

# HIGH COURT OF JAMMU AND KASHMIR AT JAMMU

(Office of the Registrar General)

\*\*\*\*\*

**Subject:** Amendment to Jammu and Kashmir General Rules (Civil) framed under Section 122 of Civil Procedure Code.

## NOTIFICATION

**No:** 283 of 2021/REG

**Dated:** 18/03/2021.

In exercise of powers conferred by Section 122 of Civil Procedure Code read with all other powers enabling in this behalf, the High Court of Jammu and Kashmir with the previous approval of the Lt. Governor, hereby makes the following amendment to the "Jammu and Kashmir General Rules (Civil) of 1978 Svt."

This amendment shall come into force from the date it is published in the Government Gazette.

**AMENDMENT IN JAMMU AND KASHMIR GENERAL RULES (CIVIL), OF 1978 SVT., FOR THE GUIDANCE OF DISTRICT AND SUBORDINATE COURTS OF UTs OF JAMMU AND KASHMIR AND LADAKH**

### CHAPTER VI

**After Rule 33 the following proviso is inserted:**

*"Provided that the process generated electronically through the Case Information System with QR Code will be authentic without the signature of the Presiding Officer and seal of the court"*

**After Rule 34 the following proviso is inserted:**

*"Provided that the process generated electronically through the Case Information System with QR Code will be authentic without the signature of the Presiding Officer and seal of the court.*

*Provided further that service of summons/notices may be made by fax messages, electronic mail service or by any other approved available electronic mode."*

**After Rule 35 the following proviso is inserted:**

*"Provided that where the process is served through fax message, electronic mail service or by any other electronic mode it shall be sufficient proof of service of process if:*

- a) *the fax is sent from the concerned court on the registered fax number and receipt is generated indicating that the fax has been received at the remote end.*
- b) *the mail is sent from the mail ID of the concerned court on the registered mail ID of the addressee and receipt of delivery of mail is generated.*

*Registered fax number or registered email ID of the addressee is one which the concerned department, organization, individual displays on its website or letterhead or is contained in any arbitration agreement or any contract entered into between the parties to the litigation and copy whereof is produced in the court as proof of the same."*

**After Rule 135 the following proviso is inserted:**

*Provided that when the process is served through NSTEP or through any other similar application prescribed by the High Court, the signature or thumb impression of the party served on the handheld electronic gadget of the serving officer shall constitute the acknowledgement within the meaning of this Rule.*

**After Rule 136 the following proviso is inserted:**

*"Provided that when the process is served through NSTEP or through any other similar application prescribed by the High Court, the signature or thumb impression of the party served on the electronic gadget of the serving officer shall constitute the acknowledgement of service within the meaning of this Rule.*

*Provided further that the photograph of the party served along with the geo-tagged photo of the location captured by the process server shall be sufficient proof of service within the meaning of this Rule."*

**After Rule 146 the following proviso is inserted:**

*"Provided that wherever feasible, the court shall also send the summons to the nearest court where the defendant resides through NSTEP or through any other similar application prescribed by the High Court for service upon the defendant."*

**After Rule 148 the following proviso is inserted:**

*"Provided that the process generated electronically through the Case Information System with QR Code will be authentic without the signature of the Presiding Officer and seal of the court."*

**After Rule 158 the following proviso is inserted:**

*"Provided that when the process is served through NSTEP or through any other similar application prescribed by the High Court, the signature or thumb impression of the party served on the electronic gadget of the serving officer shall constitute the acknowledgement of service within the meaning of this Rule.*

*Provided further that the photograph of the party served along with the geo-tagged photo of the location captured by the process server shall be sufficient proof of service within the meaning of this Rule."*

  
**(Jawad Ahmed)**  
**Registrar General**

No: 3731-74/Rg/25

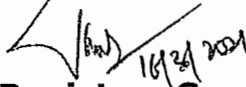
Dated: 18/03/2021.

**Copy of above forwarded to the:**

1. Principal Secretary to Hon'ble the Chief Justice, High Court of J&K, Jammu
2. Secretary to Hon'ble Mr/Mrs Justice \_\_\_\_\_  
..... for information of their Lordships.

3. Secretary to Government, Department of Law, Justice and Parliamentary Affairs, UTs of J&K and Ladakh,
4. Registrar Vigilance, High Court of J&K, Jammu,
5. Registrar Computers, High Court of J&K, Jammu
6. Registrar Rules, High Court of J&K, Jammu
7. Member Secretary, J&K State Legal Services Authority, Jammu
8. Registrar Judicial, High Court of J&K, Jammu/Srinagar,
9. All Principal District & Sessions Judges, UT of J&K and UT of Ladakh,  
..... for information.

10. CPC, e-Courts, High Court of J&K, Jammu for information and with the request to get the same uploaded on the official website of the High Court.
11. Manager, Government Press, Jammu for publication in the next issue of the Government Gazette.
12. Assistant Registrar, In-charge Library, High Court Wing Jammu/Srinagar for information and keeping the record.

  
**Registrar General**