

THE ALLAHABAD HIGH COURT OFFICERS AND STAFF (CONDITIONS OF SERVICE AND CONDUCT) RULES, 1976

UTTAR PRADESH

India

THE ALLAHABAD HIGH COURT OFFICERS AND STAFF (CONDITIONS OF SERVICE AND CONDUCT) RULES, 1976

Rule 00 of 1976

- Published on 1 January 1976
- Commenced on 1 January 1976
- [This is the version of this document from 12 November 2021.]

1. [Amended by THE ALLAHABAD HIGH COURT PRIVATE SECRETARIES (CONDITIONS OF SERVICE) (AMENDMENT) RULES, 2021 (Rule 91 of 2021) on 12 November 2021]

THE ALLAHABAD HIGH COURT OFFICERS AND STAFF (CONDITIONS OF SERVICE AND CONDUCT) RULES, 1976 THE ALLAHABAD HIGH COURT OFFICERS AND STAFF (CONDITIONS OF SERVICE AND CONDUCT) RULES, 1976 In exercise of the powers conferred by clause (2) of Article 229 of the Constitution of India, the Chief Justice of the High Court of Judicature at Allahabad makes the following rules with respect to the conditions of service of persons serving on the staff attached to the High Court of Judicature at Allahabad.

1. Short title and commencement.--

(1) These rules may be called the Allahabad High Court Officers and Staff (Conditions of Service and Conduct) Rules, 1976. (2) They shall apply to all officers and other members of the establishment of the High Court. (3) They shall come into force with effect from the date of publication in the Official Gazette.

2. Definitions

□□ In these rules unless the context otherwise requires □□ (a) 'Chief Justice' means the Chief Justice of High Court of Judicature at Allahabad; (aa) 'Registrar General' means Registrar General of the Allahabad High Court; (b) 'Registrar' means Registrar of the Allahabad High Court; (c) 'Additional Registrar' means the Additional Registrar of the Allahabad High Court; (d) 'Joint Registrar' means the Joint Registrar of the Allahabad High Court; (e) 'Deputy Registrar' means the Deputy Registrar of the Allahabad High Court; (f) 'Citizen of India' means a person who is or is deemed to be citizen of

India Under Part II of the Constitution;(g) 'Commission' means the Uttar Pradesh Public Service Commission;(h) 'Constitution' means the Constitution of India;(i) 'Establishment' means the establishment of the office of the High Court at Allahabad "and its Lucknow Bench";(j) 'Government' means the Government of Uttar Pradesh;(k) 'High Court' means the High Court of Judicature at Allahabad;(l) 'Member of the Establishment' means a person appointed in accordance with these rules or of rules or orders in force prior to the commencement of these rules;(m) 'Year of Recruitment' means the period of twelve months commencing from the first day of July of a calendar year;(n) 'Appointing Authority' means the Chief Justice of the Court or such other Judge or Officer as he may direct.

Part II – – Cadre

3. Strength of the establishment--

(I) The strength of the service and of each category of posts therein shall be such as may be determined by the Chief Justice from time to time with the approval of the Governor of Uttar Pradesh. (II) The ratio between the number of posts in various categories shall be such as prevailing in the corresponding categories of officers and subordinates in the Uttar Pradesh Civil Secretariat. (III) The strength of the service and of each category of posts therein shall, until orders varying the same are passed under sub-rule (I), be as given below:

Name of Post	No. of Post
Computer Assistant	40
Assistant Review Officer	336
Review Officer	833
Section Officer	225
Assistant Registrar	79
Deputy Registrar	42
Joint Registrar	18
Registrar	07

(IV) Provided that: (a) The appointing authority may leave unfilled or the Chief Justice may hold in abeyance any vacant post without thereby entitling any person to compensation; or (b) The Chief Justice may create such additional permanent or temporary posts as he may consider proper with the approval of the Governor.

Part III – CLASS IV POSTS

4. Sources of recruitment to class IV Posts:

The sources of recruitment to the various class IV posts in the establishment shall be as follows:

(a) Peon, Farrash, Coolie, Sewak Bhisti, Sweeper, Mali, Fireman, Chowkidar and Liftman. By direct recruitment as provided in rule 5 "Repealed." Provided that the services of 'SEWAK' shall be terminable without any notice on the recommendation of the Hon'ble Judge concerned with whom SEWAK is not satisfactory whereupon the SEWAK concerned shall cease to work: Provided further that the services rendered by the 'SEWAK' shall include domestic work and attending to household chores at the assigned residence. (b) Jamadar By promotion from amongst permanent peons, Sewak. (c) Daftari By promotion from amongst permanent peons, farrashes and liftmen. Provided that for the post of daftari only such persons shall be eligible who, to the satisfaction of the appointing authority, possess requisite knowledge and experience of the work of book binding. (d) Bundle Lifter By promotion from amongst permanent peons, farrashes and liftman. (e) Head Mali By promotion from amongst permanent Malis, provided a suitable person is available; otherwise, by direct recruitment of

a person possessing requisite knowledge and experience of gardening and ability to supervise the work of malis.

4A. Reservation for Scheduled Castes, etc

(i) Reservation in favour of Scheduled Castes, Scheduled Tribes, Other Backward Classes and Economically Weaker Sections--In direct recruitment to the various categories of posts in the establishment, the following percentages of vacancies to which recruitments are to be made shall be reserved in favour of the candidates belonging to Scheduled Castes of U. P., Scheduled Tribes of U. P., Other Backward Classes of U. P. and Economically Weaker Sections of U. P. as per the provisions of the Uttar Pradesh Public Services (Reservation for Economically Weaker Sections) Act, 2020.-(a) In case of Scheduled Castes 21%(b) In case of Scheduled Tribes 02%(c) In case of Other Backward Classes 27%(d) In case of Economically Weaker Sections 10% [substituted by 2021 rules]

5. Academic qualification.---

(1) A candidate for recruitment to the post of peon, Sewak and farrash must have passed class V. (2) A candidate for recruitment to the post of liftman must have passed class V and must, to the satisfaction of the appointing authority, also possess requisite knowledge and experience of running a lift. Preference shall be given to a qualified electrician. (3) No academic qualification is required for the posts of Coolie, Bhisti, Sweeper, Mali, Fireman and Chowkidar, but a literate person will be preferred. (4) A candidate for the post of Mali must possess requisite knowledge and experience of the work of a Mali, "and a candidate for the post of "SEWAK" who possesses good knowledge and experience of Cooking will be given preference." (5) Knowledge of cycling will be essential for the post of peon 'and Sewak' and it will be an additional qualification for all other posts.

6. Appointing Authority—

If the appointing authority is other than the Chief Justice the exercise of his power shall always be subject to any general or special order of the Chief Justice.

6A. Power of Nazir to impose fine:

□ The power of the appointing authority to impose minor penalty of fine upon Class □ IV Employee may be exercised by the Nazir with the approval of the Registrar General, in accordance with the provisions of the Rules applicable in this regard.

7. Recruitment by promotion—

Whenever it is required to make recruitment by promotion to any of the posts of Jamadar, Daftari, Bundle lifter, Sewak or Head Mali, the Appointing authority shall make selection of the required number of candidates keeping in view the service record and performance of the candidates from amongst eligible candidates. Seniority shall be determined by the order in which the names are

arranged in the list.

Part IV – SOURCES AND METHOD OF RECRUITMENT TO CLASS III POST

8. Sources of recruitment to class III post—

The sources or recruitment to the various class III posts in the establishment shall be as follows.

GENERAL OFFICE

(a)(i) Computer Assistant (i) 60% by direct recruitment through competitive examination conducted by the appointing authority or such manner as directed by Chief Justice. (ii) 40% by promotion on merit through competitive examination from Class IV employees who have completed five years continuous satisfactory service as on 01st July of the year of recruitment and possesses the minimum educational qualification of intermediate along with CCC Certificate / Diploma / Degree in Computer Science from recognized institute established by law in India. (ii) Telephone operators and Telex Operators By direct recruitment through competitive examination conducted by the appointing authority or such manner as directed by Chief Justice. (b) Assistant Review Officers (i) 80 per cent by direct recruitment through competitive examination or selections. (ii) 20 per cent by promotion from amongst permanent Computer Assistants, permanent Telephone Operators and permanent Telex Operators who have completed at least 03 years continuous satisfactory service. (a) Repealed. (b) Repealed. (c) Provided further that promotion of permanent Telephone Operators / Permanent Telex Operators shall be subject to the conditions laid down under Rule 13 (A). (c) Review Officer 'Deleted'. (d) 'Deleted'. Note: [] Repealed. Provided that all available vacancies may, in the discretion of the Chief Justice, be filled from any of the above sources. a ('Deleted') (d) 'Deleted'. (e) Bench Secretaries 'Repealed'.

9. Qualifications [] Academic qualifications for direct recruitment to the various class III posts in the establishment shall be as follows: (i) Computer Assistant Must possess a Bachelor's degree of a University established by law in India or a qualification recognized as equivalent thereto. (i) (a) Telephone Operators and Telex Operators Must have passed the Intermediate Examination of the Board of High School and Intermediate Education U.P. or an examination declared by the Governor as equivalent thereto. Provided that the minimum academic qualifications in respect of the candidates recruited before the enforcement of these rules shall be High School Certificate. (ii) Assistant Review Officers Must possess a Bachelor's degree of a University established by law in India or a qualification recognized as equivalent thereto. Provided further that with reference to Direct Recruitment on the post of Assistant Review Officer Diploma in Computer Science from a recognized institution / University, or 'O' Level Certificate awarded by DOEACC Society, and the speed of 25 Words per Minute in English Typing on Computer will be the qualification for recruitment to the post of Assistant Review Officer to be filled up by Direct Recruitment. (ii) Review Officer 'Deleted'. (iii) 'Deleted'. (iv) 'Deleted'. (v) Chief Documentation Officer [] Chief Librarian Degree in law and diploma in Library Science from a recognized University. Provided that in addition to the above qualifications, candidates for the following categories of posts must also possess the qualification mentioned below: (a) Computer Assistant Must possess good knowledge of Hindi and English Typewriting. Provided that nothing in this rule shall be construed as affecting or invalidating

appointments made or orders issued before the commencement and orders shall continue in force and shall be deemed to have been made or issued under the appropriate provisions of this rule. (b) Deleted. (c) Telephone Operators Must possess sufficient experience of working as a Telephone Operator in some Government or Semi-Government undertaking. (d) Telex operators "Diploma or certificate in Telex Operators from some recognized Institute of training. Must possess sufficient experience of working as Telex Operator in some Government or Semi Government Undertaking." "Provided further that in all direct recruitments in class III knowledge of Data Entry, word processing and Computer Operation would be essential qualification while for all promotional posts of class III its knowledge would be a preferential qualification."

10. Method of selection for the posts of Computer Assistants--

(1) The appointing authority shall ascertain the probable number of vacancies likely to occur in the post of Computer Assistants during the course of the year of recruitment and determine the number of vacancies, if any, to be reserved for candidates belonging to the Scheduled Castes and others under Rule 23. (2) The procedure and syllabus relating to the competitive examination shall be as follows or as prescribed by the appointing authority from time to time.

1. Syllabus for Examination (Objective Type):

General Studies: Marks: 200 .Time: 03 Hours (A) General Science, (B) History of India, (C) Indian National Movement, (D) Indian Polity, Economy and Culture, (E) Indian Agriculture, Commerce, and Trade, (F) Population, Ecology and Urbanisation (in Indian Context), (G) World Geography & Geography and Resources of India, (H) Current National and International Important Events, (I) General Intelligence, (J) Special Knowledge regarding Education, Culture, Agriculture, Industry, Trade, Living and Social Traditions of Uttar Pradesh, (K) Knowledge of General English and General Hindi of Graduation Level, (L) Elementary Knowledge of Computers. (3) 'Repealed'. (4) The total marks obtained by the candidates in the written examination will determine their position and the merit list shall be prepared accordingly. If two or more candidates secure equal marks the candidate elder in age shall be placed above. The select list shall hold good for the period of one year or till the advertised vacancies are filled up, whichever is earlier. (5) Fee: Candidate's must pay to the Registrar General, High Court, Allahabad fees prescribed below or such fees as may be prescribed by the Chief Justice from time to time

Category	Fees
General & Other Backward Class	Rs. 500/-
Scheduled Caste and Scheduled Tribe of U.P.	Rs. 250/-

A. Method of selection for the post of Telephone Operators and Telex Operators

Selection for the post of Telephone Operators and Telex Operators shall be made from amongst

11. eligible applicants who are considered most suitable by the appointing authority.

12. 'Repealed'.

Method of direct recruitment to the post of (Deleted) Assistant Review Officer (Deleted)

–(1)Whenever it is required to make direct recruitment, to fill up vacancies existing or likely to occur, on the post of Assistant Review Officer during the course of the year of recruitment, the Appointing Authority shall ascertain the number of vacancies, including vacancies, if any, to be reserved for candidates belonging to the Scheduled Castes and others as specified in Rule 23.(2)The appointing authority shall invite applications for admission to the competitive examination and admit to the examination such candidates as on scrutiny of the applications are found eligible for recruitment to the post.(3)The procedure and syllabus relating to the competitive examination shall be as follows or as prescribed by the appointing authority from time to time.

1. Syllabus for Examination (Objective Type):

General Studies: Marks: 200. Time: 03 Hours(A)General Science,(B)History of India,(C)Indian National Movement,(D)Indian Polity, Economy and Culture,(E)Indian Agriculture, Commerce, and Trade,(F)Population, Ecology and Urbanisation (in Indian Context),(G)World Geography & Geography and Resources of India,(H)Current National and International Important Events,(I)General Intelligence,(J)Special Knowledge regarding Education, Culture, Agriculture, Industry, Trade,Living and Social Traditions of Uttar Pradesh,(K)Knowledge of General English and General Hindi of Graduation Level,(L)Elementary Knowledge of Computers.(4)The merit list shall be prepared on the basis of the marks obtained in the written examination including shorthand, typing and performance in computer operation, if any. The list shall hold good for one year or until the next selection whichever is earlier.(5)Fee: Candidate's must pay to the Registrar General, High Court, Allahabad fees prescribed below or such fees as may be prescribed by the Chief Justice from time to time

Category Fees	General & Other Backward Class	Rs. 500/-
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13. Scheduled Caste and Scheduled Tribe of U.P. Rs. 250/-

Promotion to the posts of Assistant Review Officers: (1) Whenever it is required to make promotion to any of the posts of Assistant Review Officers the appointing authority shall ascertain the number of vacancies to be filled by promotion during the course of the year of recruitment. The appointing authority shall also prepare a list of the candidates who are eligible for promotion.(2)The appointing authority shall make appointments from the select list in order of merit.(3)The select list shall hold good for three years or until the next selection whichever is earlier.13 A. The reservation of vacancies in the post of Assistant Review Officers for Telephone Operators: (i) The reservation of vacancies in the post of Assistant Review Officers for Telephone Operators and Telex Operators. One vacancy in the post of Assistant Review Officers shall be reserved in every alternative year of recruitment for each of such Telephone Operators and Telex Operators as have rendered on the establishment of the court a total service of not less than five years including officiating or temporary service as on the first day of July of the years in which the examination is held and whose work after a consideration of their Character Rolls and Personal files, if any, is considered by the appointing authority to be satisfactory.(ii)The procedure and syllabus relating to test shall be such as may be

prescribed from time to time by the appointing authority.(iii)The appointing authority may fill in the vacancy referred to in sub-rule (i) on the result of qualifying test or by any other method determined by the Chief Justice.(iv)In case no eligible and suitable candidate is found in the year of recruitment in which

14. vacancy has been reserved the vacancy shall be treated as general.

Criterion for promotion□Criterion for promotion to the posts referred to in Rule 13 shall be

15. seniority subject to rejection of the unfit.

Appointment to the post of Court Officer and Cashier:□The posts of Court Officer and Cashier are selection posts. Appointments to these posts shall be made by transfer of suitable officials from officials belonging to class II (Deleted) & class III by the Appointing Authority keeping in view the aptitude of the candidates and their willingness to furnish requisite security, where required. The person concerned shall be liable to be transferred back to his original post. His lien will continue to be maintained on his original post and he may be reverted to his original post.

Part V – –A - SOURCES AND METHOD OF RECRUITMENT OF REVIEW OFFICER/ REVIEW OFFICER(HINDI/URDU)

15. Part / Rule No.

□A The post of Review Officer, shall be a Class – II (Deleted) Post.(1)The post of Review Officer shall be filled by following two methods □(a)70% by way of promotion from amongst permanent Assistant Review Officers in accordance with the Rules, who have completed at least 03 years' continuous satisfactory service as on 01st July of the year of recruitment.(b)30% by way of direct recruitment through competitive examination.Note□'Repealed'.(2)Qualification: Academic qualifications for direct recruitment to the post of Review Officer in the establishment shall be as follows:(a)Must possess a Bachelor's degree from a University established by law in India or a qualification recognized as equivalent thereto.(b)Provided further that in direct recruitment, knowledge of Data Entry, Word Processing & Computer Operation would be an essential qualification whereas for promotional posts the aforesaid knowledge would be a preferential qualification.(3)Method of Direct Recruitment to the post of Review Officer □(a)Whenever direct recruitment is made to fill up vacancies existing or likely to occur in the Review Officer Cadre during the course of the year of recruitment, the Appointing Authority shall ascertain the number of vacancies, including vacancies, if any, to be reserved for the candidates belonging to the Scheduled Castes and others as specified in Rule 23.(b)The Appointing Authority shall invite applications for admission to the competitive examination and admit to the examination such candidates as on scrutiny of applications are found eligible for recruitment to the post.(c)The procedure and syllabus relating to the competitive examinations shall be as follows or as prescribed by the Appointing Authority from time to time.

1. Syllabus for Examination (Objective Type):

General Studies: Marks: 200. Time: 03 Hours (A) General Science, (B) History of India, (C) Indian National Movement, (D) Indian Polity, Economy and Culture, (E) Indian Agriculture, Commerce, and Trade, (F) Population, Ecology and Urbanisation (in Indian Context), (G) World Geography & Geography and Resources of India, (H) Current National and International Important Events, (I) General Aptitude, (J) Special Knowledge regarding Education, Culture, Agriculture, Industry, Trade, Living and Social Traditions of Uttar Pradesh, (K) Knowledge of General English and General Hindi of Graduation Level, (L) Elementary Knowledge of Computers. (d) The merit list shall be prepared on the basis of the marks obtained in the written examination and performance in computer operation, if any. The list shall hold good for one year or until the next selection, whichever is earlier. (e) Fee: Candidate's must pay to the Registrar General, High Court, Allahabad fees prescribed below or such fees as may be prescribed by the Chief Justice from time to time

Category Fees	General & Other Backward Classes	Rs. 750/-
	Castes and Scheduled Tribes of U.P.	Rs. 500/-

(4) Promotion to the post of Review Officer

(a) Whenever vacancies are decided to be filled by way of promotion, the Appointing Authority shall ascertain the number of vacancies to be filled by promotion during the course of the year of recruitment. The Appointing Authority shall also prepare a list of the candidates who are eligible for promotion. (b) The Appointing Authority shall make appointments from the Select List in order of merit. (c) The Select List shall hold good for three years or until the next selection, whichever is earlier. (5) Criterion for promotion – Criterion for promotion to the post of Review Officer shall be seniority subject to rejection of the unfit. (6) The Appointing Authority for the post of Review Officer shall be the Registrar General: Provided that the exercise of his power shall always be subject to any

15. general or special order of the Chief Justice.

B The post of Review Officer (Hindi/Urdu) (nomenclature changed from

1. 'Translator' to Review Officer (Hindi/Urdu) vide G.O. No. 1055/VII–Nyaya–

2015/228/2014, dated 14.08.2015) shall be a Class – II post and shall be filled by direct recruitment through a competitive examination. (1) Qualifications – Academic qualifications for direct recruitment to the post of Review Officer (Hindi/Urdu) in the establishment shall be as follows: (a) Must possess a Bachelor's degree from a recognized University or a qualification recognized as equivalent thereto preferably with English and Hindi, both at the Intermediate and Graduate Levels. (b) Preference will be given to a candidate who holds a degree in Law from a University established/recognized by law in India. (c) Review Officer (Urdu) – Must possess a Bachelor's Degree with Arabic Literature, Persian Literature or Urdu Literature as one of the subjects from any University in India established by law or any other qualification equivalent thereto recognized by the State Government: Provided that the above qualifications need not be held by a candidate who has passed the Adeeb-ul-Kamil examination from Jamia Urdu, Aligarh. (2) Method of direct recruitment to the post of Review Officer (Hindi/Urdu) – (a) Whenever it is required to make direct recruitment to fill up vacancies existing or likely to occur on the post of Review Officer (Hindi/Urdu) during the course of the year of recruitment, the Appointing Authority shall ascertain

the number of vacancies, including vacancies, if any, to be reserved for the candidates belonging to the Scheduled Castes and others as specified in Rule 23.(b) The Appointing Authority shall invite applications for admission to the competitive examination and admit to the examination such candidates as on scrutiny of applications are found eligible for recruitment to the post.(c) The procedure and syllabus relating to the competitive examinations shall be as follows or as prescribed by the Appointing Authority from time to time:

1. Syllabus for Examination (Objective Type):

General Studies: Marks: 200 .Time: 03 Hours(A)General Science,(B)History of India,(C)Indian National Movement,(D)Indian Polity, Economy and Culture,(E)Indian Agriculture, Commerce, and Trade,(F)Population, Ecology and Urbanisation (in Indian Context),(G)World Geography & Geography and Resources of India,(H)Current National and International Important Events,(I)General Aptitude,(J)Special Knowledge regarding Education, Culture, Agriculture, Industry, Trade, Living and Social Traditions of Uttar Pradesh,(K)Knowledge of General English and General Hindi of Graduation Level,(L)Elementary Knowledge of Computers.(d)The merit list shall be prepared on the basis of the marks obtained in the written examination including typing and performance in computer operation, if any. The list shall hold good for one year or until the next selection whichever is earlier.(e)Fee: Candidates must pay to the Registrar General, High Court, Allahabad fees prescribed below or such fees as may be prescribed by the Chief Justice from time to time:Category FeesGeneral & Other Backward ClassesRs. 750/□Scheduled Castes and Scheduled Tribes of U.P.Rs. 500/□(3)The Appointing Authority for the post of Review Officer (Hindi/Urdu) shall be the Registrar General:Provided that the exercise of his power shall always be subject to any general or special order of the Chief Justice.

Part V – – –B

16. SOURCES AND METHOD OF RECRUITMENT TO OTHER CLASS II POSTS

Sources of recruitment to other class II posts.□The sources of recruitment to the various class II posts in the establishment shall be as follows:(a)Section Officer(General Office), NazirBy promotion from amongst permanent Review Officers and Review Officers (Hindi/ Urdu).(b)Bench Secretaries Grade□‘Repealed.’(c)Stamp Reporter By transfer of one of the Section Officers of General Office or Bench Secretary, Grade I.(d)Private Secretaries ‘Repealed’.(e)Assistant Principal Private Secretary to Chief ‘Repealed’.Justice(f)Chief Documentation Officer□Cum□Chief LibrarianBy promotion of Deputy Librarian or Review Officers doing the library work if he possesses requisite qualifications prescribed for direct recruitment. In case he is not found suitable for promotion, the vacancy shall be filled by direct recruitment.(g)Officer on Special Duty or any other post(i)The post of Officer on Special Duty or any other post to be subsequently created and by whatever name designated in the

10500. grade of Rs.500–1000 (subsequently revised Rs. 6500–200–

) shall, for the purpose of promotion and transfer etc., be of the cadre of Section Officers except the post of Public Relation Officer: Provided that, appointment to the above post or its type shall, in relaxation of all existing rules, be made by the Chief Justice entirely in his discretion. (ii) Public Relation Officer – Post of the Public Relation Officer shall be tenure post and appointment shall be made on deputation by transfer from the establishment of the Court by the Chief Justice entirely in his discretion/suitability and during that period he/she shall maintain their lien in parent cadre. The post of Public Relation Officer of Allahabad and Lucknow appointed under 16(g) shall be ex cadre post. No other post, save as might already be existing as ex cadre post, shall be ex cadre. Note: These amended Rules shall be applicable on the incumbents

17. holding the posts enumerated in Column No. 16(g) at present.

Qualifications ☐ A candidate for direct recruitment to the post of Chief Documentation Officer ☐ cum ☐ Chief Librarian must be a Law Graduate and must also hold a Master Degree in Library

18. Science. Practical experience of work in a library of repute will be an additional qualification.

Method of selection for all promotion posts ☐ (i) Selection for promotion to posts mentioned in Rules 16 shall be made by a Selection Committee appointed by the Chief Justice. (ii) The criteria for selection shall be seniority subject to rejection of unfit. 19. Method of direct recruitment for the post of Chief Documentation Officer ☐ cum ☐ Chief Librarian ☐ When a suitable person is not available for promotion to the post of Chief Documentation Officer ☐ cum ☐ Chief Librarian, it shall be filled up by direct recruitment.

19. PART V–C

A Whenever it is required to make direct recruitment on any post under these rules the post shall be filled up after giving wide publicity, by advertisement in at least two daily news papers, one in Hindi and one in English having wide circulation in the State and also in Employment News and other like publication including the website of the high Court. In addition to it the names may be requisitioned from Employment Exchange. The advertisement apart from containing other necessary particulars shall also specify in clear terms, the number of posts available for selection and recruitment, the qualifications and other eligibility criteria for such

19. posts and also the rules under which such recruitment and selection is to be made.

B The appointing authority shall undertake the exercise of recruitment under these rules on a regular basis at least once in a year for existing vacancies or vacancies likely to occur during the course of the year of recruitment.

Part VI – – SOURCES AND METHOD OF RECRUITMENT TO CLASS I POSTS

20. Source of recruitment to class I posts:--The source of recruitment to the various class I posts in the establishment shall be as follows: (a) Assistant Registrar By promotion from amongst permanent Section Officers (General Office), Permanent Officers on Special Duty, Permanent Public Relation Officer, Permanent Section Officer (Cash), Permanent Section Officer (Protocol) and Permanent Nazir. Note – Selection shall be on the basis of seniority subject to suitability. To assess the minimum merit, marks obtained in ACR & interview shall be considered. Minimum merit required for promotion shall be securing 55% marks in ACR & 35% marks in interview. (b) Private Secretaries 'Repealed'. (c) Deputy Registrar By promotion from amongst Assistant Registrars on the basis of seniority subject to suitability. To assess the minimum merit, marks obtained in ACR & interview shall be considered. Minimum merit required for promotion shall be securing 60% marks in ACR & 40% marks in interview. (d) Joint Registrar (i) By deputation of an officer of U.P. Higher Judicial Service. (ii) By promotion from amongst the Deputy Registrars on the basis of seniority subject to suitability. (a) Thereafter, promoted Joint Registrars shall undergo four and half months training, particularly with regard to application of Law in the working of

90. the High Court, conducted by J.T.R.I., Lucknow and

% attendance shall be compulsory during training programme. The Director, J.T.R.I. shall certify whether such Joint Registrars have successfully completed the training. (b) The term "successful training" shall mean 90% attendance in training programme conducted by J.T.R.I. (c) To assess the suitability, marks obtained in ACR & interview shall be considered. Minimum marks required for suitability for promotion from the post

65. of Deputy Registrar to that of Joint Registrar shall be

% in ACR & 45% in interview. (e) Additional Registrar By deputation of an Officer of U.P. Higher Judicial Service. Provided that the appointment on post of Additional Registrar upgraded and sanctioned by the Government

1993. vide its G.O. No. 2693–VII–Nyaya–1–69/90 dated Dec.31,

for High Court Staff may be made from amongst the Joint Registrars of High Court establishment purely on Seniority, subject to Suitability by the Chief Justice. (f) Registrar (i) By deputation of an Officer from amongst District & Sessions Judges. (ii) By promotion against the notified vacancy of the cadre from amongst the Joint Registrars on the basis of seniority subject to suitability. To assess the minimum merit, marks obtained in ACR & interview shall be considered. Minimum merit required for promotion shall be securing 70% marks in ACR & 50% marks in interview. (g) Registrar General "By deputation of an officer from amongst the District and Sessions Judges" NOTE: □ These amendments will come into force with effect from the date of publication of

21. notification in the official gazette and govern only the future appointments.

Appointing Authority: □ The Chief Justice shall be the appointing authority in respect of all

22. Class I posts on the establishment.

Method of selection for the post (Principal Private Secretary to Chief Justice), Deputy Registrar and Assistant Registrar □ (i) 'Repealed'. (ii) Whenever it is required to make selection or promotion to the post of Deputy Registrar, the Registrar General shall prepare a list of Assistant Registrars in order of seniority from the date of their officiation in the cadre of Assistant Registrar. (iii) Whenever it is required to make selection or appointment to the post of Assistant Registrar, the Registrar General shall prepare a combined list of Permanent Section officers of General Office, Permanent Officer on Special Duty Permanent Public Relation Officer, Permanent Section Officer (Cash), Permanent Section Officer (Protocol) and Permanent Nazir who are eligible for promotion under these Rules. The combined list of these officers shall be prepared in order of seniority from the date of their substantive appointment on any post referred to in this clause. (iv) Where promotion is to be made from more than one category of post a combined list shall be prepared according to the date of substantive appointment of the candidates; where the date of substantive appointment of one or two candidates are the same their names shall be arranged according to their age, the older in age being placed higher. The Registrar General shall place eligibility list together with the character roll of the candidates and other relevant records pertaining to them before the Chief Justice who may select the candidate/candidates who are found more suitable for promotion to the post. The criteria for selection in each case shall be Seniority, subject to Suitability. Note—These amendments shall come into force with effect from the date of their publication in the Official Gazette and shall govern only future appointments.

Part VII – – RESERVATION AND QUALIFICATIONS

23. Reservation for Scheduled Castes, etc.— (i) Reservation in favour of Scheduled Castes,

d Tribes and Other Backward Classes—In direct recruitment to the various categories of posts in the establishment, the following percentages of vacancies to which recruitments are to be made shall be reserved in favour of the candidates belonging to Scheduled Castes of U.P., Tribes of U.P. and Other Backward Classes of U.P.—(a) In case of Scheduled Castes 21% (b) In case of Scheduled Tribes 02% (c) In case of Other Backward Classes 27% (ii) Horizontal Reservation in favour of Women, Dependent of Freedom Fighters, Ex-Servicemen and Physically Handicapped—In direct recruitment to the various categories of posts in the establishment for the purpose of implementation of horizontal reservation in favour of women, dependent of freedom fighters, physically handicapped and ex-servicemen, the following percentages shall apply —(a) Women 20% (b) D.F.F. 02% (c) Ex-servicemen 05% (d) Physically Handicapped 03% Explanation:—The expression dependent of freedom fighters, physically handicapped and ex-servicemen shall be as defined as under the Uttar Pradesh Public Services (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Ex-Servicemen) Act, 1993 and its subsequent amendments enacted from time to time. Provided that reservation for direct recruitment for various categories of posts in the establishment shall be in accordance with the orders issued by the Chief Justice from time to time.

23. time.

A. Recruitment for sports person—One percent of vacancies in all class II (Deleted) & class III posts of the establishment of the Court shall be reserved at the stage of direct recruitment for such skilled players and sports persons as may have represented on behalf of any State in India or the Country as a whole in National or International games at least for two years and in International competitions for one year or who have represented their Universities at least for three years in Inter Universities Tournaments organized by the Inter Universities Sports Board or who have represented their Schools in International Sports Meets organized by the All India Schools Sports Board in Badminton, Basket Ball, Cricket, Football, Hockey, Table Tennis, Volley

24. Ball, Tennis, Weight Lifting, Wrestling, Boxing, Judo, Gymnastics and Rifle Shooting.

Nationality—A candidate for recruitment to the establishment must be: (a) a citizen of India, or (b) a Tibetan refugee who came over to India before the 1st January, 1972, with the intention of permanently settling in India, or (c) a person of Indian origin who has migrated from Pakistan, Burma, Ceylon and East African Countries of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India; Provided that a candidate belonging to category (b) or (c) above must be a person in whose favour a certificate of eligibility has been issued by the State Government. Provided further that a Candidate belonging to category (b) will also be required to obtain a certificate of eligibility granted by the Deputy Inspector General of Police, Intelligence Branch, Uttar Pradesh. Provided also that if a candidate belongs to category (c) above, no certificate of eligibility will be issued for a period of more than one year and such a candidate can be retained in

service after a period of one year only if he has acquired Indian citizenship. **Note**—A Candidate in whose case a certificate of eligibility is necessary but the same has neither been issued nor refused, may be admitted to an examination or interview and he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his

25. favour.

Age: A candidate for direct recruitment must have attained the age of 18 years in case of class IV and Computer Assistant posts and 21 years in case of other posts, and must not have attained the age of more than 35 years on the 1st day of July of the year in which the advertisement is published; Provided that the maximum age limit shall, in the case of candidate of the Scheduled Castes, Scheduled Tribes, dependents of Freedom Fighters and Backward classes, be greater by five years. Deleted. Provided also that in the case of members of the High court Staff, a relaxation by five years may, in suitable cases, be made by the Chief Justice. Provided also that no candidate shall, by virtue of relaxation in age under this rule, have more than three opportunities to appear at the competitive examination or selection. **Note:** The amendment will come into force with effect from the date of publication in the

25. official Gazette.

Age of Superannuation and extension in Service: Except as otherwise provided in this rule every employee in the High Court Establishment shall retire from service on the afternoon of the last day of the month in which he attains the age of 60 years. Provided firstly that an employee in the High Court establishment whose date of birth is the first day of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of 60 years. Provided, secondly that an employee in the High Court establishment who has attained the age of 58 years and is on extension in service shall retire from service on his attaining the age of 60 years. Provided thirdly that if, keeping in view the service rendered, experience and utility of any employee in the establishment of the High Court, his extension in service is found to be in public

26. interest, he may be given extension in service.

Preferential qualifications.—A candidate (i) who has served in the Territorial Army for a minimum period of two years or (ii) who has obtained a 'B' certificate of the National Cadet Corps shall, other things being equal be given preference in the matter of direct recruitment to

27. the establishment.

Character.—The character of a person for direct recruitment to the service in the opinion of the Appointing Authority must be such so as to render him suitable in all respects for appointment to the service. The opinion of the Appointing Authority in this regard shall be final. **Note:** Persons dismissed by the Union Government or by a State Government or by a Local Authority or a Government Corporation owned or controlled by the Central Government or State

28. Government will be deemed to be ineligible for appointment under these rules.

Marital status□□A male candidate who has more than one wife living or a female candidate who has married a person already having a wife living shall not be eligible for recruitment to the establishment: Provided that the Chief Justice may, if satisfied that there are any special grounds for doing so,

29. exempt any person from the operation of this rule.

(1) Physical Fitness.□□No person shall be recruited to the establishment unless he/she be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his official duties. Before a candidate recruited directly is finally approved for appointment to the establishment, he shall be required to produce a certificate of physical fitness from Chief Medical Officer, and in absence thereof, concerned authority equivalent thereto. (2) If the post of Chief Documentation Officer□□Chief Librarian is filled by direct recruitment the candidate shall before he is finally approved for appointment, be required to pass the examination by the Medical Board as may be prescribed by the appointing authority.

Part VIII – – APPOINTMENT, PROBATION AND CONFIRMATION

30. Appointment.--(1) On the occurrence of substantive vacancies, the appointing authority shall make appointments to the various categories of posts in the establishment from the respective list of persons duly selected under these rules. Where a select list has been prepared, appointments shall be made in the same order in which the names appear in the list.

(2) Appointments against temporary and officiating vacancies shall also be made in the manner

31. provided in sub-rule (1).

Existing Staff□□(1) Persons appointed to the various categories of posts in the establishment in substantive capacity prior to the commencement of these rules shall be members of the establishment as if appointed in such capacity under these rules. (2) Persons appointed to the various categories of posts in the establishment in temporary or officiating capacity prior to the commencement of these rules shall continue as if appointed in

32. temporary or officiating capacity under these rules.

Probation□□(1) A person on initial appointment to a post in the establishment in substantive capacity shall be placed on probation for a period of one year. (2) The appointing authority may allow continuous service rendered in an officiating capacity or as a temporary measure on the post, or on a

higher post, to be taken into account for the purpose of computing the period of probation. (3) The appointing authority, may, for reasons to be recorded in writing, extend the period of probation in individual cases specifying the date up to which the extension is granted. Provided that in no case the period of probation will be extended beyond three years. (4) If it appears to the appointing authority at any time during or at the end of the period of probation or extended period of probation, as the case may be, that a probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction, he may be reverted to his substantive post, if any or if he does not hold a lien on any post, his services may be dispensed with. (5) A Person whose services are dispensed with under sub-rule (4) shall not be entitled to any

33. compensation.

Confirmation—A Probationer shall be confirmed in his appointment at the end of his period of probation or extended period of probation, as the case may be, if—(a) his work and conduct during the probationary period have been found to be satisfactory; (b) he is considered fit for confirmation, and (c) his integrity is certified. 34. Seniority—Except as provided in rule 35 seniority in each category of post in the establishment shall be determined by the date of the order of appointment in a substantive capacity and where more than one person are appointed together, by the order in which their

35. names are arranged in the said order.

Seniority of persons already in service—Seniority of the persons appointed to a post in the establishment prior to the commencement of these rules shall be determined by the Chief Justice in accordance with these rules. Explanation—List of officiating and temporary officials shall be drawn up for purpose of seniority on the basis of date of continuous officiation.

Part IX – – PAY AND EFFICIENCY BARS

36. Pay– The Scales of pay admissible to persons appointed to the various categories of posts in the establishment, whether in a substantive or officiating capacity or as a temporary measure shall be such as may be determined by the Chief Justice from time to time with the approval of

37. the Governor of U.P.

Pay during probation—(1) Notwithstanding any provisions in the Fundamental Rules to the contrary, a person on probation if he is not already in permanent Government service, shall draw during the period of probation increments as they accrue on the condition that his work and conduct are reported to be satisfactory: Provided that if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increment unless the Chief Justice directs otherwise. (2) The pay during probation of a person already in permanent

Government service shall be

38. regulated by the relevant rules referred to in rule 40 (2).

Criteria for crossing efficiency bars□□(1) No person shall be allowed to cross the firstefficiency bar unless his work has been satisfactory, he is found to have worked steadily and tothe best of his ability and his integrity is certified.(2)No person shall be allowed to cross subsequent efficiency bar unless he is found to havecontinued to work with ability and his integrity is certified.

Part X – – OTHER PROVISIONS

39. Canvassing-- No recommendation either written or oral other than those required underthese rules will be taken into consideration. Any attempt on the part of a candidate to enlistsupport directly or indirectly for his candidature by other means will disqualify him for

40. appointment.

Regulation of other matters□□(1) All officers and servants of the Court shall be subject tothe superintendence and control of the Chief Justice.(2)In respect of all matters (not provided for in these rules) regarding the conditions of serviceof officers and servants of the Court including matters relating to their conduct, control anddiscipline, the rules and orders for the time being in force and applicable to Government servantsholding corresponding posts in the Government of Uttar Pradesh shall apply to the officers andservants of the Court subject to such modifications, variations and exceptions, if any, as the ChiefJustice may, from time to time, specify:Provided that no order containing modifications, variations or exceptions in rules or ordersrelating to salaries, allowances, leave or pensions shall be made by the Chief Justice except withthe approval of the Governor:Provided further that the said powers exercisable under rules and orders of Government of UttarPradesh by the Governor shall be exercised by the Chief Justice or by such officer as he may, bygeneral or special order, direct.(3)If any doubt arises in regard to a particular post in the establishment being corresponding to

40. a post in the State Government, the matter will be decided by the Chief Justice.

(A). Services not be dispensed with on the ground of disability:-1. No officer or employee shall be reduced in rank, his services dispensed with or promotion denied solely on

2. the ground of a disability suffered during service.

In case a disability acquired during service renders the officer or employee unsuitable to discharge theduties and functions attached to the post he was holding, the appointing authority may consider

his placement on another post which may, as far as possible, be in the same pay scale and grade as was drawn by the officer or employee at the time of the disability having been suffered. Explanation: □ The expression "disability" shall have the meaning assigned to it under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation)

41. Act, 1995 as amended from time to time.

Residuary powers □ Nothing in these rules shall be deemed, to affect the power of the Chief Justice to make such orders, from time to time, as he may deem fit in regard to all matters incidental or ancillary to these rules not specifically provided for herein or in regard to matters as have not been sufficiently provided for: Provided that if any such order relates to salaries, allowances, leave or pension, the same shall be

42. made with the approval of the Governor of U.P.

Interpretation □ All questions relating to the interpretation of these rules shall be referred to

43. the Chief Justice, whose decision thereon shall be final.

Repeal and savings □ The High Court (conditions of Service of Staff) Rules, 1946, are hereby repealed: Provided further that any action taken or proceedings under the repealed rules and pending at the commencement of these rules shall be continued and disposed of, as far as may be, in

44. accordance with the provisions of these rules.

General rules □ All notifications issued, orders passed, appointments made or power exercised by the Chief Justice or the Registrar prior to the commencement of these rules shall be deemed to have been issued, made and exercised respectively under the provisions of these rules. Note: The expression "Registrar", used in any notification, order passed, appointment made by or the power exercised by the Chief Justice or the Registrar prior to 10.4.2000 shall after 10.4.2000

45. be read as substituted by the expression 'The Registrar General'.

General Rules □ Notwithstanding anything contained in these rules, the Chief Justice shall have the power to make such orders, as he may consider fit, in respect of recruitment, promotion, confirmation or any other matter. CHANGE OF NOMENCLATURE (By Notification No. 13 Dated 10.4.2000)

1. Existing Nomenclature Redesignated Nomenclature

2. Registrar Registrar General

3. Additional Registrar (Listing) Registrar (Listing)

4. Additional Registrar Registrar (Budget)

5. Additional Registrar (Protocol) Registrar (Protocol)

Additional Registrar, Lucknow Bench Registrar, Lucknow Bench