

HIGH COURT OF HIMACHAL PRADESH, SHIMLA – 171 001

No.HHC/Estt.7(46)/2011-II

Dated: 31.7.2013

OFFICE ORDER

Hon'ble the High Court of Himachal Pradesh is pleased to make the following Terms and Conditions of appointment etc. of the Court Managers:

I. DEFINITIONS:-

1. **'High Court Means'** the High Court of Himachal Pradesh.
2. **'Chief Justice'** means the Chief Justice of High Court of Himachal Pradesh'.
3. **"Court Manager"** means an Officer appointed on contractual basis under the Scheme of the Government of India under 13th Finance Commission.
4. For making selection to the post(s) of Court Managers, the Chief Justice may constitute a Committee consisting of one or more than one Judge(s) of the High Court, as it may consider necessary.

2) Educational Qualifications and Experience:

A candidate having following Qualifications will be eligible for his/her appointment as a Court Manager:-

In case he/she is B.Tech. in Computer Science/ B.Tech. in I.T. with degree in MBA or MBA in Finance/HR with sound knowledge of computer applications from a recognized university and preferably having two years of experience in managerial capacity. However, preference shall be given to the candidates having the legal back ground and experience of five years.

3) Age Limit:

A candidate, for appointment to the post of Court Manager, shall be of minimum age of 25 years and not more than 40 years of age.

4). TENURE :

(a) All appointments to the posts of Court Manager, shall be purely on **'Contract basis'**, for the plan period of 13th Finance Commission i.e. 31.3.2015 and reservation policy shall not apply to such appointments.

Provided that appointment of Court Managers shall be liable to be terminated at any time by the Chief Justice without Notice or any compensation, if his/her services are found to be unsatisfactory or such a candidate violates any of the provisions/ directions contained in the "Court Manager (Appointment & Service Conditions) Rules, 2010".

5) Character and Medical Fitness:

The appointment of Court Manager shall be subject to the mental and physical fitness and his character verification from the authorities concerned, if the candidate is found to have concealed any fact the contract of employment of the Court Managers shall be terminated without any further notice.

6) Posting and Transfer:

- (i) On his/her appointment, the posting of the Court Managers shall be made by the Chief Justice.
- (ii) The Court Managers may be transferred from one district court to another or from High Court to subordinate District Court or vice versa by the Chief Justice or any other Judge nominated by the Chief Justice.

7) Salary:

The Court Managers shall be paid a fixed salary of ₹ 40,000/- per month without any special pay and allowances, or such enhanced rate as may be fixed by the High Court from time to time.

8) Absence/ or abandonment/terminate:

In case the Court Manager absents himself from duty continuously for 15 days or more without any intimation or prior sanction of leave, it shall be deemed that the Court Manager has left or relinquished/ abandoned the service and he/she shall have right to continue on contract service. AND the services of such Court Manager shall stand automatically terminated without assigning any further reason also in case his/her work and conduct is not found up to the required mark.

- (i) A Court Manager shall not be entitled for any salary for the period of absence from duty.

9) DUTIES & RESPONSIBILITIES OF COURT MANAGERS :

(a) The Court Manager shall assist the Registrar General and other Registrars and Officers in the High Court and the District Courts in the respective Judicial Districts, as the case may be, in administrative functioning of the Courts to enhance the efficiency of the Court Management.

(b) While performing such function, the Court Manager shall work under the control of the Registrar General in case of appointment in the High Court or of the District Judge or as the case may be.

(c) The incumbent appointed as Court Manager shall maintain professional secrecy and shall not divulge any information which may come to his knowledge in office capacity to anyone under any circumstances. Breach of this condition shall make him liable to be removed, forthwith.

(d) The Court Manager, apart from any other work that may be assigned to him/her by the Registrar General or the District & Sessions Judge concerned, may be entrusted with the following responsibilities :-

(i) He/She shall facilitate to establish the performance standards applicable to the Court, including of Timeliness, Efficiency, Quality of Court performances;

Infrastructure; Human Resources; Access to Justice; as well as for Systems for Court Management and Case Management, based on applicable directives of Superior Courts.

(ii) He/She shall carry out an evaluation of the compliance of the Court Orders with such standards, identify deficiencies and deviations; identify steps required to achieve compliance; maintain such an evaluation on a current basis through annual updates etc. as specifically set out in the guide-lines of Department of Expenditure, Finance Commission Division, vide letter No. 32 (30) FCD/2010 at Annexure–III, as well as the letter dated 27/11/2012 of the Department of Justice addressed to the Registrar General of all the High Courts.

10) OTHER CONDITIONS OF SERVICE:

(a) Appointment as Court Manager is a full time assignment and during the period of appointment the Court Manager shall not be entitled to take up any employment, engagement of whatsoever nature either on fulltime or on part-time basis.

(b) The headquarters of the Court Manager shall be the High Court or the District Court, as the case may be, which he/she shall not leave during working hours of the High Court/District Court, without permission of the Competent Authority.

(c) Court Manager shall be entitled to Casual Leave and other Leaves as admissible to Government employees during his tenure.

(d) If Court Manager is required to leave headquarters as part of duty on official work, he may be paid daily allowance in addition to actual fare paid for the travel as given by the State Government to its employees from time to time.

(e) Court Manager shall perform his duties with due diligence and discipline maintaining confidentiality about all matters and information that he may come across during the discharge of his duties.

(f) The assignment as Court Manager shall not confer any right of any employment under the High Court/the District Courts.

(g) Court Manager shall abide by such other Rules and Conditions of Service as may be prescribed by the High Court.

(h) Court Manager shall, upon acceptance of his/her appointment as such, undertake in writing to abide by the Rules and shall, in particular, undertake that he shall perform his duties with due diligence and discipline maintaining confidentiality about all the matters and information that he may come across during the discharge of his duties.

(i) The post of Court Manager shall be transferable throughout the State.

(j) The Appointing Authority shall have the prerogative to transfer a Court Manager from one place to another at any time.

(k) The holder of the post of Court Manager cannot claim lien over any of the posts in any service including the High Court/ Subordinate Court Services.

(l) Every person appointed to the post of Court Manager shall have to undergo training as may be prescribed by the High Court from time to time.

(m) Any other Conditions of Service which is not specifically provided for shall be within the absolute discretion of the Chief Justice or the High Court, as the case may be.

11) DISQUALIFICATION FOR APPOINTMENT :

No person shall be eligible for appointment to the service: –

(a) unless he/she is a **citizen** of India.

(b) if he/she is **dismissed** from service by Central Government or any State Government or U.Ts. or any High Court or Statutory or Local Authority.

(c) if he/she has been **convicted** of an offence involving moral turpitude or who is or has been permanently **debarred** or disqualified by the High Court or the Union/State Public Service Commission or by any Recruiting or Examination Conducting Authority from appearing in examinations or selections.

(d) if he/she directly or indirectly **influences** the Recruiting Authority by any means for his/her candidature.

(e) if he is a man, has **more than one wife** living. And, if a woman, has married **a man** already having **another** wife.

12) Planning

(1) In consultation with the stakeholders of a court (including the Bar, ministerial staff, Executive Agencies sporting judicial functions such as prosecutors/police/process serving agencies and court users), prepare and update annually a 5-year court wise Court Development Plan(CDP);

(2) Monitor the implementation of the CDP and report to superior authorities on progress;

13) Information and Statistics

(i) Ensure that statistics on all aspects of the functioning of the Court are compiled and reported accurately and promptly in accordance with systems established by the High Court;

(ii) Ensure that reports on statistics are duly completed and provided as required;

14) Court Management

(i) Ensure that the process and procedures of the court (including for filing, scheduling, conduct of adjudication, access to information and documents and grievance redressal) are fully complied with the policies and standards established

by the High Court for court management and that they safeguard quality, ensure efficiency and timeliness, and minimize costs to litigants and to the State; and enhance access to justice. (Note: standard systems for court management should be developed at the High Court level).

(ii) The Court Manager will support the Judges to perform their administrative duties, thereby enabling the Judges to devote more time to their judicial functions.

15. Budget Management

Preparation of budget, supervising the proper utilization of the budget allocations received for different purposes from the State Government as well as Central Government.

16. e- Management

Implementation and managing requirements under e-Courts Project which includes data entry initiation as well as managing the service roll out under e-Courts project.

17. Data Management

- (a) Ensuring that statistics on all aspects of functioning of the Courts are properly compiled and reported accurately and promptly.
- (b) Ensuring proper generation of reports of statistics and ensuring timely submission of all returns to the High Court.
- (c) Ensuring proper data feeding into National Judicial Data Grid.

18. Case Management

Ensure that case management systems are fully complied with the policies and standards established by the High Court for case management and that they address the legitimate needs of each individual litigant in terms of quality, efficiency and timeliness, costs to litigants and to the State (**Note**: standard systems for case management should be developed at the High Court level).

19. Responsiveness Management: Access to Justice; Legal Aid and User Friendliness

Ensure that the court meets standards established by the High Court on access to justice, legal aid and users friendliness.

20. Quality Management

Ensure that the court meets quality of adjudication standards established by the High Court.

21. Human Resource Management

Ensure that Human Resource Management of ministerial staff in the court comply with the Human Resource Management standards established by the High Court.

22. Core Systems Management

Ensure that the core systems of the court are established and function effectively (documentation management; utilities management; infrastructure and facilities management; financial systems management (audits, accounts, payments));

23. IT Systems Management

(1). Ensure that the IT systems of the court comply with the standards established by the High Court and are fully functional.

(2). Feed the proposed National Arrears Grid to be set up to monitor the disposal of cases in all the courts, as and when it is set up.

24. Residuary Matters

With regard to matters not specifically covered by or under the instant terms and conditions, the incumbents of the posts of Court Manager shall be governed by Law, Rules and regulations or norms applicable to the Contract employees of the State Government in general, insofar as these are not inconsistent with or repugnant to these terms and conditions.

BY ORDER

REGISTERAR GENERAL

Endst. No.HHC/Estt.7(46)/2011-

Dated: 31.7.2013.

Copy forwarded to:-

1. The Registrar (Administration)-cum-Principal Private Secretary to Hon'ble the Chief Justice.
2. All the O.S.D.s/Additional Registrars, High Court of H.P., Shimla -1.
3. All the District and Sessions Judges in Himachal Pradesh.
4. Secretaries/P.A. to the Registrar General, Registrar(Inspection), and Registrar (Judicial and Judges Banch), High Court of H.P.
5. All the Court Managers (By name), posted in High Court/District Courts in the State.
6. The NIC Officer of this Registry for uploading this Office Order on the High Court as well as Gazete Website, on priority basis.

Assistant Registrar(Estt.)