

HIGH COURT OF HIMACHAL PRADESH, SHIMLA

No.HHC/Rules(Vol V)/1997-

Dated: 20.9.2013

NOTIFICATION

In exercise of the powers vested in it under Section 23 of the State of Himachal Pradesh Act, 1970, Section 129 of the Code of the Civil Procedure, 1908, as amended upto date, Section 477 of the Code of Criminal Procedure, Article 225 of the Constitution of India and all other powers enabling hereunto, the High Court of Himachal Pradesh is pleased to amend the rules for the Scrutiny Maintenance of Judicial Records, Administrative and Executive Business of the High Court of Himachal Pradesh:-

SHORT TITLE:

1. These rules may be called the "Himachal Pradesh High Court (Scrutiny, Maintenance of Judicial Records, Administrative and Executive Business) Rules, 2013. (2nd amendment).

COMMENCEMENT:

2. These rules shall come into force with immediate effect.

AMENDMENT:

in Rule 3 of Chapter-I, Part-I. In Rule 3 Part-I of Chapter-I (General) of the aforesaid rules, after sub-rule (d), the following sub-rules (e) and (f) shall be added namely:-

(e) Digitization means the process of converting analog signals or information of any form into a digital and un-editable format that can be understood by computer systems or electronic devices.

(f) Digitized/Electronic Record shall have the meaning assigned to it in the Information Technology Act 2000.

Amendment in Rule 3 of Chapter 4 Part-I General

In Rule 3 of the Chapter-4 (Ist amendment), the following rule 3-A shall be added namely:-

3 A The digitization of judicial records, registers, books and papers, including all court-fee stamps affixed thereto shall be effected by the scanners in the presence of Supervising Officer.

**Amendment in
Rule 16 of
Chapter-4**

In Rule 16 of Part-II (Judicial Record) of Chapter-4 (1st amendment), after sub-clause (iii), the sub-clause (iv) and rule 16-A (i), (ii), (iii) and (iv) shall be added namely:-

16(iv)

All the original documents after digitization be returned to the parties after giving them three months' notice to receive the documents and in case the parties do not collect the documents within a period of three months, those documents shall be destroyed in accordance with the provisions of rule 3 of Chapter-4 under the general superintendence of the Deputy Registrar by the supervising Officer(s) as may be appointed by the Chief Justice for that purpose.

Record to be Digitized and Preserved permanently in the uneditable digitized Format.

16A (i) Notwithstanding anything contained in rule 9 to 13, the entire judicial record of every case filed in and disposed of by the High Court shall be digitized and preserved permanently in the digitized un-editable format, and, the digitization of current cases shall be carried out and updated from time to time as may be necessary under the general superintendence of the Deputy Registrar (IT) by the

supervising officer(s) as may be appointed by the Chief Justice for that purpose.

(ii) The official digitizing the judicial record shall certify that the entire judicial record of the given case has been digitized. The supervising officer, shall then as soon as possible give a certificate under his physical and digital signatures, that the entire judicial record of the given case is available in the un-editable digitized format.

(iii) The judicial record of the given case which has been digitized, the under-mentioned judicial record alone thereof shall be preserved for the period specified in rule 9 to 13 of Chapter-4 in the physical form, namely:-

In Civil Cases including Civil Writs:

1. The interim/final signed judgment of the High Court.
2. The signed/certified Decree of the High Court.
3. Un-returned original deeds of title.
4. The affirmation/verification part of all the affidavits on record.
5. All order sheets duly signed or initialed by the Judges.
6. Original Power of Attorney(Vakalatnama).
7. Last page of the pleadings in the main matter as well as in the applications which bear signatures/affirmation/verification of the parties/Advocates.
8. Such papers, in case of historical, sociological and scientific value, as in the opinion of the Court, should be permanently preserved.

In Criminal cases including criminal Writ Petitions:-

1. The interim/final judgment of the High Court.
2. Un-returned original deeds of title.
3. All order sheets duly signed or initialed by the Judges.
4. Original Power of Attorney(Vakalatnama).

5. Last page of the pleadings in the main matter as well as in the applications and memorandum of appeal, which bear signatures/affirmation/verification of the parties/Advocates.
6. Such papers, in case of historical, sociological and scientific value, as in the opinion of the Court, should be permanently preserved.

(iv) After digitization of the disposed of cases, all the judicial records, books and papers in the physical form except the judicial record as mentioned in rule 16A (iii) supra shall be destroyed and destruction shall be carried out from time to time as may be necessary in accordance with the provisions of rule 3 of Chapter-4 under the general superintendence of the Deputy Registrar by the supervising Officer(s) as may be appointed by the Chief Justice for that purpose.

Digitization of Registers.

**Amendment in
Part-III of
Chapter-4**

**After rule 20 of the Part-III(Registers)
of Chapter-4 of the aforesaid rules,
rule 20-A (i) to (iii) shall be added
namely:-**

20-A. (i) Notwithstanding contained in rules 18 to 20, all the Registers mentioned in part III of Chapter 4 shall be digitized and preserved permanently in the digitized form under the general superintendence of the Deputy Registrar (IT) by the supervising officer(s) as may be appointed by the Chief Justice for that purpose.

(ii) The official digitizing the register shall certify that the entire Register has been digitized.

The supervising officer, shall then as soon as possible give a certificate under his physical and digital signatures, that the entire register is available in the digitized form.

(iii) The registers mentioned in part III of Chapter 4, which have been duly digitized and certified by the Supervising Officer, shall be destroyed except the registers of the current year which shall be preserved in physical form. The destruction shall be progressively carried out from time to time in accordance with the provisions of rule 3 of Chapter-4 under the general superintendence of the Deputy Registrar by the supervising Officer(s) as may be appointed by the Chief Justice for that purpose.

Amendment in Part-IV of Chapter-4. **After Rule 26 of the aforesaid rules, rule 27 (i) to (iii) shall be added namely:-**

Digitization of other papers

Rule 27 (i) Notwithstanding anything contained in rules 21 to 24 all the other papers as mentioned in part IV of Chapter 4 shall be digitized and preserved permanently in the digitized form under the general superintendence of the Deputy Registrar (IT) by the supervising officer (s) as may be appointed by the Chief Justice for that purpose.

(ii) The official digitizing the papers mentioned in part IV of Chapter 4 shall certify that

the entire papers have been digitized. The supervising officer, shall then as soon as possible give a certificate under his physical and digital signatures, that all the above said papers are available in the digitized form.

(iii) All the papers mentioned in Part IV of Chapter 4, which have been duly digitized and certified by the Supervising Officer, shall be destroyed except the papers of the current year which shall be preserved in physical form. The destruction shall be progressively carried out from time to time in accordance with the provisions of rule 3 of Chapter-4 under the general superintendence of the Deputy Registrar by the supervising Officer(s) as may be appointed by the Chief Justice for that purpose.

BY ORDER
HIGH COURT OF HIMACHAL PRADESH

Endst. No.HHC/Rules/Vol.V/1997-

Dated: 20.9.2013

1. The Principal Private Secretary to Hon'ble the Chief Justice.
2. The L.R.cum-Secretary (Law) to the Govt. of H.P., Shimla-2.
3. Secretaries to the Hon'ble Judges.
4. All the Additional Registrars, H.P. High Court, Shimla.
5. All the Deputy Registrars /Assistant Registrars/ Secretaries/Court Masters/ Private Secretaries/Section Officers/ Marriage Counsellor/ Chief Librarian/ Public Relation Officer and Protocol Officer of the Registry.
6. The Secretary/Private Secretary/ PAs to the

Registrar General/ Registrar (Inspection,
Confidential & Budget)/ Registrar (Legal Research
& Rules)/ Registrar(Judicial & J.B.)/Registrar
(Vigilance, Finance & Accounts)/ OSDs, CPC/
Assistant Co-ordinator (Mediation), H.P. High
Court, Shimla.

7. The NIC Officers posted in the High Court with a request to update the High Court Website.
8. The Technical Director, NIC of this Registry for conversion of the same into digital form on Gazette website in terms of this Registry Office Order No.HHC/Admn.1(18)/78-XI-9935-41, dated 8.4.2011.
9. Guard file.

Registrar General