

No.Per(AP.II)B(3)-10-75-III
Government of Himachal Pradesh
Department of Personnel
Appointment-II

Dated Shimla-171 002, 3rd August, 2017

From

Chief Secretary to the
Government of Himachal Pradesh

To

1. All Administrative Secretaries to the Government of Himachal Pradesh
2. All Heads of Departments in H.P.
3. All Divisional Commissioners in H.P.
4. All Deputy Commissioners in H.P.

Subject:

Prescription of dress code to attend Hon'ble Court and office (CWP No. 1043/2017 - Om Parkash V/S State of H.P & Ors.).

Sir,

In addressing you on the subject cited above, I am directed to say that Hon'ble High Court of Himachal Pradesh, while expressing its displeasure over the attire of a female Junior Engineer who appeared before the Hon'ble Court in a case wearing multi-coloured check shirt and jeans, has directed to issue necessary instructions to all the concerned to follow a dress code while attending court or office. A copy of the Order of Hon'ble High Court dated 17-07-2017 is annexed herewith for ready reference.

2. It is accordingly advised that while attending Hon'ble Courts specifically and office in general, all Government servant should be attired in appropriate, formal, clean, modest and decent cloths in sober colours, which should not look gaudy. Casual and party attire should be strictly avoided during appearance in Court and while attending office. The mannerism, conduct and dress of a Government servant should reflect a sense of decorum, decency, professionalism

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and seriousness of purpose at the work place as well as during appearance in Hon'ble Courts.

3. The above advisory instructions of the Government may be brought to the notice of every employee and should also scrupulously be followed in letter and spirit by all. In case any deviation is noticed or brought to the notice of the concerned Department/Government, an appropriate disciplinary action in the light of conduct rules or terms and conditions of the government employee, as the case may be, shall follow against the defaulter(s).

4. These instructions can also be seen on the departmental website i.e. www.himachal.nic.in/personnel.

5. Please acknowledge the receipt.

Yours faithfully,

Persbhandari

(Om Prakash Bhandari)

Deputy Secretary (Personnel) to the
Government of Himachal Pradesh

Tel No. 0177 - 2626097

e-mail : persbr2-hp@nic.in

Endst No. Per(AP.II)B(3)-10-75-III Dated Shimla-171 002, 03-08-2017

A copy is forwarded to the following for information and further necessary action:

1. All the Managing Directors/Secretaries/Registrars of Boards/ Corporations/ Autonomous Bodies/ Government Universities in Himachal Pradesh.
2. Shri Romesh Verma, Ld. Additional Advocate General, Himachal Pradesh Shimla w.r. to letter No. CWP 1043/2017-22807 dated 22-07-2017. He is requested to apprise the Hon'ble High Court accordingly on next date of hearing.

Persbhandari

Deputy Secretary (Personnel) to the
Government of Himachal Pradesh

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Directorate of Higher Education
Himachal Pradesh


शिमला दिनांक

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Endst. No. EDN-H(1)B(15)1/2009- Imp. Instt. Dated Shimla - 171001 the
Copy for information and further necessary action is forwarded to :-

10/8/2017

1. The Chief Secretary to the Govt. of Himachal Pradesh w.r.t. letter No.Per(AP-II)B(3)-10-75-III 03.08. 2017 for information please.
2. The Addl. Director of Hr. Education, (School), H.P.
3. The Joint Director of Hr. Education (Admn.), H.P.
4. The Joint Director of Hr. Education, C-I / C-II, H.P.
5. The Joint Controller (F&A), Dte. of Hr. Education, H.P.
6. The OSD(C)/ OSD(Skt.) Directorate of Hr. Education, H.P.
7. All Deputy Directors / Assistant Directors, Dte. of Hr. Education, H.P.
8. All the Principals of Govt. Degree Colleges/GCTE Dharamshala & Skt. in the H.P.
9. The PS to the Director of Higher Education, H.P.
10. All the Branch Officer / Superintendent Establishmenrt Branch, Directorate of Higher Education H.P. with the remarks that to take further necessary action in the matter accordingly.
11. **The Superintendent Computer Cell, Dte. of Hr. Education, H.P with the remarks to upload the said orders on the deptt. Website.**
12. All the Deputy Directors of Hr. Education, H.P. with the remarks that to take further necessary action in the matter accordingly.
13. The Group Commander, GP HQ, Shimla -4.
14. The Chief Librarian, Center State Library Solan.
15. All the District libraries in the H.P.
16. All the NCC units in the Pradesh.
17. All the Principals in the Govt. Sr. Secondary Schools in H.P.
18. All the Headmaster in the Govt. High Schools in HP.
19. Guard File.


Director Higher Education
Himachal Pradesh

17.7.2017: Present: Ms. Shreya Chauhan, Advocate proxy counsel for the petitioner.

Mr. Shrawan Dorga, A.G. with Mr. Anup Rattan and Romesh Verma, Addl. A.Gs and Mr. J.K. Verma, Dy. A.G. for respondents No.1 to 5.

Mr. C.N. Singh, Advocate alongwith Respondent No.6
Ms. Poonam Kumari.

Mr. C.N. Singh, Advocate has put in appearance on behalf of respondent. No.6. He prays for and is granted one week's time to file reply. Rejoinder within two weeks thereafter. List for admission on **8.8.2017**.

2. We notice that respondent No.6, who has appeared in person and is a Junior Engineer is not appropriately dressed. She is wearing a multi-coloured check shirt and jeans. What is more appalling is when she informed the Court that she even discharges her official duties wearing only these kinds of dresses.

3. Dispensation of justice is inevitable feature in any civilized society. Judiciary is the backbone of democracy. In a democratic polity, the role of the judiciary is to maintain and stabilize the rule of law, which is essential in successful functioning of the democracy. The Judges and Magistrates play a pivotal role in the administration of justice and that is why they wear specific dress prescribed by the Rules framed

by the High Court. This dress is worn compulsorily in order to maintain the dignity and decorum of the Court and, therefore, we see no reason why any litigant, more particularly, Government officers and officials should be improperly or inappropriately dressed while appearing before the Court. After all being appropriately dressed only induces a seriousness of purpose and a sense of decorum which is highly conducive for the dispensation of justice.

4. Shakespeare said "*the apparel oft proclaims the man*".

5. Every litigant appearing before the Court is expected to be dressed in a modest manner so as to maintain decorum.

6. However, of late there has been lamentable slackness in matters of litigants attire, more particularly, Government officers and officials appearing before this Court and this only (to borrow the words of Allahabad High Court in *Prayag Das vs Civil Judge, Bulandshahr* AIR 1974 Allahabad 133) precipitates sartorial inelegance and judicial indecorum and undermines the majesty of law.

7. Therefore, it is high time we reiterate that litigants appearing before this Court, more particularly, Government officers and officials should be dressed, if

not formally atleast appropriately or else they may start dressing more indiscreetly.

8. The apprehension may be well cited by a dialogue, which is alleged to have transpired between the Australian squatter and his friend, who visited him on his estate far away in the wilds of the interior of the estate and was aptly taken note of by the Allahabad High Court in *Prayag Das's* (*supra*) AIR 1974 Allahabad 133: The friend asked him why, in so remote a place he made it a practice to 'dress' for dinner: "I do it," said the squatter, to avoid losing my self respect. If I did not dress for dinner I should end by coming in to dinner in my shirt-sleeves. I should end by not troubling to wash. I should sink down to the level of the cattle. I dress for dinner, not to make myself pretty, but as a spiritual renovation.

9. The State of Jharkhand, through its Personnel Administrative Reforms and Rajbhasha Department, has already issued instructions on 30.5.2017 asking all its officers and other staff not to appear before the Court in casual dresses. This decision was taken in response to scathing comments made by the Jharkhand High Court recently when the Chief Secretary appeared before the Court draped in colourful printed Saree. The Court not only pulled up the officers but also asked the Advocate General to

communicate the observations to the Government for necessary action so that officers maintain proper dress code while they are in Court. The instructions read thus:

पत्रांक-15/नीति नि0-07-01/2017 का0 6629

झारखण्ड सरकार

कार्मिक प्रशासनिक सुधार तथा राजभाषा विभाग

प्रेषक

ओम प्रकाश साह
सरकार के उपसचिव

सेवा में

सभी अपर मुख्य सचिव / प्रधान
सचिव / सचिव / विभागाध्यक्ष
सभी विभाग झारखण्ड
रॉंची दिनांक 30.05.2017

विषय

माननीय न्यायालय की गरिमा को ध्यान में रखते हुए
झारखण्ड उच्च न्यायालय में उचित परिधान में उपस्थित
होने के सम्बन्ध में।

महाशय,

निदेशानुसार उपर्युक्त विषय के सम्बन्ध में कहना है कि महाधिवक्ता कार्यालय के पत्रांक -4600 दिनांक -18.04.2017 के द्वारा माननीय उच्च न्यायालय की गरिमा को दृष्टिपथ में रखते हुए झारखण्ड उच्च न्यायालय में उचित परिधान में ही उपस्थित होने का निदेश संसुचित किया गया है जिसमें यह भी उल्लेखित है कि किराी भी परिस्थिति में कोई पदाधिकारी/कर्मचारी माननीय न्यायालय में केंजुअल ड्रेस यथा जीस फेंसी शर्ट टी शर्ट रंगीन चश्मे रंग बिरंगे कपड़े पहनकर उपस्थित नहीं हो।

साथ ही उक्त पत्र के द्वारा यह भी निदेशित किया गया है कि कोर्ट रूम में उपस्थिति के दौरान कौंस लैंग में नहीं बैठे जाए।

अनुरोध है कि उक्त दिशा निदेशों का अनुपालन हेतु आवश्यक कार्यवाई करने की कृपा की जाए।

विश्वासभाजन

हस्ता

ओम प्रकाश साह
सरकार के उपसचिव

झापांक -15/नीति नि0-07-01/2017 का0 6629 रॉंची दिनांक 30.5.2017

प्रतिलिपि - महाधिवक्ता झारखण्ड उच्च न्यायालय रॉंची को उनके पत्रांक -4600 दिनांक 18.04.2017 के प्रसंग में सूचनार्थ एवं आवश्यक कार्याच प्रेषित।

हस्ता

सरकार के उपसचिव

10. Needless to say that the issuance of such kinds of order is only a reminder to all the concerned to

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follow the appropriate dress code while they attend Court or office as the officers are already aware of the dress code as they have been trained on this aspect.

11. Let a copy of this order be sent to the Chief Secretary, Government of Himachal Pradesh for issuing necessary instructions /directions to all the concerned. Compliance report be submitted on or before the next date of hearing.

List on 8.8.2017:

(Tarlok Singh Chauhan),
Judge.

(Ajay Mohan Goel),
Judge.

17.7.2017

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