

**THE GAUHATI HIGH COURT AT GUWAHATI**  
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

**NOTIFICATION NO. 71**

Dated: Guwahati, the 06<sup>th</sup> August, 2021

**The Domestic help to Former Chief Justices and Former Judges of the Gauhati High Court Rules, 2020.**

In exercise of the powers conferred by Article 229 of the Constitution of India, Hon'ble the Chief Justice has been pleased to frame the following Rules:-

**Title and commencement**

1. These rules may be called "**the Domestic Help to Former Chief Justices and Former Judges of the Gauhati High Court Rules, 2020**".

2. These Rules shall come into force with effect from the date of issuance of Notification.

**3. Applicability**

These Rules shall apply to a person who has held office either as a 'Chief Justice' or as a 'Judge' of the Gauhati High Court.

**4. Definitions**

(i) "High Court" means "the Gauhati high Court, the High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh".

(ii) "Former Chief Justice" means a person who has held the office of the Chief Justice of the High Court;

(iii) "Former Judge" means a person who has held the office of a Judge of the High Court;

(iv) "Spouse" means the wife or, as the case may be, the husband surviving a former Chief Justice or former Judge upon his or her death while in office, or after retirement;

(v) "Domestic Help" means the assistance of a helper to be provided to a former Chief Justice or a former Judge of the High Court, or to his or her spouse, at the expense of the High Court.

**5. Eligibility**

A former Chief Justice or a former Judge of the High Court shall be entitled to avail of the services of a Domestic Help, if:

  
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(a) The facility of a Domestic Help is not being provided to the former Chief Justice or, as the case may be, former Judge by any other High Court;

and

(b) The former Chief Justice/Judge or their spouse, as the case may be on his/her appointment in any office, post or assignment shall not be entitled to the facility of Domestic Help during the tenure of such appointment/assignment except where such appointment/assignment does not provide the facility of any Domestic Help.

## **6. Selection of Domestic Help**

The former Chief Justice or, as the case may be, former Judge may at her or his discretion select a person to be engaged as a Domestic Help.

## **7. Contractual appointment**

The engagement of a Domestic Help under Rule-6 shall be on a contractual basis and will be available until the former Chief Justice or former Judge is entitled to the benefit of the facility under Rule-5, and until the Domestic Help performs duties satisfactorily subject to the certification of the former Chief Justice or former Judge.

## **8. Reimbursement**

Upon engagement, the monthly remuneration payable to the Domestic Help shall be reimbursed by the High Court to the former Chief Justice/former Judge or their spouse, as the case may be, at the end of every month.

## **9. Wages**

The wages to be reimbursed by the High Court to the former Chief Justice/former Judge, or their spouse as the case may be, for the engagement of a Domestic Help shall be equivalent to the salary payable to a Class-IV employee of the High Court in the grade of a peon or equivalent at the minimum of the scale of pay plus Dearness Allowance admissible thereon from time to time during the period of such employment.

**10.** The High Court shall pay wages equivalent for one Domestic Help at the rate prescribed in Rule-9.

**11.** The former Chief Justice/former Judge or their spouse, as the case may be, may engage more than one Domestic Help, but the High Court shall pay wages equivalent to the basic pay of only one Peon on the establishment of the High Court plus

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Dearness Allowance admissible thereon from time to time during the period of such employment. Such remuneration shall be paid from the "Office Expense" Head.

## **12. Continuance and absorption**

- (i) The Domestic Help engaged by a former Chief Justice or former Judge shall continue to remain on contractual basis till such time he or she renders satisfactory service, as certified by the former Chief Justice or former Judge, as the case may be.
- (ii) Upon completion of not less than 10 (ten) years' service, either with or without intermittent breaks, the services of the contractually engaged Domestic Help may be considered for absorption on the regular establishment of the High Court, if the Domestic Help is recommended for regularisation by the former Chief Justice or former Judge concerned, and is found suitable for regular absorption by the Chief Justice of the High Court, or on recommendation of a committee of Judges constituted by the Chief Justice to adjudge suitability.
- (iii) The total number of posts to be filled in by way of absorption under clause (ii) above, shall not exceed more than 5% (five percent) of the total posts of peons borne on the establishment of the High Court.

## **13. Secondment of a Permanent employee.**

- (i) Notwithstanding anything contained in the above Rules, if peon or equivalent holder of a Class-IV post who is borne on the establishment of the High Court, furnishes to the Registrar General of the High Court a request in writing to serve a former Chief Justice or former Judge, and the services of such an employee are acceptable to the former Chief Justice or, as the case may be, former Judge, he or she may be seconded to work as a Domestic Help until the Domestic Help attains the age of superannuation and/or so long as the former Chief Justice or former Judge is entitled to this facility.
- (ii) In case the peon or equivalent holder of Class-IV post who is borne on the establishment of the High Court is seconded to work as Domestic Help, the former Chief Justice or the former judge, as the case may be, shall not be reimbursed as provided under Rule-8.

## **14. Spouses**

The facility which is extended under the aforesaid provisions to former Chief Justice or former Judge of the High Court shall be provided on the same terms and conditions to the surviving spouse of the former Chief Justice or former judge, as the case may be, during the lifetime of the spouse.

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## 15. Interpretation

In the event of any question or dispute arising in regard to the interpretation of these Rules, the Chief Justice of the High Court shall be competent to take a decision in that regard which shall be final and binding in all respect.

N.B: The "Domestic Help to Former Chief Justices and Former Judges of the Gauhati High Court Rules, 2020", has been approved by the Government of Assam in its Cabinet meeting dated 28.07.2021 as communicated by the L.R. & Secretary to the Government of Assam, vide letter no. JDJ.52/2020-ESTT-JUDI-Judicial/74 dated 05.08.2021.

By order,

  
**REGISTRAR GENERAL**

**Memo No. HC.III-19/2016/4102-4117/G dated Guwahati, the 6<sup>th</sup> August, 2021.**

**Copy to:**

1. The Registrar (Vigilance / Judicial/ Administration/ Estt.), Gauhati High Court, Guwahati.
2. The Registrar, Gauhati High Court, Kohima Bench, Kohima / Aizawl Bench, Aizawl/ Itanagar Permanent Bench, Naharlagun.
3. The Registrar-cum-Principal Secretary to Hon'ble the Chief Justice, Gauhati High Court, Guwahati. Guwahati.
4. The L.R. & Secretary to the Govt. of Assam, Judicial Department, Dispur, Guwahati, Assam.
5. The Joint Registrar (\_\_\_\_\_), Gauhati High Court, Guwahati.
6. The Deputy Registrar (\_\_\_\_\_), Gauhati High Court, Guwahati.
7. The Librarian-cum-Research Officer, Gauhati High Court, Guwahati.
8. The Asstt. Registrar (\_\_\_\_\_), Gauhati High Court, Guwahati.
9. The Court Manager, Gauhati High Court, Guwahati.
10. The Special Officer, Translation Wing, Gauhati High Court, Guwahati.
11. The Project Manager, Gauhati High Court, Guwahati. *He is requested to upload this Notification in the website of the Gauhati High Court.*
12. The P.S. to Hon'ble Mr. /Mrs. Justice \_\_\_\_\_  
Gauhati High Court, Guwahati.
13. The A.O. (Judicial), \_\_\_\_\_ Section, Gauhati High Court, Guwahati.
14. The Court Masters, Court No. \_\_\_\_\_, Gauhati High Court, Guwahati.
15. The Court Officer Nos. 1 & 2, Gauhati High Court, Guwahati.
16. The C.A. to the Registrar General, Gauhati High Court, Guwahati.

  
**REGISTRAR GENERAL**