

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई, दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 481]

रायपुर, शुक्रवार, दिनांक 14 दिसम्बर 2018 — अग्रहायण 23, शक 1940

विधि और विधायी कार्य विभाग
मंत्रालय, महानदी भवन, अटल नगर, रायपुर

HIGH COURT OF CHHATTISGARH, BILASPUR

Bilaspur, the 23rd October 2018

MEMO

Subject :- Regarding the Rules pertaining to giving Canteen, Photocopying and Cycle Stand in District Courts, 2017.

Ref. :- Extract of the Minutes of the full Court meeting of Hon'ble Judges held on 9th October, 2018.

No. 10035/III-19-14/2001. — With reference to the subject cited above, I am directed to inform you that the Rules pertaining to giving Canteen, Photocopying and Cycle Stand in District Courts, has been approved by the Hon'ble Full Court.

Sd/-
(Neelam Chand Sankhla)
Registrar General.

In compliance of the order of Hon'ble Full Court, a Draft Scheme for giving Canteen, Photocopying and Cycle Stand on contract basis in District Courts by inviting tenders, is as follows for kind consideration and orders:-

In exercise of the powers conferred under Article 227 read with Article 235 of the Constitution of India and all other powers enabling them in this behalf, the Hon'ble the Chief Justice and the Judges of the High Court of Chhattisgarh, hereby, makes the following Rules pertaining to giving Canteen, Photocopying and Cycle Stand.

1. Short Title, Commencement and Scope

(1) These Rules Shall be Called "The Rules pertaining to giving Canteen, Photocopying and Cycle Stand in District Courts, 2017".

(2) It shall come into force with the immediate effect.

(3) These Rules shall be applicable to all District Courts and Outlying Courts in the State.

2. Definitions

In these Rules, unless the context otherwise requires-

(1) "State" means the Chhattisgarh State of union of India.

(2) "High Court" means the High Court of Chhattisgarh.

(3) "Registrar General" means the Registrar General of Chhattisgarh High Court.

(4) "District Court" means the District Courts of the State.

(5) "District Judge" means the District Judge of the District Court.

(6) "Union" means the Zila Nyayik Employees Sangh of the District Court, registered under the Society Registration Act, **and recognized by High Court of Chhattisgarh.**

(7) "Application" means, the format of application as at Annexure-1.

(8) "Committee" means, a committee constituted by the District Judge consisting of Senior Additional District Judge/Special Judge, Chief Judicial Magistrate and Clerk of Court/Accountant in the district headquarter and in case of outlying stations, the Officer incharge of the Nazarat and Naib Nazir.

3. Procedure of Giving Canteen on contract basis

(1) Applications shall be invited for running canteen on contract basis from the interested persons/firms by the President of the Union with the approval of the District Judge. After the recommendation of the Committee by way of advertisement/notice in this regard on the website of the District Court and/or publication in local news paper and applications shall be submitted within 7 (seven) days from the date of publication. A copy of prescribed format of application shall be uploaded on website of District Court and hard copy of application shall also be made available to the applicants by the Union until the last date of receiving of application. The applicant shall mention the bid amount (monthly licence fees/rent) for running canteen in the application. He shall be required to deposit the earnest money of 25% of the total bid amount by way of Demand Draft/Bankers Cheque which shall be drawn in favour of the President of the Union. He shall submit the application alongwith the earnest money in the sealed envelope within the stipulated time. The application received after the cut off date or without the earnest money shall be rejected and no correspondence shall be entertained in this regard.

(2) On expiry of the last date of submission of applications, the President of the Union, on very next working day, shall open all the received sealed envelopes before the Committee or the available senior most Judge (in Outlying Station, the senior most Judicial Officer) or any officer authorized by the District Judge, in the presence of all applicants (or the person authorized by the applicant in writing to be present on his/her behalf).

(3) After opening of all the applications, the applicant whosoever has quoted the Highest bid shall be declared as successful bidder by the authorized officer and that applicant shall be given the assignment of running canteen. The earnest money of the remaining applicants shall be returned to them, **as soon as possible within 7 working days**, by obtaining proper acknowledgement from them.

(9) The canteen operator shall pay the electricity and water bills and other maintenance charges as applicable.

(10) The canteen operator shall deposit licence fees/rent of two months as advance in the Bank Account of Union @ the bid amount per month as quoted by him. This rate shall prevail until 31st March. Thereafter, the rent of canteen shall be enhanced by 5% of the bid amount and so on in every upcoming years. The canteen operator shall require to deposit the monthly rent latest by the 10th day of every month in the account of Union. If he fails to do so, matter will be taken up by the Union for termination of assignment by giving notice to the canteen operator.

4. **Procedure of giving Permission to run Photocopy Machine on contract basis**

Procedure for giving permission to run Photocopy Machine in District Court Premises shall be same as mentioned in the procedure for giving canteen from serial no. 1 to serial no. 5, serial no. 9 and serial no. 10.

(1) The successful bidder shall install its own photocopy machines and depute operators at the place provided by the District Judge in the Court Premises.

(2) The charges of Photocopying should be cost effective to the all.

5. **Procedure of giving permission to run Cycle Stand on contract basis**

Procedure for giving permission to run Cycle Stand in District Court Premises shall be same as mentioned in the procedure for giving canteen from serial no. 1 to serial no. 5, serial no. 9 and serial no. 10.

(1) The successful bidder shall ensure the safety of cycles parked in the cycle stand. In case of any damage of cycle he shall be held responsible.

(2) The Committee has the power to fix rate of cycle stand on daily/monthly basis for different type of vehicle for staff/Advocates & others.

(3) Government vehicles & vehicle of Judicial Officers are exempted from the charges.

(4) The successful bidder shall ought to deposit the remaining 75% of the bid amount by way of Demand Draft/Bankers Cheque drawn in favour of the President of Union in the next **7** working days failing which the earnest money deposited by him alongwith the application shall be forfeited. The successful bidder shall be given assignment of running canteen only after depositing the entire bid amount in **7** days. The President shall deposit the received bid amount in the Bank Account of Union.

(5) (a) The President of the Union after approval of the Committee shall execute an agreement in favour of the successful bidder for assignment of running canteen on contract basis with a condition that contract shall be ceased after the completion of the term mentioned in agreement.

(b) The District Judge shall reserve the right to terminate the agreement of running canteen at any point of time without giving any prior notice.

(c) The canteen operator also at any point of time may abdicate the agreement of running canteen by giving **45 days** notice. In that case, the President of Union, on expiry of **45 days**, shall return the balance advance if any to the canteen operator.

(6) In case of any dispute the decision of the Committee after approval of the District Judge shall be final subject to the condition that the District Judge refers the matter to the High Court through Registrar General and High Court approves the same.

(7) The rate of items to be sold by canteen shall not exceed the market rate rather it should be below to that as far as possible. All the packed food items should be sold below M.R.P. as far as possible. In any case, no item can be sold above M.R.P. in the canteen. The quality and hygiene of snacks, beverages and foods served by the canteen should be maintained by the canteen operator. The canteen operator shall maintain the cleanliness in canteen.

(8) The canteen operator shall provide neat apron and uniform to its cook and all attendants.

6. Utilisation of the income received from giving Canteen, Photocopying and Cycle Stand on contract basis.

(1) Union shall deposit the required licence fees/charges as per rules with Public Work Department.

(2) In case if any Class III or Class IV employee dies in harness the union shall immediately provide Rs. 10,000/- or the 20% of the amount available in the fund whichever is less to the bereaved family.

(3) The Union shall organise a function on superannuation of every employee of the District Court and shall arrange the refreshment and memento for him/her.

(4) The Union shall organise a function on the occasion of independence day/republic day and shall arrange refreshment etc.

(5) Union may utilise the fund for some other purposes also subject to the approval of Committee.

(6) Union shall make audit of the fund at the end of every financial year and such audit report shall be placed before the Committee.

If Committee observes any grave irregularity then the suitable disciplinary action will be recommended by the Committee against the responsible person to District Judge.

(7) The Union shall utilise the fund received from giving canteen photocopying and cycle stand on contract basis as trusty of the fund. In case of any breach, suitable disciplinary action will be taken against them.

7. Interpretation

If any question arises as to the interpretation of these Rules, the decision of the High Court shall be final.

8. High Court reserves the right to amend and repeal these Rules.

ANNEXURE-1**FORMAT OF APPLICATION FORM****1. APPLICATION FOR PERMISSION**

(1) RUNNING CANTEEN IN - District Court/Court Premises

(2) RUNNING PHOTOCOPY MACHINE- District Court/Court Premises

(3) RUNNING CYCLE STAND - District Court/Court Premises

* Strike off which is inapplicable.

2. Name of the Applicant -

3. Full Address -

4. Proof of Identity -

(Self attested photocopy must be attached)

5. Bid Amount of Tender -

(monthly licence fees/rent)

* Please enclose the D.D./Bankers Cheque of 25% of Bid amount as earnest money in favour of President of Zila Nyayik Karmachari Sangh.

The earnest money shall be immediately returned after opening of tenders to all applicants except the Successful Bidder.

6. Demand Draft/Bankers Cheque No. and date -

7. Name of Issuing Bank & Branch -

Note- All the columns of Application form shall be duly and neatly filled in by the applicant failing which Application will be rejected. The applicant shall enclose the self attested copy of valid Identity proof and also the earnest money by way of Demand Draft/Bankers Cheque as mentioned above at serial no. 6 and 7, failing which the Application will be rejected.

Declaration

I Son/Daughter/Wife of, hereby undertake all information submitted above by me is true, and I shall abide by all conditions mentioned in Rules pertaining to giving Canteen, Photocopying, and Cycle Stand in District Courts 2017, and at any point of time if it is observed that I have submitted any false information, or I violate any clause of the above Rules or omitted to act as required, my contract will be cancelled without any prior notice.

Signature

Name