

Kerala High Court Sevak Rules, 2017

KERALA

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Rule KERALA-HIGH-COURT-SEVAK-RULES-2017 of 2017

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Kerala High Court Sevak Rules, 2017Published vide Notification No. A3-21962/2014, dated 4.12.2017No. A3-21962/2014. - In exercise of the powers conferred by Article 229 of the Constitution of India, the Acting Chief Justice hereby makes the following rules to regulate the appointment and conditions of service of Sevaks nominated under the third proviso to rule 7(1) of the Kerala High Court Service Rules, 2007.

1. Short title and Commencement.

- These rules may be called the Kerala High Court Sevak Rules, 2017 and shall come in to force with effect from the date of publication.

2. Definitions.

- (i) "Appointment" means engagement of a person as Sevak for a limited period with the terms and conditions stipulated in these rules(ii)"Chief Justice" means the Chief Justice of the High Court of Kerala(iii)"Government" means the Government of Kerala.(iv)"Judge" means a Judge serving in the High Court of Kerala and includes the Chief Justice also.(iv)"Sevak" means a person appointed as Sevak under these rules.

3. Applicability.

- These rules shall be applicable to the Sevaks appointed as per the third proviso to Rule 7(1) of the Kerala High Court Service Rules, 2007.

4. Appointing Authority.

- The Chief Justice shall be the appointing authority.

5. Method of Appointment.

- Appointment of Sevaks will be on the basis of nomination made as per the third proviso to Rule 7(1) of the Kerala High Court Service Rules, 2007. The nomination shall be in Form No.1 along with the application from the person concerned in Form No. 2, appended to these rules. Provided that the Chief Justice may appoint on daily wages such number of Sevaks lying vacant for want of nominations, till fresh nominations are made as per the third proviso to Rule 7(1) of Kerala High Court Service Rules, 2007. Those appointed on daily wages will be paid the lowest wages fixed in accordance with the Government orders issued from time to time subject to the condition that the daily/monthly wages should not exceed that of Sevak.

6. Age.

- Shall have completed 18 years but not attained 50 years of age as on the 1st day of January of the year in which the nomination is made.

7. Educational qualification.

- Pass in standard VIII or equivalent

8. Tenure of Appointment.

- The appointment will be co-terminus with the term of office of the Judge who has nominated the candidate. The service of the persons appointed as Sevaks shall stand terminated when the Judge who nominated the Sevak ceases to be a Judge of the High Court of Kerala. Provided that the Chief Justice may at any time, without notice, terminate the appointment of the Sevak on the recommendation of the Judge who has nominated the Sevak or for any other reason. Provided further that a Judge can nominate another person as Sevak in case the service of the Sevak already appointed on his nomination is terminated for any reason.

9. Terms of appointment.

- The salaries and allowances to be paid to the Sevaks appointed under these rules shall be as prescribed by the Government from time to time. Any other benefit including leave will be in accordance with the orders issued by the Government from time to time.

10. Other conditions of Service.

- A Sevak will not be a member of the High Court Service. He will not be regarded as a probationer and his appointment as such will not confer on him any right for future appointment to any of the Part-Time or Full-Time services under the Kerala High Court Part-Time Contingent Service Rules, 2007 or Kerala High Court Service Rules, 2007 as the case may be. Sevaks appointed shall not form a class or category and shall not be assigned any seniority in the post.

11. Duties.

- The Sevak appointed on the nomination of a Judge shall be attached to the Judge concerned and shall attend to the duties assigned to him by that Judge.

12. Relinquishment of Appointment.

- Any Sevak can relinquish his appointment by giving notice in writing to the Registrar General.

13. Bar on any other employment.

- A person appointed as Sevak shall not hold any other employment, profession or any other office of profit during the tenure of service as Sevak. Provided that the appointment as Sevak will not preclude him from applying for any other employment.

14. Application of other Rules.

- The rules and orders applicable to members of staff of the Kerala High Court Service and Kerala High Court Part-Time Contingent Service shall not apply to the Sevaks appointed under these rules except to the extent specified in these rules.

15. Amendment.

- Power to make amendment to these rules shall vest with the Chief Justice.

16. Powers of Chief Justice.

- Nothing contained in these rules shall be construed to limit or abridge the power of the Chief Justice to deal with the case of any Sevak appointed under these rules in such manner as may appear to him to be just and equitable. Provided that, when any such rule is applicable to such Sevak, the case shall not be dealt with in any manner less favourable to him than that provided by that rule.

17. Interpretation.

- Any question relating to the interpretation of these Rules shall be decided by the Chief Justice and the decision of the Chief Justice shall be final. Appendix Form No.1 Proforma for Nomination to the Post of Sevak I nominate.....(name and address), whose application is attached herewith, for appointment to the post of Sevak in the High Court during my tenure in the High Court. The applicant bears good character and conduct and to the best of my knowledge, he/she has no antecedents which render him/her unsuitable for appointment as Sevak.

Place :

Date: Signature Name of the Judge

Form No. 2 Application for appointment to the post of Sevak

Name :

Gender :

Permanent Address :

Passport size photograph :

Present Address :

Phone Number :

Age & Date of Birth :

Educational Qualification :

I hereby declare that the details furnished above are true and correct to the best of my knowledge and belief. I have also enclosed attested copies of certificates in proof of address, age and qualification. I have not been convicted for any offence by a Court of Law and no case is pending against me in any Police Station or in any Criminal Court.

Place :

Date: Name and Signature

Note. - Any one of the following documents will be accepted as address proof: Passport/Election ID Card/Adhaar/Driving Licence.