

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

NOTIFICATION NO. 64

Dated, Guwahati, the 16th July, 2021

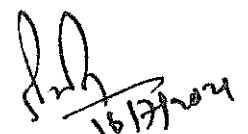
In exercise of the powers conferred by Article 229 of the Constitution of India, Hon'ble the Chief Justice has been pleased to frame the following Rules for allotment of quarters to the Private Secretaries of the High Court.

1. Short title and commencement:

- (i) These Rules may be called "*The Gauhati High Court Allotment of Quarters to the Private Secretaries Rules, 2021.*"
- (ii) They shall come into force on the date of notification of these rules.

2. Applicability: These Rules shall be applicable to the Private Secretaries working at the Principal Seat of the Gauhati High Court for the quarters constructed in and around Guwahati.

3. Definitions: In these Rules, unless the context otherwise requires, -


16/7/2021

- (i) "High Court" means the Gauhati High Court;
- (ii) "Principal Seat" means the seat of the High Court at Guwahati;
- (iii) "Chief Justice" means the Chief Justice of the Gauhati High Court;
- (iv) "Judge Administrative Department" means a Judge nominated by the Chief Justice in terms of Rule 4 of the Gauhati High Court Rules;
- (v) "Registrar General" means the Registrar General of the Gauhati High Court;
- (vi) "Registrar" means the Registrar working at the Principal Seat;
- (vii) "Assessment Committee" means a Committee constituted by the Registrar General comprising of the Registrar (Administration) and the Registrar (Establishment) to assess the requirement of quarter for any Private Secretary.

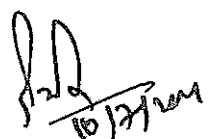
4. Eligibility for allotment: The allotment of quarter shall be made on the basis the assessment of actual requirement of official residential accommodation cum Seniority by the Assessment Committee. Preference shall be given to Seniority if the actual requirements of the officials are at par.

5. Disqualification for allotment: A Private Secretary shall not be eligible for allotment of a quarter if:-

Handwritten signature and date:
16/11/2014

- (i) He has been residing in the house owned by his parents in Guwahati except on a certificate given by him that such accommodation is not suitable for his residence.
- (ii) He or his spouse, son or unmarried daughter owns a residential accommodation (of any size) in Guwahati;
- (iii) His spouse, son or daughter has already been allotted a quarter in accordance with these Rules;
- (iv) He is due to superannuate within six months of the likely date of allotment;
- (v) He is under suspension on the likely date of allotment; or,
- (vi) There is reasonable apprehension that he may cause nuisance to the other officials and/or their families residing in the same building/compound.
- (vii) He is known in general, with or without previous official records, of indulging himself in any such nefarious activities which might cause ridicule to him in general, and the High Court, in particular and/or is involved in any such other activities involving unlawful financial transactions etc.
- (viii) For any reason the Administrative Committee of the Gauhati High Court finds him ineligible for allotment of a quarter.

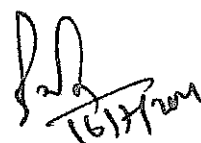
6. Application for Quarter: A Private Secretary, who fulfils the above criterion and is not disqualified from allotment of a quarter under the Rules, may apply for

Handwritten signature and date: 10/12/2011

allotment of a quarter to the Registrar (Establishment), who shall place the matter before the Assessment Committee. Thereafter, with the approval of the Registrar General, the matter shall be placed before the Judge, Administrative Department, of the Gauhati High Court for approval.

7. Conditions of allotment: The allottee of a quarter will be bound by the following terms and conditions:

- (i) The quarter shall be used only for residential purposes.
- (ii) The quarter is allotted only on a revocable license basis.
- (iii) The quarter shall not be misused or damaged in any manner whatsoever. The decision whether a quarter has been misused or damaged by an allottee shall be taken by the Registrar General of the Gauhati High Court, and his decision in this regard shall be final.
- (iv) The allottee of a quarter or anyone acting for and on his behalf or with his knowledge or tacit consent shall not cause any nuisance or annoyance to any other resident of the residential complex.
- (v) An allottee of a quarter is prohibited from sub-letting it under any circumstances or deriving any monetary benefit from the quarter.



16/1/2014

- (vi) The allottee of a quarter shall be bound to pay all dues and charges for the use and occupation of the quarter allotted to him as per existing Government Rules which may change from time to time, including house rent, electricity and water charges.
 - (vii) The allottee shall maintain the fitting and fixtures in good condition as at the time of allotment.
 - (viii) The allottee shall vacate the quarter within 3 (three) months on his discharge from service, whether by superannuation or otherwise.
 - (ix) The Administrative Committee of the Gauhati High Court may unanimously impose any other condition of allotment of a quarter, even after the allotment is made.
- 8. License fee for the quarter:** License fee for quarter will be applicable as per the Government Rules fixed from time to time in addition to the deduction of House Rent Allowance.
- 9. Cancellation of allotment:** The allotment of a quarter and the permission to occupy it is liable to be cancelled if the allottee or anyone acting for and on his behalf or with his knowledge or tacit consent breaches any condition of the allotment.
- 10. Procedure for cancellation:** On receipt of any information, or otherwise, it comes to the knowledge

[Handwritten signature]
16/1/2024

of the Registrar General of the Gauhati High Court that any allottee has breached any of the terms and conditions mentioned above, then the following procedure shall be adopted.

- (i) The allottee will be given a notice to show cause by the Registrar General of the Gauhati High Court as to why the allotment not shall be cancelled.
- (ii) The allottee will be obliged to submit his reply to the show cause notice within a maximum period of 15 (fifteen) days from the receipt of the show cause notice.
- (iii) On consideration of the reply to the show cause notice and any other material produced by the allottee and after giving him a hearing, the Registrar General of the Gauhati High Court shall take a final decision on the show cause notice within a maximum period of 30 (thirty) days from the date of receipt of the reply to the show cause notice.
- (iv) If the Registrar General of the Gauhati High Court accepts the allegations made in the show cause notice, he shall grant a maximum period of 30 (thirty) days time to the allottee to vacate the allotted premises.
- (v) An appeal against the decision of the Registrar General of the Gauhati High Court may be filed within a maximum period of 15 (fifteen) days to

A handwritten signature in black ink, followed by the date '16/11/2014' written below it.

the Administrative Committee of the Gauhati High Court.

- (vi) The decision of the Administrative Committee of the Gauhati High Court with regard to the cancellation of the allotment and time granted for vacating the quarter shall be final.

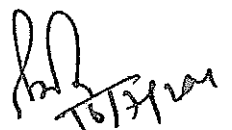
- 11. Occupation of a quarter:** A Private Secretary or a staff shall be considered to be in occupation of the quarter allotted to him during the period he continues to hold the post, until the allotment is cancelled.
- 12. Promotion of a Private Secretary:** In case of promotion of an allottee from the post of Private Secretary, he shall vacate the quarter allotted to him within the 3 (three) months of his joining the new post to enable the quarter for further allotment to the eligible officials as per Rules.
- 13. Sharing a quarter:** A Private Secretary shall not be considered to be in occupation of a quarter only because he shares it with an officer who is in occupation thereof.
- 14. Exchange of a quarter:** The Private Secretary may exchange his allotted quarter with another eligible Private Secretary with the written permission of the Registrar General.

R.D.
76/11/2011

15. Vacation of a quarter:

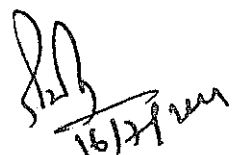
- (i) If the Private Secretary, to whom a quarter is allotted, superannuates, or is dismissed from service, or dies or retires from service (voluntarily or otherwise) or if his allotment is cancelled, then his allotment shall automatically stand withdrawn with effect from the date of his superannuation, dismissal, death, retirement or otherwise demitting his office (voluntarily or otherwise) or the date of cancellation and he or his next of kin shall hand over vacant and peaceful possession of the allotted quarter to the Registrar General of the Gauhati High Court within 3 (three) months thereof.
- (ii) In case of cancellation of allotment of a quarter on the ground of causing damage to the fitting and fixtures or to the quarter, the cost for repairing such damage, as determined by the Registrar General of the Gauhati High Court, shall be recovered from the allottee.

16. Payment of bills: An allottee of a quarter shall be liable to pay all bills and dues for consumption of


16/3/2011

water and electricity and any other charge levied by a competent authority on his own responsibility.

- 17. Parking Facilities:** An allottee of a quarter may be allowed to park one four wheeler car and one two wheeler only at the ground floor (area marked as A, B, C, etc.) having a valid High Court Car Pass. No outsider's car (s) shall be allowed to be parked.
- 18. Maintenance of decorum:** An allottee of a quarter is expected and obliged to maintain decorum at all times while he is in occupation of the quarter allotted to him and not to create any nuisance or/and annoy to any neighbor.
- 19. Power to allot quarter to any other category of employee:** The Registrar General with the approval of the Chief Justice may allot a quarter to any other class of employees considering the interest of the institution.
- 20. Residuary Powers and Power to relax:** The Chief Justice shall have the powers to relax the eligibility criteria of any official for allotment of quarters and/or any of the Rule in case of exigencies and may pass any such orders as he may deem fit and proper which are purely incidental and ancillary to these rules specifically, provided for herein or


16/11/2011

regarding matters as have not been sufficiently provided for.

By Order,
Sd/-Raktim Duarah
REGISTRAR GENERAL

**Memo No. HC.III-07/2021/3106-3121/G Dated
Guwahati, the 16th July, 2021.**

Copy to:

1. The Registrar (Vig./Admn./Judl./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.
4. The Jt. Registrar (_____), Gauhati High Court, Guwahati.
5. The Dy. Registrar (_____), Gauhati High Court, Guwahati.
6. The Librarian-cum-Research Officer, Gauhati High Court, Guwahati.
7. The Assistant Registrar (_____), Gauhati High Court, Guwahati.
8. The Court Manager, Gauhati High Court, Guwahati.
9. The Special Officer, Translation Wing, Gauhati High Court, Guwahati.


(6) 27/7/21

10. The P.S. to Hon'ble Mr./Mrs.

Justice _____,

Gauhati High Court, Guwahati.

11. The Project Manager, Gauhati High Court, Guwahati.

He is requested to upload this notification in the website of Gauhati High Court.

12. The A.O.(J), _____,

Section, Gauhati High Court, Guwahati.

13. The Court Officer No. 1 / 2, Gauhati High Court,

Guwahati.

14. The Chief Security Officer, Gauhati High Court,


Guwahati.

15. The C.A. to Registrar General, Gauhati High Court,

Guwahati.

16. The Gauhati High Court Notice Board.


REGISTRAR GENERAL


16/07/2021