

“NOTIFICATION”

In exercise of the powers conferred by Section 139(b) of Code of Civil Procedure, 1908 readwith section 29 of the Himachal Pradesh Courts Act, 1976 and section 297 of Code of Criminal Procedure, 1973 the High Court of Himachal Pradesh makes the following amendment in the “Himachal Pradesh Oath Commissioners (Appointment & Control) Rules, 2007” :-

- Short title:** 1. These rules shall be called “The Himachal Pradesh Oath Commissioners (Appointment & Control) (Second Amendment) Rules, 2008.”
- Commencement:** 2. These rules shall come into force with immediate effect.
- Amendment:** 3. The definition Clause 3(d) shall be deleted.
- The clause 3(e) and (f) shall be substituted by clause 3(d) and (e) and the words “ and the Registrar, Himachal Pradesh Administrative Tribunal at Shimla” in clause (d) shall be deleted.
- Serial No. in original Rule mentioned after 3(f) i.e. 3 to 14 shall be substituted/re-numbered as Sl.No. 4 to 15.

The original Rule 3 to be substituted as Rule (4) regarding “Strength of Oath Commissioners at each place” the words Administrative Tribunal shall be deleted and after the words “Consumer Disputes Redressal Commission” the words “District Consumer Fora in H.P.” shall be added.

Clause (iii) of original Rule 4 to be substituted as Rule 5 shall be as under:-

- (iii) When vacancy of Oath Commissioner is likely to occur in the Consumer Disputes Redressal Commission/District Consumer Fora in H.P, the Registrar/ President, Consumer Disputes Redressal Commission, District Consumer Fora in H.P. shall invite applications atleast 45 days before the expiry of the term of the serving Oath Commissioner(s) for filling up the vacancy from amongst the advocates practicing in the Consumer Disputes Redressal Commission / District Consumer Disputes Redressal Forum, on the prescribed form annexed as Appendix – A to these Rules.

Clause (iv) of original Rule 4 to be substituted as Rule 5 shall be as under:-

- (iv) **The District and Sessions Judge, The Registrar, Consumer Disputes Redressal Commission, Shimla, President, District Consumer Fora in H.P. shall scrutinize the applications received from desirous candidates and in case an application is found to be not in order, the same shall be returned to the applicant with objections in writing and such applicant may file the application afresh, if he so desires, within the time to be specified by the District and Sessions Judge, Registrar, Consumer Commission or President, District Consumer Fora in H.P. while returning the application.**

In Clause (iii) to (v) of original Rule 4 to be substituted as Rule (5) the words “Administrative Tribunal” shall be deleted.

Clause (ii) of original Rule 9 to be substituted as Rule 10 shall be as follows:-

Inspection of registers of Oath Commissioner at the High Court shall be conducted quarterly by the Registrar or his nominee, State Consumer Commission by the Registrar and at the District Consumer Disputes Redressal Forum by its President and the report shall be placed before Hon’ble the Chief Justice for perusal and orders.

The words “Administrative Tribunal” in clause (ii) shall be deleted.

In the end of Clause (i) of original Rule 11 to be substituted as Rule 12 the words “Registrar, Administrative Tribunal” shall be deleted and after the words “Registrar General of the High Court the “Registrar, State Consumer Disputes Redressal Commission” and “President, District Consumer Redressal Forum” shall be added.

BY ORDER OF THE HON’BLE THE HIGH COURT OF HIMACHAL PRADEH AT SHIMLA.

**(K.L. Sharma)
Registrar (Rules)**