

## CHAPTER II

### Rules for the Disposal of Non-Judicial Business

1. The High Court office shall consist of two Departments; namely, the Administrative Department by which is meant the administrative business of the Court on its Appellate Side and the Judicial Department which shall mean and include all the rest of it.
2. There shall be a Standing Committee composed of the Chief Justice and two or more Judges to be appointed from time to time by the Chief Justice.
3. The Standing Committee shall be charged with the control and direction of the Subordinate Courts so far as such control and direction are exercised otherwise than judicially.
4. The Standing Committee shall have power without reference to the Judges generally-
  - (i) to dispose of all correspondence, within its own department, urgent in nature and not of general importance;
  - (ii) to make recommendations regarding the confirmation of Munsifs, Subordinate Judges and Chief Judicial Magistrates;
  - (iii) to issue orders regarding the crossing of efficiency bars by Munsifs Subordinate Judges and Chief Judicial Magistrates;
  - (iv) to promote Munsifs to the rank of Subordinate Judges;
  - (v) to promote Subordinate Judges to the rank of Chief Judicial Magistrates;
  - (vi) to select Subordinate Judges for exercising powers of an Assistant Sessions Judge;
  - (vii) to deal with the transfer and posting of Munsifs, Subordinate Judges and Chief Judicial Magistrates;
  - (viii) to deal with the revision of cadre strength of Chief Judicial Magistrates, Subordinate Judges and Munsifs;
  - (ix) to deal with the recommendations regarding deputation of Judicial Officers other than Officers of the Superior Judicial Services (Senior Branch) to hold posts under the State Government and other authorities;

- (x) to deal with the allegations and adverse reports received against Judicial Officers other than officers of the Superior Judicial Service (Senior Branch);
- (xi) to deal with the pension applications of Judicial Officers;
- (xii) to make recommendations regarding the degradation and suspension of Chief Judicial Magistrates, Subordinate Judges and Munsifs;
- (xiii) to dispose of any matter which may be referred to the committee for opinion; and
- (xiv) to approve the list of Civil Court holidays.

All matters regarding amendment of rules of the High Court's General Rules and Circular Orders, Civil and Criminal issue of General Letters and Circular Orders and any change of practice or procedure shall be placed before the Full Court.

5. Every order passed and every draft letter approved by the Standing Committee shall be signed by each member of it.
6. The Chief Justice may from time to time apportion the executive and administrative business of the Administrative Department among the Judges constituting the Standing Committee.

#### **SPECIAL COMMITTEES**

7. The Chief Justice may constitute Special Committee consisting of one or more Judges to consider and dispose of matters, specially or generally, referred to it by him.
8. Such a Committee shall have power, without reference to the Judge generally, to enter upon, and conduct, any correspondence which the members may consider desirable in order to enable them to finally dispose of the matters.
9. Every order passed and every draft letter approved by a Special Committee shall be signed by each of its members.

#### **APPEAL COMMITTEE**

10. (1) There shall be an Appeal Committee consisting of three Judges of the Court to be nominated by the Chief Justice from time to time for the disposal of appeals and representations made to the courts on the administrative side by ministerial officers in Class III and by Class IV employees of the subordinate Courts.

(2) Every final order passed by the Committee on the appeal or the representation, as the case may be, shall be signed by all the members of the Committee.

(3) The decision of the Committee shall be final.

### GENERAL

11. It shall be the duty of the Registrar to submit all papers relating to any matter to the Committee, if any, appointed to deal with it.
12. In all cases in which the Standing Committee has acted under Rule 13 or a Special Committee under rule 7, the correspondence shall be laid on the table for information of the Full Court and a notice shall be circulated weekly to all the Judges of the matters which have, during the past week, been laid before such Committee showing whether they have been disposed of and what manner.
13. It shall be competent to any Judge to require that any matter within the cognizance of any Committee shall be referred to the Full Court.
14. On the following matters all the Judges shall be consulted:
  - (i) proposed changes in the law where the proposition emanates from Government or in other cases where a Committee or any Judge of the Court considers that action is called for;
  - (ii) Administrative Reports yearly submitted to Government when passed by the Judges of the Standing Committee;
  - (iii) rules which, when published, will have the force of law;
  - (iv) subjects connected with relating between the Supreme Court and the High Court;
  - (v) all appointments which by law are made by the High Court and which are not otherwise expressly provided for by these rules;
  - (vi) disciplinary proceedings against judicial officers;
  - (vii) important questions of policy or those affecting the powers and status of the Court;
  - (viii) crossing of the efficiency bar by District and sessions Judges;

- (ix) selection of District and Sessions Judges for being allowed the selection grade and the super-time scale; and
  - (x) confirmation of District and Sessions Judges.
  - (xi) all matters relating to promotion, posting, transfer and deputation of the Officers of the Orissa Superior Judicial Service (Senior Branch).
15. Any individual Judge shall be at liberty to record separate minutes upon any matter that comes before the Full Court for discussion; but no such minutes shall be submitted to Government by the Registrar unless or until the same have been circulated to the rest of the Judges.
16. Except for some special reasons, the papers relating to any matter for discussion at a meeting of the Full Court shall be circulated to all the Judges at least one day before the day of the meeting.
17. The proceedings of all meetings of the Full Court, of the Standing Committee and of the Special Committee shall be recorded in books to be kept for that purpose by the Registrar and shall be, at all times, open to inspection when called for, by any of the Judges.
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