

The U.P. (Appointment of Assistant Public Prosecutors) Rules, 1974

UTTAR PRADESH

India

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Rule

THE-U-P-APPOINTMENT-OF-ASSISTANT-PUBLIC-PROSECUTORS-RU of 1974

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The U.P. (Appointment of Assistant Public Prosecutors) Rules, 1974Published vide Notification No. 2303/VIII-2-10(10)-74, dated March 27, 1974, published, in U.P. Gazette (Extra), dated 27th March, 1974, p. 3.

052.

In exercise of the powers under Article 309 of the Constitution and all other powers enabling him in this behalf the Governor of Uttar Pradesh is pleased to make the following rules :

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh (Appointment of Assistant Public Prosecutors) Rules, 1974.(2)These rules shall come into force at once.

2. Absorption of existing SPPs, PPs and APPs in new service.

- With effect from April 1, 1974, the officers who immediately before that date held the post, of Senior Public Prosecutors, Public Prosecutors and Assistant Public Prosecutors,-which stand abolished under Notification No. 2302/VIII-2-10(10)-74, dated March 27, 1974 shall, unless by notice in writing to the State Government in the Home Department delivered by May 1, 1974, they opt otherwise, be absorbed in the new service consisting of the posts of Assistant Public Prosecutors mentioned in Section 25 of the Cr. P. C, 1973 as follows :(a)the officers who immediately before the

said date held the post of Senior Public Prosecutor shall be appointed by the State Government of the post of Assistant Public Prosecutor, Senior Grade and shall for administrative purposes be designated as Senior Prosecuting Officers;(b)the officers who immediately before the said date held the post of Public Prosecutor shall be appointed by the State Government on the post of Assistant Public Prosecutor, First Grade and shall for administrative purposes be designated as Prosecuting Officers; and(c)the officers who immediately before the said date held the post of Assistant Public Prosecutors shall be appointed by the State Government on the post of Assistant Public Prosecutor, Second Grade and shall for administrative purposes be designated as Assistant Prosecuting Officers,

3. Fresh appointments not to adversely affect any officer.

- Notwithstanding the fact that the appointments of officers mentioned in Rule 2 held by them before April 1974, ceased as mentioned in that Rule and fresh appointments are made under Rule 2 the terms and Conditions of service of these officers including their pay and allowances and continuity of service shall remain unaffected.

4. Future appointments to the post of APPs. Senior Grade, First Grade and Second Grade.

- Future appointments to the posts of Assistant Public Prosecutors, Senior Grade, Assistant Public Prosecutors, First Grade and Assistant Public Prosecutors, Second Grade shall be made by the State Government in accordance with such Rules or general orders as the State Government may, from time to time make in that behalf.

5. Disciplinary control over the Assistant Public Prosecutor.

- The immediate disciplinary control over the Assistant Public Prosecutors, Senior Grade, First Grade and Second Grade, shall be exercised by such authority or authorities in the district as the State Government may, from time to time, specify in that behalf and the inter se relationship between these officers shall be governed by such Rules or general orders as the State Government may from time to time, make in that behalf.