# NOTIFICATION REGARDING RULES OF THE APPOINTMENT PROMOTION AND CONDITIONS OF SERVICE OF CLASS-III AND IV OFFICIALS OF THE

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HIGH COURT OF HIMACHAL PRADESH, SHIMLA-1710C1 Dated: Shimlä 4th Ju 19, NOTIFICATION exercise of the powers conferred by Sect ion Himachal Pradesh Courts Act, i 976 (Act No. XXTIZ of 1976), read with Article 235 Constitution of India, the Hon' bie the Chief Justice and Judges of the High Court of Himachal Pradesh are pleased to make the fol lowing rules, relating to the appointment, promotion and conditiotis of service of Class—III and IV officials of the nate Courts (other than the Super f ntendents cf the District and Sessions Judges) i r; Himachal Pradesh: PART-I GENE-RAE the s may title 1 • i -.oitioæ. Himacha Courts ' Pradesh subordinate (Recru Staff Prorr,otion and Condit *sorts of Service) Rules, 1997. These shall come into farce from the date of their ± cation in the Himachal Pradesh Rajpatra. these unless repugnant in the subject or context: Appointing Authority" and Sessions Judge- ' 'Apo; 1 Chief oust ice cr such of the High Court of may be nominated by there is anythi ag means the District means the Hon ' other Hon'ble Judge Himachal Pradesh as the Hon 'ble Chief (4) (5) "Chief means the Chief Justice of the High C',ourt af Himachal Pradesh. means the total strength of posts ganczioned as a separate unit as shown in Schedzne attached to these rules. and Sessions Division" means the e Oistrict' as defined Section 2 (a) of the Himachal Pradesh Courts Act, 4,976. Judge" means the 2 Sessions Judae a District- as Section 2 (b) of Hu-æchal a-adesh Courts Act: 1976. reans the Goverz-æat-Himachal Pradesh. Court" nears the Hxgh HliT,achaI Pradesh. tio.B.cs.i' castes! (.10) ! 13 ) declared as such by the State I¯GT•. any means a to of unfit. "Recognised University/ Board" raeans an-.- . Board which is reoogrnsed the Government of India or the HiTA±E:. Pradesh Cc.vernrnent to be a recoctr:w se€ Universitv the puroose rules . a-T.:i aporoved bv the Kiah whenever Qecessary. "Schedule± Castes" n-eans the castes races tribes or parts of groups castes. races or tribes specified in Constitution I' Schedule Castes . 1950. as ærended bv Sent-ion with the Sc:hadule of the State Pradesh. Act. time to time. tribal ties or parts of or tribal -n the Constitution (..Sche-suIed Tribes) Sect-Lon Schedul 1950. read with the the State of cation. (15) 3. Pradesh Act . 1970 ( 53 of 1970) and as it be further arrended from to tire. "Schedule" the const-_ or 3.-it-.h due to ovi t y. IV f.he t-.he 'These Rules shall 3001 + t.o all the of the. subordinate courts in Hin-achal Pradesh except t.he Suoerintendants of the Courts o? District ant-I Sessions Judges

**4. PART-11 ( I.**) The establishment of the subordinate Courts shall consist of the posts speci fled in Schedul . of these rules carrvina such nav scales as be notified bv the State Governrrent tin-a. Court. v¯iT-• ¯ 6. rnent- to NC) s haj I eligible a Fist in a Subordinate Court: (a) who has entered contracted a person having a spouse into with a i ivma; or of . having syause living. has into contracted q,ilth any person. for go donna _ exe-;-ot_ anv the nf- this to post or cl ass n-ev be made hv or more of the fol I owing . namely: orcnntion/sel ection the TETbers of the service . as orovided Schedule to these rules. direct reeruitrrent on the basis cunetitive exanina- Zion as be zz-escriBed bv the Authorztv. the. F'nr tm,ent . mum number z, r omntior: shaft make rac=xnendaüons of such appoint — rent/ sel ection. Sy triter—district transfer courts in the State. inclu— dmg the High Court. on an aonli— in by a candidate( s ) . Castes/ Tribes/ Eackxaz-d than suan tu-ansfer care be ordered only Ey Chief . Justice accordance with the auidelines to be >resc— by the Hon ble Chief Justice from time to For direct . in addition to notifyina the vacancies to the District/ Sub Divisional exchange( s ) o vment within the local of the appoint±ng autho— rity. such authority may invite ape ) i cations Oost-ed in other the the _Sur±s— diction of the Authori ey . To secure better representation ed Castes . Sehedul ad Tribes and Other Backward Classes. the reservation of posts to filiéd uD bv au-ecz recruitrrent shall be for scheduled Castes . 7—1/2 the Scheduled Tribes and other Backward Classes as notified by the High Court to Lime. For this ouroose . a Roster shal i maintained By the authority. Note-I . Preference in sel ection to may be ai against such posts as t_c-y time . aAÅeÅ 9- Second Schedule. Proviåed that Hon 'ble the bv special order. for z•ost or class of posts 10. All anoint.ænts shal I be made by Division in District Sessions Judge of the accordance these rules. 11. ( a Dez-son aooointed to a post shall be on orobation for a period of two vears. that the 'it: or.. or d S_szensæ-i ai liable- to reverted to that Dost.. oerscn nn probation. hc,lds a 1 iez any perraa_nenr. post, Sha) i , desi during the period of the tc revert to his oenranent znsz giving due notice. -Z—hoc appoint.xerzs. 12. (a) Ähere it is necessary to vacancy in any post and undue or •necnvenience is exoected in aooointinc accordance . t•.He Authoritv aoonint/m-omor.e anv on. Seniori tv. Imt-ier holdina the shall he/she he appoint-rent. €0 that post. c) If

such a person is subseguentky apointed to that post in accordance with these rules. the period of his/her probation shall can-rence aaainst that oost fran the date of such subsecrue-Qt appoint-rent. A person appointed on probation Tay be confirmed 13. by the appointing Authority on satisfactory cunpletion of his/her initial or extended perlod of probation. However . the confinvation of such person shall be subject to availability of oerrranent posts. ( ) Persons aæoir.ted a substantive officiating cazacitv in a cadre in the civil and Sassions Division the date iiütedia€ely oreceding the date Which these. rules came into force, shall retain the relative seniooritv alreadv assigned to t.häTt. f.o of and 3 i -who Are in that hy the order of merit in which they sel for annintment and persons appointed as a result of an earlier selection shall be senior to those azoointed as a result of subseauent selection. { 4 i The relative seniority—curt—merit to the various oosts shall be on the basis of their iength of service in the feeder cadre. ( 5) Where the Dron-otions are n-ade on the basis sel ection on nerit onlv. the seniority of such shall Be in the order of merit determined by the Appoint- ina Authority. IS. No person shali be eI igzble for direct recruxzrrent to the service if he is below 18 years of age as on the first day of January of the recrui tmrent year and not more than 35 years ot? age on that- date. However in the case of candidates onging to Schedule Cast* . otokt4'cahiou 9. Auéucle_c) Schedule Tribe. Backward asses or who is an Ex—service— men: upper age shall he the sarne as iTfiV. frcyn t-iiT9 to tine. he prescribed by the State Government for entry into service for such . In respect of all such rratters regarding the condi tions of service of the me-cbers of the service for which no provision or insufficiEQt 9rovision has been made in these rules . the rules orders for the time bexng in force and are ucable to officials(servants holding corresponding posts in the High Cota-t of Hirachal Pradesh shall regulate conditions of service of the meabers of the service to .su&i fi cati ons . variations nr except-ions. if any, in the said f I-rm f.ime 17. rrFsnSet- \ ng t.hp 18. Ail the of the service shal ) be governsÅ by the rules contained in zhe Central Services (C.I assi- fications. Control and Appeal) Rules, 1965 and nther rules and provisions of law. as amended frcxrt to time. as far as practicable in respect of susuensiön . discipl and omishzent. 19. l.a) An appeal against the order of the Appointina Authority shal I lie to the Chief Justice and the order passed by the appel lata authority shall be final . The period of ft-n- fi ing an against f.he- order nf the nt.hng t.y shall he. .30 shan an shall he and Coaduct. terpretation. e e-rovai of ties . axazion. and Judge shall to the Hiah COIR. al cynguit.h his/her Within IS days frcxn the of the filing of petition. Every cnurt official shall at absolute and devotion to Gut y. {2) No official shall pi-e_hudicial to disczpzne and good order the . (3 ) The Rules and Orders for the being torce and t.a afficials holding earresponcling post in the Governmefl€. ot Himachal Pradesh regard tn conduct Shal I mutRt-is mutandi.s. to the sub:iect. however to ma-iificatxon. if anv. hv hizh Court

**21. AI I y-eIF&ing f.**o the these shall he referred to the Chief decision thereon final . any difficulty arises is gyving effect tn anv the provisions of these rules. the Chief Justic* by order in cixrect what aooears hira necessary raxoving the cv

**23. The 'ble Chief Justice.**on satisfied that the any rule is causing küldue hare-Ishiz in arty particular case. may relax the of that to such extenz ar:cl sube_ict to such he ray consider necessary for deal ina case a _iusz and equ table 24. The rules rontairt?d in court. Rules Vol . . t.o nr_n have 10 Provided that any reference •in any order to the provisions cf the repea rules Shal , unless a from the context , be di f ferent i ntention appears construed as a reference to the corresponding provisions Of these rules: ru les:- Provided further that the repeal of the aforesaid shal not except as expressly provided in these revive anything not in force or existing at the time at which the repeal takes effect; or (b) affect the prev tous operation of any arder or decision given under the rules so repealed or anything duly done ar -suffered thereunder; or (c) affect any right: privi or liability acqui red, accrued or incurred Rules earlier ir•, existence. • obl i gat for, " under the (d) affect avest gat ion proceeding or remedy in respect of any such privilege, igation liability as aforesaid. r i ght , By order of Hcn'ble the Chief Justice and Judges. (M.R.VERYA) RECISTRAR HIGH COURT OF HIMACHAL PRADESH Dated: aulas//2/G2- forwarded to:- The Chief oacretary to the Govt . i nformation. Shimla-2 for the District/AddI . District and Sessions Judges in Himachal Pradesh for information and necessary action. the Senior Sub Judicial Magistrates and Sub— Judges-cum-dudtctal Magistrates in H.P. far information. the Secretary t-_n The Secretaries to Hor: i ble of High As-9•.. The — Guærd SCHEDULE-I SANCTIONF.n OF THE SUBORDY NA 2. Superzntendents Personal Ässtt. Readers Scenogra•gjhers Record—Reeper English Cl erk Civil Nazir Trans a Junior Nazir Court Nazir Guardian ark -Ili —do— —do— —do- 4. 2000-3500 1800-3200 —do— -dc,- —at-j— Olus 950-1800 67 123