

High Court of Judicature at Allahabad

Admin G-II Section

Notification

No. 387/2022/Allahabad

Dated 11.07.2022

In compliance of the directions issued by Hon'ble Supreme Court vide Judgement dated 11.01.2022 in Misc application number 1852 of 2019 in Criminal Appeal no. 1101 of 2019, Smruti Tukaram Badade vs. State of Maharashtra & Anr., the High Court of Judicature at Allahabad is pleased to make the following amendment in the **Vulnerable Witness Deposition Centres Scheme-2022** with immediate effect.

Vulnerable Witness Deposition Centres (Amendment) Scheme-2022

1. Short title and commencement.- (1) This scheme shall be called Vulnerable Witness Deposition Centres (Amendment) Scheme -2022.

(2) This scheme shall come into force with immediate effect.

2. Definition.- In this scheme, unless the context otherwise requires, "Scheme" means Vulnerable Witness Deposition Centres Scheme-2022.

3. Insertion of Para 41 to 45.- Para 41 to 45 be inserted after para 40 of the Scheme.

Guidelines for Recording of Evidence of Vulnerable Witnesses

41. Interim arrangement-

Till a permanent Vulnerable Witness Deposition Centre is established and made functional, an Exclusive Courtroom be prepared/identified in every District Court establishment (or additional Sessions Court establishment) well connected to the Vulnerable Witness Deposition Centre, to be established preferably at ADR Centre, through Video Conferencing System/ Audio-Video Linkage for smooth and proper recording of deposition of the Vulnerable Witnesses.

42. Booking of Slot for examination of Vulnerable Witnesses in Vulnerable Witness Deposition Centre-

On receipt of requisitions from different Courts relating to the examination of Vulnerable Witnesses in the Vulnerable Witness Deposition Centre, the Officer-in-Charge of the VWDC shall book date and time slot for such examination, enter the slot booking in a register to be maintained by him and communicate the same to the concerned Courts well in advance.

43. "Manpower required for smooth and efficient running of Vulnerable Witness Deposition Centre-

(a) Officer-in-charge- This said Officer-in-charge shall be appointed by the State Government in consultation with the High Court in every District Court establishment (or additional Sessions Court establishment) on adhoc/contract/temporary/permanent basis and he shall ensure management and regulation of the affairs of the VWDC including keeping and maintaining of Records and Data etc.

Till the said arrangement be made, Secretary, District Legal Services Authority shall function as Officer-in-charge of the Vulnerable Witness Deposition Centre.

(b) Technical Assistant Cum-Coordinator- This said Technical Assistant shall be appointed by the State Government in Consultation with the High Court in every District Court establishment (or additional Sessions Court establishment) on adhoc/contract/temporary/ permanent basis who shall apart from providing technical support at all ends in smooth and effective running of the VWDC shall assist the Officer-in-charge of the VWDC in managing and regulating the affairs of the VWDC.

Wherever applicable, he shall also function as Remote Point Coordinator under Rules for Video Conferencing for Courts in the State of Uttar Pradesh, 2020 as made by High Court of Judicature at Allahabad and approved by the State Government.

Till the said arrangement be made, the System Officer/ System Assistant/ District System Administrator shall function as Technical Assistant of the Vulnerable Witness Deposition Centre."

44. Rules for Video Conferencing for Courts, 2020 to apply-

Wherever applicable or in case of any ambiguity, the Rules for Video Conferencing for Courts in the State of Uttar Pradesh, 2020 as made by High Court of Judicature at Allahabad and approved by the State Government shall apply.

45. Residual Provisions-

Matters concerning for which no provisions is made in these guidelines shall be decided by the Court consistent with the interest of the Vulnerable Witnesses without prejudice to the rights of the accused to a fair trial.

By order of the Court


(Ashish Garg)
Registrar General

No. 8303/2022/Allahabad

Dated: 11/07/2022

Copy forwarded for information and necessary action to:-

1. All the Registrars/ Joint Registrars/ Deputy Registrar/ Assistant Registrar-cum-Private Secretary to the Hon'ble Judges of the High Court, Allahabad as well as Lucknow Bench, Lucknow for information of Their Lordships.
2. The Senior Registrar, Lucknow Bench, Lucknow
3. All the District Judges, Principal Judges of Family Courts, Presiding Officers of MACTs/LARRAs/Commercial Courts subordinate to the High Court of Judicature at Allahabad
4. JR/DR/AR-cum-PS to Ld. Registrar General
5. All the Judicial Officers on deputation to this Hon'ble Court
6. The Director, Judicial Training and Research Institute, Lucknow
7. The Director, Printing & Stationery, U.P., Allahabad with the remark that he will get the notification published in the next issue of the Official Gadget of the Uttar Pradesh and 10 copies of so published Gazette notification be provided to this Hon'ble Court.
8. I/C Computer Centre for updating the same on official website of the Court.
9. The Chief Documentation Officer cum Chief Librarian, High Court of Judicature at Allahabad
10. Section Officer, Admin 'H' Section (Administrative Record Room)


09/07/2022
Registrar General