

HIGH COURT OF HIMACHAL PRADESH AT SHIMLA.

No. HHC/Protocol/GH/Rules

Dated:3.9.2013

“NOTIFICATION”

The Hon'ble the Chief Justice is pleased to make the following Rules for the regulation of use, maintenance and control of the Guest Houses and Sessions Houses under the control of the High Court of Himachal Pradesh:

- Short title and 1. commencement**
- (a) These Rules shall be called the “High Court of Himachal Pradesh (Use, Maintenance and Control of Guest Houses and Sessions Houses) Rules, 2013.
- (b) These Rules shall come into force with immediate effect.
- Definitions**
2. In these Rules, unless the context otherwise requires-
- (a) **“Chief Justice”** means the Chief Justice of High Court of Himachal Pradesh.
- (b) **“Judge In charge”** means the Judge In charge of the committee, if it is single Judge Committee or if the Committee comprises of two or more Judges, then, the Senior Most Judge in the Committee.
- (c) **“Controlling Officer”** means the Officer in the rank of the Registrar or O.S.D. designated as Controlling Officer by the Chief Justice for the purpose of control of Guest Houses and Sessions Houses in the State of H.P.
- (d) **“Officer-in-Charge”** means officer in the rank of the Deputy Registrar or Assistant Registrar, (who is the Branch Officer of the Protocol Branch in High Court) for the purpose of Guest Houses at Kaithu and Ravenswood, Shimla and in respect of Guest Houses and Sessions Houses in other parts of the State, the Senior Most Judicial Officer in the Sub Division within whose jurisdiction, the Guest House or Sessions House is situated.
- (e) **“Financial Rules”** means H.P. Financial Rules, 2009 as amended from time to time.
- (f) **“Government”** means the Government of Himachal Pradesh.
- (g) **“High Court”** means High Court of Himachal Pradesh.
- (h) **“Guest House”** means the guest house and the Sessions House in Himachal Pradesh under the control of the High Court of H.P.
- (i) **“Registrar General”** means the Registrar General of High Court of Himachal Pradesh.
- (j) **“Registrar”** means the Registrar appointed in the High Court of Himachal Pradesh.
- (k) **“Protocol Branch”** means the Protocol branch of the High Court of Himachal Pradesh.
- (l) **“Protocol Officer”** means the Protocol Officer or the S.O. (Protocol) who is the In charge of the Protocol Section in the High Court of Himachal Pradesh.

- (m) “**Committee**” means the Committee of one or more Hon’ble Judges of the High Court of H.P. styled as the “*Protocol and Hospitality Committee*” or *called by any other similar name* in order to exercise over haul control over the Protocol and other hospitality matters in respect of the Judiciary in State of H.P. including the upkeep and maintenance of the Guest Houses run under the control of the High Court of H.P.
- (n) “**District & Sessions Judge**” means the District & Sessions Judge of the District & Sessions Division, in the territorial jurisdiction of which, the Guest House is located.
- (o) “**Judicial Officer**” means the Judicial Officer in the state of H.P..
- (p) “**Boarding charges**” means and includes the charges for breakfast, lunch, dinner, tea etc. as may be fixed by the Hon’ble the Chief Justice from time to time.
- (q) “**Care Taker**” means any official of the Registry of the High Court who is holding the rank of a Sr. Assistant or Caretaker for the purpose of Guest Houses at *Kaithu* and *Ravenswood* whereas for the purpose of Guest House(s) at the District & Sessions headquarters, the Civil Nazir in the Office of the District & Sessions Judge and for the purpose of Guest House(s) at the Sub Divisional Level, the *Naib Nazir* working in the Office of the Senior Most Judicial Officer in the Sub Division.
- (r) “**Check-List**” means list of all the items provided for the use by a guest in a suite or a room of a guest house.
- (s) “**Prescribed**” means prescribed under these Rules.
- (t) “**Charges**” means occupational charges of Guest House(s) as given in **Annexure- A** which shall be revisable at the discretion of the Hon’ble the Chief Justice from time to time but the same shall not include the boarding charges.
- (u) “**Bill-cum-Receipt**” means the bill-cum-receipt of charges of the Guest House/Sessions House to be issued at the time of vacation of guest house by the guest(s) in **Annexure-B**.
- (v) “**Attendant**” means Attendant appointed in Guest House and this term shall also include any Class-IV employee posted in the Guest House.
- (w) “**Guest**” means any of the dignitaries/persons staying in the Guest House out of the the dignitaries/persons mentioned in clauses (a) to (o) of Rule 8 of these Rules.
 - (1). The Guest Houses in the State of H.P. shall be classified as under:
 - (i) High Court Guest Houses in Himachal Pradesh.
 - (ii) Sessions Houses in the State of H.P.
 - (2) The Chief Justice shall have the discretion to declare a Sessions House as High Court Guest House or *vice versa*.

Classification of 3. Guest Houses.

Control of Guest 4. Houses

- (1) Subject to the overall control and supervision of the the Registrar General, the District & Sessions Judge concerned and the Controlling Officer, the Officer-in-Charge shall be responsible for the proper use, care, maintenance and control of the Guest Houses within their jurisdictions.

Duties of the officer 5. The officer-in-charge shall be duty bound to:-

- (a) Ensure the proper maintenance of the Guest House within his jurisdiction and control.
- (b) Ensure that the record of visitors in the form of a register in **Annexure – C** is properly maintained and wherever the computer facility is available, the record in this behalf shall also be maintained in the computer.
- (c) Ensure that registers showing the inventory of the furniture, furnishings, beddings, crockery, electrical appliances etc. provided in the Guest House (s) and expenditure incurred therefor are properly maintained in the proper stock registers.
- (d) Pay intermittent visits to the Guest House at least once in a week and ensure that the Guest House is properly maintained and in case any shortcoming is noticed then to get the same rectified on priority basis.

6. The officerin-charge shall also:

- (a) Check the inventory of the furniture, furnishing, crockery, beddings, electrical appliances etc. after three months v.i.z in the months of April, July, October and January before 15 th day of the respective month and arrange to recover any loss arising out of the negligence or fault, from the person(s) concerned;
- (b) Have the electrical and other fittings got checked up after every three months and place the report on the record;
- (c) Arrange for the proper and prompt recovery of charges recoverable for the use and occupation of the Guest House from the occupants and credit the same to the Government under proper head;
- (d) Submit a report half yearly to the Controlling Officer regarding the recovery of the charges as mentioned at clause (c) of this Rule;
- (e) Ensure that the staff posted in the Guest House attend their duties in time that too in the prescribed uniform and submit a report to the Controlling Officer for any departure by them in this behalf;
- (f) Ensure that the Guest House(s) is/are not misused in any manner by any officer or official or otherwise by an outsider;
- (g) Shall also take steps for timely condemnation and writing off the unserviceable furniture, furnishing and crockery items etc. and their replacement in accordance with the relevant Rules and Instructions.
- (h) Shall ensure that occupants in the Guest Houses are properly attended and served by the staff posted in the Guest House(s) within his control.

**Applicability
H.P.F.R.**

of 7.

- (a) The expenditure on the repairs, maintenance, replacement of condemned furniture or furnishing articles and crockery etc. shall be regulated under the provisions of the Financial Rules as amended from time to time by the Government subject to the condition that such amendment is adopted by the High Court.

Persons entitled to

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- (1) The following persons shall be entitled to occupy the

occupy the Guest Houses and order of preference.

Guest Houses in order of preference as given as under:-

- (a) The Hon'ble the Chief Justice of India and his spouse and close family members;
- (b) The Hon'ble Judges of the Supreme Court of India and their spouses and close family members;
- (c) The Hon'ble the Chief Justice of High Court and his spouse and close family members;
- (d) The Hon'ble Judges of the High Court and their spouses and other close family members;
- (e) Former Chief Justice of India and his spouse;
- (f) Former Judges of the Supreme Court and their spouses;
- (g) Former Chief Justices of High Court and their spouses;
- (h) Former Judges of High Court and their spouses;
- (i) The Judges of other High Courts and their spouses and close family members;
- (j) Judicial Officers in the State of H.P. and their spouses.
- (k) Guests of the Hon'ble the Chief Justice and Hon'ble Judges of High Court excluding the Advocates.
- (l) Registrar General, Registrars, including Additional Registrars/Joint Registrars/Special Registrars and Officers of equivalent rank of the Supreme Court of India, the High Court and other High Courts.
- (m) Secretaries/Private Secretaries of the visiting Hon'ble the Chief Justice and Judges of the Supreme Court and of other High Courts accompanying the dignitaries.
- (n) Officers/officials of other High Courts or any other government department especially invited by the High Court in connection with the official work or accompanying any judge or former judge of other High Court either on transfer to the High Court or on retirement of any judge belonging to or settled in the state of Himachal Pradesh.
- (o) Such other person including the judicial officer working in any other State as may be permitted by the Hon'ble the Chief Justice.

Use and occupation 9. of the Guest Houses including bookings and cancellation of reservation.

- (a) Any guest shall be entitled to occupy any guest house only after the prior reservation of the accommodation in such guest house.
- (b) No guest shall be allowed to stay in the guest house at one time for a period of more than seven days.

Provided that the judicial officers, on transfer to Shimla can be allowed to retain the guest house till the allotment of Government

accommodation or arrangement of private accommodation by him/her or for a period of not more than three months at a time or for a total period of three months in different spells, whichever, event occurs earlier.

Provided further that the trainee judicial officers can also be allowed to stay in the guest House during the currency of the training in H.P. State Judicial Academy till a hostel or Guest House of its own is constructed by the Academy.

Provided further that any guest who has been invited by the High Court for official purpose (s) can stay in the guest house till the task for which he/she has been invited is accomplished.

Provided further that the Hon'ble the Chief Justice under the facts and circumstances, in his discretion, can permit any guest to stay in the guest house for a period longer than the permissible under this Rule.

(c) In respect of the sitting Judges or the former judges of the High Court or their close family members, the period of stay in the Guest House at a time can be 15 days, which, of course, can be extended up to one month under the orders of the Hon'ble the Chief Justice.

Provided that any judge who has been transferred as such to High Court from other High Court or is elevated to the bench of the High Court, can occupy the Guest House for a period till a suitable accommodation is allotted to his/her lordship/ladyship.

(d) One suite in the fourth floor of the Guest House, *Kaithu* (suite No. 403) and one V.V.I.P. suite in every other Guest House shall be reserved only at the discretion of the Hon'ble the Chief Justice and one room in the fourth floor of the Guest House, *Kaithu* (Room No. 401) shall be reserved at the discretion of the Judge in charge of the Committee whereas other sets shall be reserved by the Controlling Officer only in respect of the eligible guests on the basis of first come first served.

(e) Any reservation of the guest house in respect of any such person who is not eligible as per Rule 8 of these Rules can only be made at the discretion of the Hon'ble the Chief Justice or the Judge in charge of the Committee, if authorised, to do so by the Hon'ble the Chief Justice by a general or special Order.

(f) The request for booking of the guest house can also be made through *e. mail* at the *email id* of the Protocol Branch of the High Court www.hphcprotocol@gmail.com followed by fax message and the confirmation of the booking shall also be made through *e. mail* or through fax.

(g) Any reservation of guest house made can be cancelled at the discretion of Hon'ble the Chief Justice only under exceptional and emergent circumstances and intimation in this behalf shall be given to the guest concerned at least 24 hours anterior to the date and

time of the booking which is proposed to be cancelled.

- (h) Every guest shall, at the time of entry in the Guest House, make entry in the Register, which shall be maintained in the form given in **Annexure-C**, showing his/her name, designation, address, date and time of arrival and the purpose of journey, official or private.
- (i) Immediately after the entry in the suite or the room of the guest house, the guest shall compare certain items which have been provided in the room with the check list normally available on the small study table provided in the suite/room and find out as to whether all such items are available in the suite/room.
- (j) It shall be incumbent upon each guest that all the items available in a suite or the room of the guest house are handled with all due care and caution.
- (k) Consumption of liquor or any other psychotropic or narcotic substance or smoking in any form, shall be strictly prohibited and in case any guest is found violating this sub clause, then he/she shall have to vacate the suite/room forthwith.
- (l) At the time of leaving the suite or the room in the guest house, it shall be incumbent upon the guest to check the check list and find out as to whether all the items which were available in the room are safe and no damage has been caused to any of the item or any item has not been lost. The guest shall also ensure that all the taps in the wash room have been properly turned and the heater and the lights are properly switched off.

- (m) At the time of the departure of the guest house, it shall be the duty of the guest to make entry in the occupancy Register qua his/her date and time of departure and make payment of the charges as per bill-cum-receipt to in **Annexure- B** to be issued by the caretaker or the Cook-cum-Chowkidar or the Attendant in the Guest House and also the boarding charges for food etc..

Provided that Hon'ble the Chief Justice or the Judge In charge, if authorised by the Chief Justice, may in his discretion, in appropriate cases, exempt any guest himself or any person accompanying him, who has been invited by the High Court for any official purpose or otherwise, to waive off the charges and even also the boarding charges.

- (n) The check in and check out time shall be reckoned from **12.00 Noon**.
- (o) No guest shall be entitled for reservation of more than three rooms/suites at a time but keeping in view the requirements of the guest and his family etc. and also the fact that the accommodation in the guest house is available, one additional room can also be booked in favour of the guest.

Provided that the Hon'ble the Chief Justice, in his discretion, can permit occupation of more than four rooms by any guest at a time.

Charges for 10 occupation of the Guest Houses

- (a) The charges and the boarding charges of the Guest Houses shall be as per **Annexure A**. A bill-cum-receipt in the prescribed form as per **Annexure B** shall be issued on account of the charges paid by a guest.

Provided that the Hon'ble the Chief Justice may, in his discretion revise the charges for stay in the Guest Houses from time to time.

Provided further that the Hon'ble the Chief Justice, in his discretion, can waive of the charges and also the boarding charges.

(b) At the time of the fixation of the charges for use and occupation of Guest Houses, the tariff having been fixed by the government in Circuit Houses/Rest Houses may be taken into consideration.

(c) It shall be the duty of the Care Taker, where such Care Taker is posted in the Guest House itself or in his/her absence of the Cook-cum-Chowkidar, wherever posted or of the Attendant in the Guest House, to recover all the charges from the Guest and deposit the same under the appropriate head will in time.

**Availability of News 11
Papers.**

(a) Two News Papers (one English and one Hindi) shall be subscribed at the public expense in the entire guest house and kept in the drawing room, where the guest(s) can go through the same.

**Supervisory Control 12
and Inspection of
the Guest Houses.**

(a) The Controlling Officer shall exercise full control over the affairs of the Guest Houses and shall pay a visit to each Guest House(s) at least once in a year and submit his report to the Committee and in case he has noticed any shortcomings in the maintenance of the Guest House, then he shall take immediate steps for the removal of such shortcomings and also submit his report to the Committee and then to the Hon'ble the Chief Justice.

(b) The District & Sessions Judge of the Sessions Division concerned shall also exercise full control over the affairs of the Guest House(s) situated in his jurisdiction, of course, subject to the general control of the Controlling Officer.

(c) The Officer-in-Charge shall be responsible for proper upkeep and maintenance of the Guest House(s).

(d) The Protocol Officer/S.O. (Protocol) in respect of the Guest Houses, Kaithu and Ravenswood, Shimla shall visit the Guest House(s) once in a fortnight, preferably every Monday and submit his/her report *qua* the affairs, upkeep and maintenance of the Guest House(s) to the Controlling Officer/Sessions Judge as the case may be and also take steps for proper upkeep and maintenance of the Guest House(s), if during the inspection, he/she has noticed any defect or discrepancy or slackness etc. in the proper maintenance of the Guest House(s). He/she shall also check and inspect the Feedback Register and note down the suggestions/recommendations/complaints of the guests and submit a complete report in this behalf to the Officer-in-Charge, who shall further bring the same into the notice of the Controlling Officer.

- Maintenance Record in each Guest House.**
- of 13**
- (e) The Officer-in-Charge shall visit the Guest House(s) once in a quarter i.e. after three months, preferably before 15th day of next month of the quarter ending and submit his/her report *qua* the affairs, upkeep and maintenance of the Guest House(s) to the Controlling Officer/Sessions Judge as the case may be and also take steps for proper upkeep and maintenance of the Guest House(s). If during the inspection, he/she has noticed any defect or discrepancy or slackness etc. in the proper maintenance of the Guest House(s) then a report to this effect shall also be submitted by him/her to the Controlling Officer and also the Sessions Judge concerned, where the Guest House is situated outside Shimla. He/she shall also check and inspect the Feedback Register and take note of suggestions/ recommendations/ complaints of the guests and submit a complete report in this behalf to the Controlling Officer and also to the District & Sessions Judge concerned, who shall take immediate action against the defaulting officer/official and also issue necessary directions to the officer in charge.
- General**
- 14**
- (a) An occupancy register in the form as given in **Annexure - C** showing the detailed particulars about the Guests shall be maintained.
- (b) Another register in form **Annexure-E** shall be prepared which shall show the feedback about the facility and services rendered in the Guest House. It shall be the duty of the Care Taker/Attendant/Cook-cum-Chowkidar to take feedback from each guest staying in the Guest House and then put up the same before the Protocol Officer and Officer-in-Charge, as the case may be, at the time of inspection of the Guest House.
- (c) Separate Inventory Registers of the Furniture/furnishing items, electrical appliances and the Crockery etc. shall also be kept in the Guest House in the Registers normally used for maintaining the Stocks etc.
- (d) Cash book showing the details of the receipts of the charges in the Guest House, which shall be maintained by the Care Taker and the charges received in the Guest House shall be deposited by the Care Taker once in a week i.e. Monday in the Government Treasury against proper head and the record maintained in this behalf.
- (e) Bill-cum-Receipt book in form in **Annexure-B** shall be maintained in the Guest House and a bill-cum-receipt shall be acknowledged to the Guest and a carbon copy of the same retained in the record.
- (a) If any question arises with regard to the interpretation or explanation of these Rules, it shall be decided by the Chief Justice or the Judge authorised by the Chief Justice to decide so and his decision in this behalf shall be final.
- (b) Where it will not be in public interest to give full particulars of the visit in the Register of the Guest House such as in the case of any Vigilance inquiry etc., then insertion of the words "Confidential/Official" in the appropriate column(s) of the Register shall be sufficient.
- (c) All the Guest Houses shall prominently carry sign Boards in front portion of the building indicating it to

be the Guest House/Sessions House of the High Court. This apart, the sign boards shall also be displayed at the appropriate crossing or diversion etc. of the city or town indicating the direction of the Guest House or the Sessions House so that it could be convenient to the Guests to locate the Guest House easily.

- (d) There shall be a flag post at the appropriate spot outside each Guest House to unfurl the national flag at the time of guard of honour to any visiting dignitary, who is entitled to the guard of honour in accordance with the norms and it shall be duty of the staff posted in the guest house to ensure that such flag post is maintained properly at all times.
 - (e) Private Cooking in the premises of any guest house shall be prohibited. In case under any emergent circumstances, the private cooking is to be done by any guest in a any suit having kitchen facility, then this fact should invariably be brought to the notice of the Officer-in-charge.

General Power **Relaxing 15** The Chief Justice may, if he thinks fit, necessary or expedient so to do, relax any of the provisions of these Rules.

Repeal and Saving 16 “The Guest House (Use and Occupation) Rules, 2004 as amended from time to time and any instructions issued qua regulating the use and maintenance of the Guest Houses stand repealed but any action taken under the said Rules or Instructions shall not be invalidated merely on coming into force of these Rules.

BY ORDER

REGISTRAR GENERAL

No. HHC/Protocol/GH/Rules Dated: 3.9.2013

Copy forwarded for information to:

1. The Secretary General, Supreme Court of India, New Delhi;
 2. The Registrar Generals, all the High Courts in India;
 3. All the District & Sessions Judges in Himachal Pradesh;
 4. The Director, H.P. Judicial Academy, Curzon House, Boileauganj, Shimla;
 5. All the Presidents, Distt. Consumer Redressal Fora in H.P.;
 6. The Presiding Officers, Labour Court-cum-Industrial Tribunal, Shimla and Dharamshala, H.P.;
 7. Member Secretary/Administrative Officer, H.P. State Legal Services Authority, Shimla;
 8. All the Civil Judges(Sr./Jr. Division) in H.P. including the Civil Judges(Sr./Jr. Division) on deputation;
 9. All the OSDs and CPC;
 10. The Deputy Registrar-cum-Special Secretary to Hon'ble the Chief Justice;
 11. All the Secretaries to the Hon'ble Judges;
 12. The Secretary/Private Secretaries to the Registrar General/Registrars(Inspection)/(Judicial & JB)/(vigilance);
 13. All the Additional Registrars/Deputy Registrars/Assistant Registrars/Court Masters;
 14. All the Sections Officers/Readers/Protocol Officer/Public Relations Officer/Marriage Counselor/ APOs;
 15. The Accountant General (Audit), HP, Shimla;
 16. The Technical Director, NIC p

osted in the High Court with a request to get this Notification uploaded on the High Court website;

17. Receptionist, High Court Guest House, Kaithu, Shimla;

18. Guard File;

(Note: From Sl. Nos. 9 to 14: High Court of H.P. Shimla)

(Partap Singh Thakur)

OSD(Protocol)