

RAJASTHAN HIGH COURT, JODHPUR

NOTIFICATION

No 5/S.R.O./2009

Dated: 15-10-2009

In exercise of the powers conferred by Article 225 of the Constitution of India and all other provisions enabling in this behalf the High Court of Judicature for Rajasthan hereby makes the following Rules to amend the Rules of the High Court of Judicature for Rajasthan 1952, namely:-

1. **Short Title and Commencement:-**

- (i) These Rules shall be called as Rules of the High Court of Judicature for Rajasthan (Amendment) Rules, 2009.
- (ii) These Rules shall come into force with immediate effect.

2. **Overriding effect:**

Notwithstanding any thing contained to the contrary in any other Rules these Rules shall have overriding effect.

3. **Insertion of Rule 17 A**

After existing Rule 17, following new Rule is inserted as Rule 17A-

"17A Standing Committee

- (1) There shall be a Standing Committee comprising of seven members in all. It shall be headed by the Chief Justice. Besides the Chief Justice, two senior-most Judges shall be permanent members. The remaining members will be inducted by rotation ordinarily according to seniority, and have term of two years. One of them will be a Judge appointed in the service quota to be nominated according to seniority amongst the service Judges.
- (2) The committee shall exercise disciplinary powers over the members of the Rajasthan Judicial Service and Rajasthan Higher Judicial Service viz initiation of disciplinary proceedings including suspension and taking final decision on the enquiry report. Except the penalties of dismissal, removal and reduction in rank which shall be placed before the Full Court for ratification, the committee shall be competent to award penalties. However, on requisition by at least three Judges in writing the decision of the Committee shall be referred to the Full Court for consideration.
- (3) During one's tenure as member of the Committee, the member Judge shall not function as Inspecting Judge nor he will conduct departmental enquiry. The departmental enquiries shall be conducted by a Judge who is not member of the committee or in the case of members of the Rajasthan Judicial Service, by an officer of the Rajasthan Higher Judicial Service nominated by the Committee.

- (4) The Committee shall meet ordinarily once a month either at Jodhpur or Jaipur as directed by the Chief Justice."

4. **Repeal and saving:**

- (1) Provision regarding appeal against penalty imposed upon member of Rajasthan Higher Judicial Service or Rajasthan Judicial Service as contained in proviso to Sub-rule(2) of Rule 23 of Rajasthan Civil Services (Classification, Control and Appeal) Rules 1958 is hereby repealed.

Provided that the repeal shall not affect right to appeal which might have accrued prior to commencement to these Rules.

- (2) The disciplinary proceedings already initiated under old provisions shall continue to proceed as if this amendment has not come into force.

By Order



REGISTRAR GENERAL