge(s) of that Committee and such Judge(s) may apportion the duties of the Committee among them, subject to the approval of the Chief Justice.]

**3 and 4** [Omitted by Notification No 181-G dt. 22-10-2012.]

**<sup>1</sup>[5. Correspondence of G.A Committee.-** Orders on all correspondence relating to any branch of the functions of the G.A Committee shall ordinarily be passed by the Judge or Judges of that Committee or by the Registrar, Additional Registrar or Deputy Registrar under his or their superintendence.]

**6. Delegation by G.A Committee to a member.-**The <sup>2</sup>[G.A Committee] shall have power to place <sup>3</sup>[any Judge-in-Charge of the day to day administration of any] of its functions, and such Judge may place before that committee any matter he has to deal

<sup>1</sup> Rule 5 was substituted for the original rule 5 by Notification No. 181-G dt. 22-10-2012.

<sup>2</sup> The expression "G.A. Committee" was substituted for the words "General Administration Committee" by Notification *ibid*.

<sup>3</sup> The words "any Judge-in-Charge of the day to day administration of any" were substituted for the words "in charge of any Judge of the Committee the day to day administration of any branch" by Notification *ibid*.

with. The <sup>1</sup>[G.A Committee] may refer any important matter it has to deal with to the Full Court.

<sup>2</sup>[**7. G.A Committee's power to pass order.**- A Judge(s) of the G.A Committee is empowered to pass necessary orders on the following matters, namely:-

- (a) recommendation for the posting and promotion of, and granting leave to, Judicial Officers;
- (b) formulating criteria/principles to be followed by the G.A Committee in the matters specified in clause (a);
- (c) conferring powers on any individual officer or any class of them, where it is necessary under the relevant law;
- (d) all administrative matters connected with the Touts Act and the rules made there under;
- (e) issue of General/Special Letters or Orders/Circulars/Memorandum;
- (f) all other correspondence not related to judicial matters or orders of other Judges, unless there is an express rule to the contrary or unless the importance of the subject may render it fit, in his or their opinion, to be laid before a greater number of Judges of the G.A Committee or the Full Court.]

<sup>3</sup>[**7A. Rule Committee and its functions.**-(1)The Rule Committee shall consist of not more than 5 (five) Judges to be appointed by the Chief Justice from time to time.

(2). The Rule Committee shall perform the following functions:

- (a) to review the High Court Division Rules from time to time and to make recommendations for consideration of the Full Court;

<sup>1</sup> The expression "G.A. Committee" was substituted for the words "General Administration Committee" by Notification No. 181-G dt. 22-10-2012.

<sup>2</sup> Rule 7 was substituted for the original rule 7 by Notification *ibid*.

<sup>3</sup> Rule 7A was inserted by Notification *ibid*.

(b) to prepare draft rules which the High Court Division is empowered or required to make under any law, to prepare draft for amendment of any such existing rules, and to place such drafts for consideration of the Full Court;

(c) to perform such other functions as the Full Court or the Chief Justice may assign from time to time.

(3) In performing its functions, the Rule Committee shall follow such procedure in respect of convening, holding and conducting its meeting and taking its decision as it may consider proper.

(4) For the purpose of discharging its functions, the Rule Committee may, with the approval of the Chief Justice, take the assistance of a Judge who is not a member of the Committee or of any other person.

(5) The Rule Committee shall hold at least 3 (three) meetings in each calendar year.]

**[17B. Monitoring Committee for High Court Division.]**-(1) The Monitoring Committee for the High Court Division shall consist of not more than 5 (five) Judges as the Chief Justice may appoint from time to time.

(2) The Monitoring Committee for the High Court Division shall perform the following functions:

(a) to ascertain the number of various types of pending cases, including long pending cases;

(b) to ascertain, from time to time, the number of cases which, according to the High Court Division Rules, require preferential treatment for disposal, but not fixed for hearing and to make recommendations to the Chief Justice for speedy disposal thereof;

<sup>1</sup> Rule 7B was inserted by Notification No. 181-G dt. 22-10-2012.



- (c) to ascertain the number of cases ready for hearing, but not posted in the cause list, and to make recommendations to the Chief Justice;
- (d) to recommend measures in general for speedy disposal of pending cases;
- (e) to identify problems that hinder speedy disposal of cases, and to identify cases of non-compliance of the High Court Division Rules and to make necessary recommendation to the Chief Justice;
- (f) to discharge such other functions as the Chief Justice may assign to the Committee.

(3) In performing its functions, the said Committee shall follow such procedure in respect of convening, holding and conducting its meeting and taking its decision as it may consider proper.

(4) For the purpose of discharging its functions, the said Committee may, with the approval of the Chief Justice, take the assistance of a Judge who is not a member of the Committee or of any other person.

(5) The said Committee shall hold at least 3 (three) meetings in each calendar year.]

#### **<sup>1</sup>[7C. Monitoring Committee for Subordinate Courts.-**

(1) The Monitoring Committee for the Subordinate Courts shall consist of not more than 5 (five) Judges as the Chief Justice may appoint from time to time.

(2) The Monitoring Committee for the Subordinate Courts shall perform the following functions:

- (a) to ascertain, from time to time, the number of pending cases in subordinate courts of the districts, Metropolitan Sessions Judgeships, Judicial Magistracies of Metropolitan and other areas and Special Courts /Tribunals;

<sup>1</sup> Rule 7C was inserted by Notification No. 181-G dt. 22-10-2012.

- (b) to assess the upward or downward trend of backlog of cases in those courts;
- (c) to recommend to the Chief Justice for issuance of any general or special direction or instruction to the Judges of subordinate courts or any individual Judge or Magistrate;
- (d) to undertake, with the approval of the Chief Justice, inspection of a particular court or courts of Metropolitan or outside area, or to recommend such inspections;
- (e) to identify the reasons for delay in disposal of cases in subordinate courts and to recommend to the Chief Justice for issuing necessary directions/orders/instructions;
- (f) to examine compliance reports pursuant to any inspection conducted by a Judge of the High Court Division or to any other direction/instruction issued under these Rules;
- (g) such other functions as the Chief Justice or the Full Court may assign to the said Committee with regard to disposal of pending cases.

(3) In performing its functions, the said Committee shall follow such procedure in respect of convening, holding and conducting its meeting and taking its decision as it may consider proper.

(4) For the purpose of discharging its functions, the said Committee may, with the approval of the Chief Justice, take the assistance of a Judge who is not a member of the Committee or of any other person.

(5) The Committee shall hold at least 3 (three) meetings in each calendar year.]

### <sup>1</sup>[B-] Special Committee

<sup>2</sup>[8. **Special Committee.**-(1) In addition to the Standing Committees, the Chief Justice may, at any time, appoint Special Committee(s) consisting of one or more Judges to consider and report to the Chief Justice or to the Full Court upon any matter which may be referred to it on any point or points and such a Committee shall have power, without reference to the Judges generally, to enter upon and conduct, any correspondence, which the Committee may consider necessary in order to enable it to prepare its report.

(2) For the purpose of discharging its functions, a Special Committee may, with the approval of the Chief Justice, take the assistance of a Judge who is not a member of the Committee or of any other person.

(3) In performing its functions, a Special Committee shall follow such procedure in respect of convening, holding and conducting its meeting and taking its decision as it may consider proper.]

<sup>3</sup>[8A. **Information to Judges about Special Committee.**-When a Special Committee is appointed under rule 8 of this Chapter, a notice should be circulated to all the Judges informing them of the appointment, of the names of the members and of the matters, which have been referred to it.

<sup>1</sup> The expression "B-" was inserted by Notification No. 181-G dt. 22-10-2012.

<sup>2</sup> Rule 8 was substituted for the original rule 8 by Notification *ibid*.

<sup>3</sup> Rules 8A & 8B were inserted by Notification *ibid*.

**8B. Charge of a Section.-**The Chief Justice may assign any Judge(s) with the charge of any particular Section of the Registry.]

### **<sup>1</sup>[C-] Contemplated Legislation**

#### **<sup>2</sup>[9. Full Court's role on contemplated legislation.-**

Any law/draft law forwarded by the Government to the High Court Division for opinion, or proposals for amendment or matters connected with the development of law, shall be placed before the Full Court for its opinion and if the Judges present at the meeting of the Full Court or if the Chief Justice so desires, they or he may refer such matter(s) to the Rule Committee for consideration and report.]

**<sup>3</sup>[10. Rule Committee's report to Full Court.-** The Registrar shall, under order of the Chief Justice circulate the report of the Rule Committee among the Judges 7 (seven) days before placing it in the Full Court Meeting, but in case of urgency this rule may be relaxed under order of the Chief Justice.]

### **<sup>4</sup>[D- Registry and the Registrar]**

#### **<sup>5</sup>[11. Registrar's general control over court staff.-(1)**

The Registrar is in administrative control of the offices of the Court collectively called the Registry and the Officers in immediate charge of such offices are responsible to the Registrar, and he is responsible to the Chief Justice for their efficient administration. Matters affecting all departments and establishment shall be submitted to the Registrar through the concerned Additional Registrar/Deputy Registrar.

<sup>1</sup> The expression "C-" was inserted by Notification No. 181-G dt. 22-10-2012.

<sup>2</sup> Rule 9 was substituted for the original rule 9 by Notification *ibid*

<sup>3</sup> Rule 10 was substituted for the original rule 10 by Notification *ibid*.

<sup>4</sup> The heading "D- Registry and the Registrar" was substituted for the heading "General" by Notification *ibid*.

<sup>5</sup> Rule 11 was substituted for the original rule 11 by Notification *ibid*.

(2) An Additional Registrar/Deputy Registrar shall act under the direction of the Registrar and when required shall be in charge of and shall guide and control the entire office in all its jurisdictions subject to the orders of the Chief Justice or any Judge in-Charge of the concerned Department/Section.

(3) The Assistant Registrars shall, through the concerned Deputy/Additional Registrar, generally submit to the Registrar proposals, comments, etc., on administration affecting finance, establishment and employees of the Court and those related to furniture, stores, equipment, installation, forms and stationery, and the Registrar in his turn shall seek the order of the Chief Justice in all important subjects connected therewith.

(4) All Administrative papers required to be laid before the Chief Justice or any of the Judges shall ordinarily be submitted through the Registrar.

(5) The Registrar shall maintain a confidential Character Roll for each Additional/Deputy/Assistant Registrar and all other Gazetted Officer(s) of the Court.]

**1[12. Collection of case information by Advocate etc.-** The office rooms of the Court are not open to the public; information regarding cases shall only be obtained upon filing an application. Advocates may, however, meet any Gazetted Officer of the Court during office hours on official business. They or their clerks shall also have access to the proper officials for the purposes mentioned below:-

- (a) obtaining an official report from the Stamp Reporter as to the sufficiency or otherwise of the stamp on a memorandum of appeal, on a memorandum of objection under Order XLI, rule 22 or 26, Civil Procedure Code, on an application for revision, review and on an application for leave to appeal in *forma pauperis* or other applications that require such report;

<sup>1</sup> Rule 12 was substituted for the original rule 12 by Notification No. 181-G dt. 22-10-2012.



- (b) presenting memoranda of appeals, memoranda of objections under Order XLI, rules 22 and 26, Civil Procedure Code, application for revision, review and leave to appeal in *forma pauperis*, in accordance with the rules made by this Court and getting the Court-fee stamps attached to such memoranda and applications cancelled by the Officer in- Charge;
- (c) having Court-fee stamps affixed to miscellaneous applications intended to be presented to the Court or the Registrar, or applications for copies, information or inspection cancelled by the Officer in- Charge and entered in the Filing Register;
- (d) transacting business connected with the deposit and withdrawal of money, etc., with the Accounts Section of the Court;
- (e) filing applications for leave to appeal to the Appellate Division after cancellation of the Court-fee stamps attached to such applications and entry in the Filing Register;
- (f) filing applications for copies and folios with the Superintendent of the Copying Section, and appearing before him when required to do so;
- (g) inspecting records in the Inspection Room or the space set apart for the purpose of inspection and in the presence of the Officer in- Charge;
- (h) filing applications with the Superintendent(s) of the Decree Section and appearing before them to settle draft decrees or when required to appear before them for any other official purposes;
- (i) filing applications for information and inspection of records with the officers empowered to deal with these matters;
- (j) filing other documents not referred to above with the Officer in- Charge for cancellation of the Court-fee/ stamps (if any) attached to such documents, and for distribution to the departments concerned;
- (k) receiving manuscripts, receiving and filing proofs of paper-books and filing paper-books;



- (l) obtaining prescribed forms from the Officer in-Charge or the Forms Clerk;
- (m) having oaths/affirmations administered before a Commissioner of Affidavits;
- (n) getting affidavits explained to a deponent by translators of the Court; and
- (o) paying Talabana and other fees, charges and costs.]

**13. Supply of papers to a Committee.**-It shall be the duty of the Registrar to submit all papers relating to any matter to the <sup>1</sup>[concerned Committee].

**14 and 15.** [Omitted by Notification No.181-G dt. 22-10-2012.]

**<sup>2</sup>[E- Full Court Meeting]**

**<sup>3</sup>[16. Matters of Full Court meeting.**-The following matters shall be placed before the Full Court:

- (a) proposed changes in the law where the proposition emanates from the Government or a Committee or when any Judge(s) of the Court considers that action is called for;
- (b) annual Report of the Supreme Court (High Court Division), before its publication;
- (c) rules which, if published, will have the force of law;
- (d) all recommendation for suspension and promotion of, and imposition of penalties upon, a judicial officer;
- (e) any matter required by any provision of these Rules to be placed before Full Court;
- (f) any matter which the Chief Justice may place.]

<sup>1</sup> The words "concerned committee" were substituted for the expression "Committee, if any, appointed to deal with it" by Notification No. 181-G dt. 22-10-2012.

<sup>2</sup> The heading "E- Full Court Meeting" was inserted by Notification *ibid*.

<sup>3</sup> Rule 16 was substituted for the original rule 16 by Notification *ibid*.

17. [Omitted by Notification No. 181-G dt. 22-10-2012.]

**18. Notice of Full Court meeting.-** The Registrar shall, under the orders of the Chief Justice, circulate <sup>1</sup>[to all the Judges] notices of the meeting of the Full Court <sup>2</sup>[along with the agenda], at least two days before the day of the meeting; and in case of special urgency reasonably before the meeting.

<sup>3</sup>**[18A. Full Court meeting and dissent.-**An individual Judge shall be at liberty to dissent from a decision taken by the Full Court meeting and such dissent shall be recorded in the minutes specified in Rule 19.]

<sup>4</sup>**[19. Proceedings of Full Court meeting.-** The minutes of the proceedings of the Full Court shall be recorded by an appropriate officer designated by the Registrar in the books to be kept for that purpose, and shall be at all times open to inspection, or may be called for, by any of the Judges. Such minutes shall be placed by the Registrar before the Chief Justice for his verification and signature.]

<sup>5</sup>**[19A. Full Court meeting's decision to be read over.-** Summary of the decisions taken in a Full Court meeting shall be read over to the Judges present.]

**19B. Chief Justice may take urgent decision.-** Notwithstanding the powers conferred by the provisions of this Chapter on a Standing Committee or a Special Committee or a Judge(s), the Chief Justice may, in urgent cases, take decision on any matter falling within the jurisdiction of a Committee.]

<sup>1</sup> The words "to all the Judges" were inserted by Notification No. 181-G dt. 22-10-2012.

<sup>2</sup> The words "along with the agenda" were substituted for the expression "and of the General Administration committee to all the Judges of the Committee, as the case may be" by Notification *ibid*.

<sup>3</sup> Rule 18A was inserted by Notification *ibid*.

<sup>4</sup> Rule 19 was substituted for the original rule 19 by Notification *ibid*.

<sup>5</sup> Rules 19A and 19B were inserted by Notification *ibid*.