

The Allahabad High Court Bench Secretaries (Conditions of Service) Rules, 2005

UTTARAKHAND

India

The Allahabad High Court Bench Secretaries (Conditions of Service) Rules, 2005

Rule

THE-ALLAHABAD-HIGH-COURT-BENCH-SECRETARIES-CONDITIONS of 2005

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The Allahabad High Court Bench Secretaries (Conditions of Service) Rules, 2005 Published vide Notification No. 31/Accounts (A-1), dated 17th October, 2005, published in U.P. Gazette, Part 1-Ka, dated 22nd October, 2005 by Notification No. 3253/Saat-Nyaya-1-2005-3/99-T.C.-D, dated 30th September, 2005

1. Short title, application and commencement.

- (i) These Rules may be called the Allahabad High Court Bench Secretaries (Conditions of Service) Rules, 2005.(ii)They shall apply to all the Bench Secretaries of the High Court.(iii)They shall come into force with effect from the date of their publication in the Official Gazette.

2. Definitions.

- In these Rules, unless the context otherwise requires-(a)'Appointing Authority' means the Chief Justice or such other Judge or Officer of the High Court as the Chief Justice may direct;(b)'Chief Justice' means the Chief Justice of the High Court,(c)'Government' means the State Government of Uttar Pradesh;(d)'Governor' means the Governor of Uttar Pradesh;(e)'High Court' means the High Court of Judicature at Allahabad;(f)'Members of Service' means die Bench Secretaries of the High Court;(g)'Registrar General' means the Registrar General of the High Court;(h)'Service' means all categories of the posts of Bench Secretaries which consists of Bench Secretaries Grade-I to Grade-IV and Bench Secretaries (Senior Scale) and Principal/Head Bench Secretary.

3. Strength of Service.

(1)The number of permanent posts in service shall be such as may be determined by the Chief Justice from time to time with the approval of the Governor.(2)The ratio between the number of posts in various categories shall be such as prevailing in the corresponding categories of Personal Assistants/Private Secretaries in the Uttar Pradesh Civil Secretariat.(3)The strength of various categories of posts in the service at the time of the commencement of these rules shall be such as is shown in Schedule I to these rules.(4)The Chief Justice may, from time to time, with the approval of the Governor, create such temporary posts, as may be considered necessary.(5)The Chief Justice may leave unfilled or may hold in abeyance any vacant post without thereby entitling any person to compensation.Appointment, Promotion and Confirmation

4. Method of Selection to the post of Bench Secretaries, Grade I.

(1)Wherever it is required to make selection to fill up any vacancy/vacancies in the post of Bench Secretary, Grade-I, the Appointing Authority shall invite applications from the eligible assistance for admission to the competitive examination.(2)The procedure and the syllabus relating to the competitive examination shall be such as may be prescribed by the Appointing Authority from time to time.

5. Method of selection for all promotional posts.

(1)Selection for promotion to the posts mentioned in Rule 6 shall be made by a Selection Committee constituted by the Chief Justice.(2)Criterion for selection shall be seniority subject to rejection of unfit.

6. Source of appointment to various promotional posts.

- Appointment to the various categories of promotional posts in the service shall be made from the following sources, namely :
(i)Bench Secretary, Grade-I. - By selection through competitive examination to be conducted by the Appointing Authority open to the Assistants having not less than ten years continuous service in Class III posts.Preference shall however, be given to candidates possessing a Law Degree.
(ii)Bench Secretary, Grade-II. - By promotion from amongst Bench Secretary, Grade-I who have put in at least five years continuous service (including temporary and officiating service) as Bench Secretary, Grade-I on the first day of July of the year of recruitment.
(iii)Bench Secretary, Grade-III. - By promotion from Bench Secretary Grade-II.
(iv)Bench Secretary, Grade-IV. - By promotion from Bench Secretary Grade-III.
(v)Bench Secretary (Senior Grade). - By promotion from amongst the Bench Secretary, Grade-III or by transfer of a Bench Secretary, Grade-IV.
(vi)Principal/Head Bench Secretary. - By selection from amongst the Bench Secretary (Senior Grade).

7. Pay and allowances.

(1)The scales of pay admissible to various categories of posts of Bench Secretaries of the High Court at commencement of these rules are given against the concerned post in Schedule I to these rules.(2)Allowances payable to persons holding a post specified in Schedule I of these rules shall be such as are admissible to the corresponding categories of Personal Assistants/Private Secretaries in the Uttar Pradesh Civil Secretariat under a Government Order.(3)Whenever any revision or modification in the scales of pay or allowances admissible to any categories of Personal Assistants/Private Secretaries in the Uttar Pradesh Civil Secretariat is made by the Government, the Chief Justice may make admissible such revised or modified scales of pay or allowances to the corresponding categories of the Bench Secretaries of the High Court in accordance with the provisions of Article 229 of the Constitution.

8. Appointment.

- On the occurrence of vacancies in any categories of posts of Bench Secretaries of the High Court the Appointing Authority shall make appointment of the persons, duly selected, in the order in which their names appear in the select list.

9. Probation.

(1)A candidate on initial appointment to a post shall be placed on probation for a period of one year.(2)The Appointing Authority may, for reasons to be recorded in writing, extend the period of probation :Provided that, in no case, the total period of probation including the extended period of probation shall exceed three years.(3)If a probationer fails to make sufficient use of opportunities during his probation or extended period of probation, the Appointing Authority may revert him to his substantive post.

10. Confirmation.

- A probationer will be confirmed in his post at the end of his period of probation or extended period of probation, if his work and conduct is found -to be satisfactory and his integrity is certified.

11. Seniority.

- The seniority in each category of the post of Bench Secretaries shall be determined by the date of the order of appointment and where more than one person are appointed together, by the order in which their names are arranged in the order:Provided that the seniority of the incumbents inter se as it existed prior to appointment or promotion under these rules, shall be maintained until ordered expressly otherwise by the Appointing Authority.

Miscellaneous

12. Regulation of other matters.

(1) All the persons appointed in any categories of posts of Bench Secretaries, shall be subject to the superintendence and control of the Chief Justice. (2) In respect of all matters, not provided for in these rules, regarding their conduct, control and discipline, the rules and orders for the time being in force and applicable to the Government servants holding the corresponding posts in the Government, shall apply to the Bench Secretaries of the High Court : Provided that the said powers exercisable under the rules and orders of the Government by the Governor, shall be exercised by the Chief Justice or by such officer, as he may direct: Provided further that no order containing modifications, variations or exceptions in rules or orders relating to salaries, allowances, leave or pension shall be made by the Chief Justice except with the approval of the Governor.

13. Residuary powers.

- Nothing in these rules shall affect the powers 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 made with the approval of the Governor.

14. Repeal.

- The provisions of the Allahabad High Court Officers and Staff (Conditions of Service and Conduct) Rules, 1976, shall, so far as they relate to Bench Secretaries of the High Court, cease to operate.

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SI. No.	Designation	Number of Posts	Scales of Pay
[Cadre Posts -			
1.	Bench Secretary, Grade-I	67	Rs. 6500-200-10,500
2.	Bench Secretary, Grade-II	37	Rs. 10,000-325-15,200
3.	Bench Secretary, Grade-III	28	Rs. 12,000-375-16,500
4.	Bench Secretary, Grade-IV	08	Rs. 14,300-400-18,300
Ex-Cadre Posts			
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(i)	Bench Secretary (Senior Grade)	01	Rs. 16,400-450-20,000
(ii)	Principal Bench Secretary/ Head Bench Secretary	01	Rs. 16,400-450-20,000]

[Substituted by Notification No. 51 [Accounts (A-1) Section], dated 9th December, 2010, published in U.P. Gazette (Extraordinary), Part 4, Section (Kha), dated 12th July, 2011.]