

**HIGH COURT OF HIMACHAL PRADESH, SHIMLA- 171001.**

No.HHC/Rules/(Maintenance and Weeding out of Recruitment Records)Rules, 2016.

Dated 11.1.2017

**Notification.**

In exercise of the powers vested under Section 23 of the State of Himachal Pradesh Act 1970, read with Section 29 of the Himachal Pradesh Courts Act, 1976 and all other enabling provisions in this behalf, Hon'ble the Chief Justice, and Judges of the High Court of Himachal Pradesh are pleased to make the following rules in respect of the maintenance and weeding out of records pertaining to the recruitments made by the High Court and Courts Subordinate to it :-

<b>Short title</b>	<b><u>1</u></b>	These Rules shall be called as the " <b>High Court of Himachal Pradesh (Maintenance and Weeding out of Recruitment Records), Rules 2016</b>
<b>Commencement</b>	<b><u>2</u></b>	These Rules shall come into force with immediate effect.
<b>Definitions</b>	<b><u>3</u></b>	<b>i) Chief Justice</b> means Hon'ble the Chief Justice of High court of Himachal Pradesh.  <b>ii) District Court</b> means the Court of District and Sessions Judge.  <b>iii) High Court</b> means the High Court of Himachal Pradesh.  <b>iv) Registrar</b> means the

		<p>Registrar General of the High Court and includes any other Registrar, specifically authorized by Hon'ble the Chief Justice, in this regard.</p> <p><b>v) Recruitment</b> means and includes every part of the process undertaken by the High Court/District Court for appointing/promoting persons to various posts by way of direct recruitment/limited competitive examination.</p>
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**Part-A**

**Record Maintenance and Retention**

<b>Advertisements and Notifications issued by the High Court/District Court.</b>	<b><u>4</u></b>	Three sets of advertisements/ notifications inviting applications from the desirous candidates, issued by the High Court/District Court, shall be retained in the Guard File for a period of one year from the date of issuance.
<b>Applications received in response to the advertisement/ Notifications for filling posts on the basis of interview only.</b>	<b><u>5</u></b>	The applications received in response to the advertisements/ notifications issued by the High Court/District Court, for filling posts on the basis of interview only shall be retained for a period of one year from the declaration of the final result.

		The applications of the candidates recommended for appointments shall however be retained permanently.
Applications received in response to the advertisements/ notifications with respect to the posts to be filled on the basis of screening test/ written examination.	<u>6</u>	<p>The applications of candidates who could not qualify the screening/written test, may be weeded out after six months from the declaration of final result.</p> <p>The applications of the candidates recommended for appointments shall however, be retained permanently</p>
Question booklets	<u>7</u>	Unused as well as cancelled question booklets of the Screening test may be weeded out after six months from the declaration of the result of Screening test provided two sets of question papers with key if any, shall be permanently retained with the Registrar/District Judge. A CD in the uneditable form, whenever prepared may also be kept with the Registrar/District Judge.
OMR Sheets	<u>8</u>	<p><b>i)</b> Unused OMR sheets, shall be retained with the Registrar and if practicable, may be used in the subsequent screening tests.</p> <p><b>ii)</b> Cancelled as well as used OMR sheets of the candidates may be weeded out after six months of the declaration of the screening test.</p>
Question papers and answer books of the	<u>9</u>	<b>i)</b> Unused/cancelled question papers as well

written examination.		<p>as the answer books (written test), of the candidates who could not qualify the test may be weeded out after six months of the declaration of the result of the written test. However, two sets of question papers shall be permanently retained with the Registrar/District Judge. Question paper in the digital uneditable form, whenever prepared may be kept with the Registrar/District Judge,</p> <p><b>ii)</b> The answer books of the candidates who qualified the written test may be weeded out after expiry of six months from the declaration of the final result.</p>
Correspondence with the paper- setter/evaluator etc.	<u>10</u>	The record pertaining to the appointment and correspondence if any with the paper setter/evaluator shall be retained for five years from the date of declaration of final result.
Fictitious Code book/F.R. slips etc.	<u>11</u>	The fictitious Code book and as well as the FR slips may be weeded out after expiry of one year from the declaration of final result.
Manuscript Question papers and Solution to Question papers.	<u>12</u>	The manuscript question paper shall be retained permanently in a sealed cover with the Registrar/District Judge.
Correspondence with supervisors regarding dispatch of question papers to the examination centres.	<u>13</u>	The correspondence between the Registrar/District Judge and Supervisors regarding dispatch of question papers to

		different examination centres may be weeded out after one year of the declaration of the final result.
<b>Marks List/Awards List</b>	<b><u>14</u></b>	The marks/awards list, detailed marks cards shall be retained for five years in the Confidential Branch of the Registry/ office of the District and Sessions Judge for period of five years from declaration of final result and may be weeded out thereafter.
<b>Interview sheets of the Viva voce.</b>	<b><u>15</u></b>	The interview sheets prepared by the officers who conducted the interviews of the candidates, shall be retained permanently with the Registrar/District Judge.
<b>Registrar/District Judge to be the custodian of the record.</b>	<b><u>16</u></b>	After completion of the recruitment process, the entire record shall be kept in sealed cover, with the Registrar/District Judge in the Confidential Branch till weeded out in accordance with these Rules.
<b>Litigation matters</b>	<b><u>17</u></b>	In Court cases and other matters of similar nature, the application(s) along with record pertaining to those application(s) shall be converted into files and to be retained permanently.
<b>Procedure/Modalities of weeding out of record.</b>	<b><u>18</u></b>	<b>i)</b> After obtaining prior approval of Hon'ble the Chief Justice, the Registrar shall cause a Committee headed by an officer not below the rank of Deputy Registrar constituted for

weeding out of the record.

**ii)** The District Judge after sending necessary particulars of the record and obtaining prior approval of Hon'ble the Chief Justice through the Registrar shall constitute a Committee headed by an officer not below the rank of Chief Administrative Officer for weeding out of the record of his division.

**iii)** The Committee so constituted shall certify that the record sought to be weeded out is not required in any proceedings pending before the Court of law or in other similar matter, and also prepare an inventory of such record.

**iv)** The Chairman of the Committee so constituted shall obtain necessary orders from the Registrar/District Judge before carrying out the actual exercise of weeding of the record.

**v)** The details of the record so weeded out shall be placed by the Committee so constituted before the Registrar/District Judge for information.

**vi)** Weeded out

		<p>record shall be destroyed/disposed</p> <p>of in the presence of Committee.</p>
<b>Power to Relax &amp; issue Administrative Orders.</b>	<b><u>19</u></b>	<p><b>i)</b> Hon'ble the Chief Justice may in appropriate cases relax the operation of these Rules.</p> <p><b>ii)</b> Hon'ble the Chief Justice in his Lordship's discretion may also issue administrative orders on matters not specifically covered by these Rules.</p>
<b>Repeal and Savings</b>	<b><u>20</u></b>	<p><b>i)</b> From the date of commencement of these Rules, any instruction, order or circular issued by the High Court to the extent of inconsistency, shall stand repealed.</p> <p><b>ii)</b> Anything done or carried out under the Old Instructions orders and circulars, shall be deemed to have been done or carried out under these Rules.</p> <p><b>iii)</b> Any instruction, circular or order issued or adopted by the High Court, which is not inconsistent with these Rules, shall continue to apply.</p>

**Part-B**

**Software Record Retention**

<b>Notifications/Advertisements uploaded on the website.</b>	<b><u>21</u></b>	The notifications/advertisements issued by the High Court/District Court shall be retained on the website till next notification/advertisement is issued. The earlier notification then will be placed in the Archive and will be deleted after two years.
<b>Registration Data</b>	<b><u>22</u></b>	Two years from the date of advertisement.
<b>Venue information</b>	<b><u>23</u></b>	The venue information of the conduct of the examination/interview uploaded on the website shall be retained upto the conduct of examination/interview.
<b>Interview programme</b>	<b><u>24</u></b>	The interview schedule, shall be retained for one month from the last interview.
<b>Soft Copies of Roll No. allotted to the admitted candidates provisionally.</b>	<b><u>25</u></b>	The soft copy of the Roll No. allotted to the admitted candidate provisionally shall be retained upto conduct of examination.



Soft copy of scanned OMR sheets, representations/objections regarding answer key etc.	<u>26</u>	Soft copy of scanned OMR sheets, representations/objections regarding answer key if any etc. shall be retained as per the norms mentioned in Part-A of these Rules.
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By Order of the High Court

Registrar General

Endst.No.HHC/Rules/ (Maintenance and Weeding out of Recruitment Records) Rules, 2016.1235-47

Dated 11.1.2017

Copy forwarded for information and necessary action:-

1. Principal Private Secretary to Hon'ble the Chief Justice High Court of Himachal Pradesh.
2. All the Secretaries to the Hon'ble Judges High Court Of Himachal Pradesh Shimla.
3. The Principal Secretary (Home) to the Government of Himachal Pradesh, Shimla-171002.
4. The LR-cum Principal Secretary (Law) to the Government of Himachal Pradesh, Shimla-171002.
5. All the District and sessions Judges in H.P. with a request to send the notification to all the Courts of their respective civil and session division.
6. Director Himachal Pradesh Judicial Academy, village Gandhal, P.O. Shakrah, Sub- Tehsil Dhami, District Shimla-171011.
7. The Secretaries/Private Secretaries/P.A.s to the Registrar General/Registrar (Vigilance)/Registrar (Judicial)/Registrar(Rules)/Registrar (Administration)/Registrar(Establishment)/C.P.C High Court of H.P.

8. The Accountant General (Audit) Himachal Pradesh-171003.
9. All the Deputy Registrars/Assistant Registrars/Court Masters/Secretaries/Private Secretaries Section Officers/Estate Officers/Protocol Officer/Public Relation Officer/Chief Librarian, High Court of H.P.
10. The Section Officer (Computer), High Court of H.P.
11. The System Analyst, NIC of this Registry for uploading on the High Court website.
12. The Recruitment cell/Establishment Branch with two spare copies.
13. Guard File.

**Registrar (Rules)**