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Kolkata  **Gazette**

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SRAVANA 2]

WEDNESDAY, JULY 24, 2024

[SAKA 1946

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

HIGH COURT AT CALCUTTA
APPELLATE SIDE

NOTIFICATION

No. 1111-G.

Dated, Calcutta, the 19th March, 2024.

In exercise of the powers conferred by Clause (2) under Article 227 of the Constitution of India and with approval of the Governor of West Bengal, the High Court at Calcutta, hereby makes the following amendment to the Civil Rules and Orders of the High Court, Calcutta, by way of introducing the following new Chapter under a new Part, namely, CHAPTER-50 of PART X, after CHAPTER-49 of PART IX, laying down the Rules relating to e-Authentication and Secured Electronic Transmission of e-authenticated Judgement/Decree/Order/Directions, which shall take effect from the date of its publication in the Official Gazette:

CIVIL RULES AND ORDERS

PART X

**Rules relating to e-Authentication and Secured Transmission of e-authenticated
Judgment/Decree/Order/Directions**

CHAPTER 50

Rule 991.: In these rules unless the context otherwise requires: –

- (a) **E-authentication of a judgment, decree, order or direction:**– E-authentication of a judgment, decree, order or direction shall mean the process of E-authentication of a judgment, decree, order or direction maintained/generated electronically with the use of digital signature as defined in Section 2(p) read with Section 3 of the Information Technology Act, 2000 or with the use of similar technology sufficient to attach a unique identification to the document or record.
- (b) **Secured transmission:**– Secured electronic transmission shall mean the transmission of e- Authenticated judgment, decree, order or direction including record of proceedings to any duty holder for intimation and compliance through a secured electronic communication channel specifically provided/developed by the National Informatics Centre (NIC) or any other authority as approved by the High Court at Calcutta.

(c) **Duty holder includes:—**

- (i) Person as defined in the General Clauses Act, 1897;
- (ii) Central or State Government or any local authority;
- (iii) Authority created by or under any law;
- (iv) Any other entity who are legally bound to comply with and/or implement any judgment/dccree/order/direction passed by a Court of Law;

Rule 992. Every judgment, decree, order or direction passed in the course of a judicial proceeding shall be e-authenticated in the manner as prescribed by the High Court at Calcutta.

Rule 993. Secured transmission of e-authenticated copy of every judgment, decree, order or direction to any duty holder shall be deemed to be a valid communication to such duty holder for the purpose of implementation/compliance of such judgment, decree, order or direction in accordance with law.

Rule 994. E-authenticated copy of every judgment, decree, order or direction shall be uploaded in the official website of the Court concerned without unnecessary delay and in no case, later than 48 hours of delivery of judgment/order or drawing up of decree, as the case may be.

Rule 995. In urgent cases, where the court concerned so directs, the e-authenticated copy of judgment, decree, order or direction, as the case may be, shall be transmitted forthwith but not later than 24 hours to duty holder concerned for implementation/compliance in accordance with law.

By order of the High Court,

Sd/-
CHAITALI CHATTERJEE (DAS)
Registrar General

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HIGH COURT AT CALCUTTA
APPELLATE SIDE

NOTIFICATION

No. 1112-G.

Dated, Calcutta, the 19th March, 2024.

In exercise of the powers, conferred by Clause (2) under Article 227 of the Constitution of India and with approval of the Governor of West Bengal, the High Court at Calcutta, hereby makes the following amendment to the Criminal Rules and Orders of the High Court at Calcutta, by way of introducing the following new Chapter, namely, CHAPTER XXXIV, after CHAPTER XXXIII of PART I, laying down the Rules relating to e-Authentication and Secured Electronic Transmission of e-authenticated Judgement/Decree/Order/Direction, which shall take effect from the date of its publication in the Official Gazette:

CRIMINAL RULES AND ORDERS

CHAPTER XXXIV

**Rules relating to e-Authentication and Secured Transmission of e-authenticated
Judgment/Order/Direction**

Rule 715. In these rules unless the context otherwise requires:—

- (a) **E-authentication of a judgment, order or direction:**— E-authentication of a judgment, order or direction shall mean the process of E-authentication of a judgment, order or direction maintained/generated electronically with the use of digital signature as defined in Section 2(p) read with Section 3 of the Information Technology Act, 2000 or with the use of similar technology sufficient to attach a unique identification to the document or record.
- (b) **Secured transmission:** Secured electronic transmission shall mean the transmission of e-Authenticated judgment, order or direction including record of proceedings to any duty holder for intimation and compliance through a secured electronic communication channel specifically provided/developed by the National Informatics Centre (NIC) or any other authority as approved by the High Court at Calcutta.

(c) **Duty holder includes:—**

- (i) Person as defined in the General Clauses Act, 1897;
- (ii) Central or State Government or any local authority,
- (iii) Authority created by or under any law,
- (iv) Any other entity who are legally bound to comply with and/or implement any judgement/order/direction passed by a Court of Law;

Rule 716. Every judgement, order or direction passed in the course of a judicial proceeding shall be e-authenticated in the manner as prescribed by the High Court at Calcutta.

Rule 717. Secured transmission of e-authenticated copy of every judgment, order or direction to any duty holder shall be deemed to be a valid communication to such duty holder for the purpose of implementation/compliance of such judgment, order or direction in accordance with law.

Rule 718. E-authenticated copy of every judgment, order or direction shall be uploaded in the official website of the Court concerned without unnecessary delay and in no case, later than 48 hours of delivery of judgment/order or drawing up of decree, as the case may be.

Rule 719. In respect of all judgments/orders including bail orders directing release of an individual from custody or in any other urgent case where the Court so directs, e-authenticated copy for the judgment, order or direction shall be transmitted to the duty holder concerned forthwith but not later than 24 hours for implementation/compliance including release from custody in accordance with law.

By order of the High Court,

Sd/-
CHAITALI CHATTERJEE (DAS)
Registrar General

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HIGH COURT AT CALCUTTA
APPELLATE SIDE

NOTIFICATION

No. 1113-G.

Dated, Calcutta, the 19th March, 2024.

In exercise of the powers conferred by Clause (2) under Article 227 of the Constitution of India and with approval of the Governor of West Bengal, the High Court at Calcutta, in modification of the existing provisions of Sub-Rule (1) of Rule-964 of the Civil Rules and Orders of the High Court, Calcutta, hereby makes the following amendment thereto, which shall take effect from the date of its publication in the Official Gazette:

Amendment.

R.964. (1) “District Judges in West Bengal are empowered to give administrative sanction to projects for the repair and construction of Court or office buildings including the projects of repairing and construction of judicial quarters upto Rs. 5,00,000/- (Rupees Five Lakhs only). Projects estimated to cost more than this sum must be submitted with plans and estimates, for sanction to the State Government through the High Court.”

By order of the High Court,

Sd/-
CHAITALI CHATTERJEE (DAS)
Registrar General