

## **The Allahabad High Court Computer Cadre Service Rules, 2005**

In exercise of the powers conferred under Article 229(2) of the Constitution of India, the Chief Justice is pleased to make the following rules regulating the appointment and other conditions of service of various posts of the Computer Cadre in the High Court of Judicature at Allahabad.

### **PART-I GENERAL**

#### **1. Short Title and Commencement:**

- (1) These rules may be called the ***Allahabad High Court Computer Cadre Service Rules, 2005***.
- (2) They shall come into force from the date of 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) '*Child*' for purposes of these rules includes illegitimate child but does not include adopted or step child provided that information regarding adopted or step child is given in writing to the Appointing Authority.
- (d) '*Governor*' means the Governor of Uttar Pradesh.
- (e) '*High Court*' means the High Court of Judicature at Allahabad.
- (f) '*Member of the service*' means, a person appointed in the substantive capacity on a post in the Service and in case the appointment is,
  - (i) prior to the enforcement of these rules then under the orders/executive instructions applicable at the time of appointment;
  - (ii) subsequent to the enforcement of these rules then under these rules.
- (g) '*Registrar General*' means the Registrar General of the High Court.
- (h) '*State Government*' means the State government of Uttar Pradesh.
- (i) '*Substantive appointment*' means, an appointment that is—
  - (i) neither an *ad hoc* nor temporary appointment; and
  - (ii) on a post (temporary or permanent) in the cadre of the service; and

(iii) made in accordance with the rules/orders/executive instructions applicable at the time of appointment.

(j) '*year of recruitment*' means a period of twelve months commencing on the first day of July of a Calendar year.

## **PART-II CADRE**

### **3. Cadre of Service:**

- (1) The strength of the service and the number of the posts therein shall be such as may be determined by the chief justice with approval of the Governor.
- (2) The strength of the service at the time of the commencement of these rules along with their rearrangement/ up-gradation is mentioned in Schedule-I to these rules.

## **PART-III RECRUITMENT**

**4. Recruitment:** The recruitment to the various posts in the service shall be as follows:

**(1) Console Operator:** On merit, by direct recruitment.

**(2) Junior Programmer:** By promotion, from amongst the Console Operators who have completed 8 years of satisfactory service. on the basis of seniority cum merit.

Provided that such console operators as have put at least 8 years of satisfactory service but could not be promoted for want of vacancy, may be given pay scale of Junior Programmer on the basis of seniority subject to rejection of unfit. However, such Console Operator may be given designation of the Junior Programmer only after appointment is made on the post in accordance with the main clause.

**(3) Programmer:** (i) By promotion on the basis of merit from amongst such Junior Programmers or Console Operators who have completed 5 years of satisfactory service on the post of Junior Programmer or in the pay scale of Junior Programmer or in both combined together.

Provided that such Console Operators as have completed 13 years of satisfactory service on the post in the High Court shall also be entitled to be considered for the promotion to the post of Programmer when it is being filled for the first time.

(ii) In case no suitable candidate is available then the post may be filled by direct recruitment.

**(4) Systems Analyst:** On merit, by direct recruitment.

**(5) Senior Systems Analyst:** By promotion from amongst the Systems Analysts as have put in at least 7 years of satisfactory service on the post on the basis of seniority cum merit.

Provided that such Systems Analysts as have completed at least 7 years of satisfactory service but could not be promoted for want of vacancy, may be given pay scale of Senior System Analyst on the basis of seniority subject to rejection of unfit. However, such Systems Analyst may be given designation of the Senior Systems Analyst only after appointment is made on the post in accordance with the main clause.

**(6) Systems Manager:** (i) By promotion on the basis of merit from amongst such Senior Systems Analyst or Systems Analysts who have completed 4 years of satisfactory service on the post of Senior Systems Analyst or in the pay scale of Senior Systems Analyst or in both combined together.

(ii) In case no suitable candidate is available then the post may be filled by direct recruitment.

#### **PART- IV QUALIFICATIONS**

**5. Qualifications:** The qualifications for the direct recruitment to the post of

Console Operator, Programmer (in case the selection is by direct recruitment), Systems Analyst, and Systems Manager (in case the selection is by direct recruitment) shall be as follows:

**(1) Console Operator: (i) Educational qualification:** At least second class bachelor degree from a recognized University in Computer Science or related subject;

or

Second class bachelor degree from a recognized University with PGDCA;

or

Second class bachelor degree from a recognized University with 'A' level course certificate from DOE.

**(ii) Experience:** Working knowledge of Operating Systems and Office applications suites with 3 years of working experience of data entry after obtaining required educational qualification.

**(iii) Speed:** Data entry speed of 8000 keys depression per hour.

**(2) Programmer:**

(If it is required to be filled by direct recruitment)

(i) At least 13 years of working experience as Console Operator or on equivalent/ higher post after obtaining educational qualifications required for console operator mentioned above;

or

(ii) Working Knowledge of Unix/ Open Source Software/ Windows NT/ Oracle and other RDMS packages/Programming languages with the following minimum educational qualifications.

- B.E. (Computer Science or related subject) or equivalent higher qualification from a recognised University/ Institution;

or

- M.C.A./M.Sc. (Computer Science or related subject) from a recognised University/Institution;

or

- Second class bachelor degree from a recognised University with 'B' level course Certificate from DOE.

**(3) Systems Analyst: Educational qualification:** Working knowledge of Unix/ Open Source Software/ Windows NT/ Oracle and other RDMS packages/Systems Analysis and Programming with the following minimum educational qualifications.

- M.E. or equivalent degree (Computer Science or related subject) from a recognised University/ Institution;

or

- 'C' level course certificate from DOE;

or

- B.E. or its equivalent in Computer Science or related subject from recognised institution/university with five year experience;

or

- M.C.A./M.Sc. (Computer science or equivalent) with three year experience

**(4) Systems Manager:** (i) **Educational qualification:** Same as the Systems Analyst.  
(If it is required to be filled by direct recruitment) (ii) **Experience:** At least 10 years of working experience as Systems Analyst.

#### **6. Other Conditions:**

(1) A candidate for direct recruitment on the post in the service must be:

- (i) a citizen of India; and
- (ii) of good character; and
- (iii) suitable for appointment in the service.

(2) The appointing authority may take necessary steps and precautions to ensure that successful candidates fulfill the aforesaid conditions.

**7. Physical fitness:** No candidate shall be appointed to a post in the Service unless he be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his duties. Before a candidate is finally approved for appointment he shall be required to produce a medical certificate of fitness in accordance with the rules framed under Fundamental Rule 10, contained in Chapter III of the Financial hand Book Volume II, Part III:

Provided that a medical certificate of fitness shall not be required from a candidate recruited by promotion.

**8. Age:** A candidate for the appointment for the post of the Console Operator and Systems Analyst must have attained the age of 21 years and must not have attained the age of more than 35 years on the first day of July of the calendar year in which vacancies for direct recruitment are advertised.

Provided that there may be relaxation of five years in the upper age limit in the case of schedule caste and schedule tribe candidates.

Provided further that for the appointment on post of System Analyst, the appointing Authority may in suitable cases grant relaxation of five years in the upper age limit to the Console Operators/ Junior Programmers/ Programmer in the service.

**9. Other Restrictions for Appointment:**

- (1) The following candidates shall not be appointed in service:
  - (i) Who have more than one living spouse;
  - (ii) Who have more than two living children.
- (2) The employment of the members of the service shall be terminated in case they marry for the second time during the lifetime of their first spouse.

**PART-V PROCEDURE FOR RECRUITMENT**

**10. Determination of vacancies:** The appointing authority shall determine the number of vacancies to be filled during the course of the year of recruitment as also the number of vacancies to be reserved for candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under rule. The vacancies shall be notified in the following manner:

- (i) by issuing advertisement in daily newspaper having wide circulation;
- (ii) by pasting the notice on the notice board of the office or by advertising through Radio/Television and other employment newspapers: and
- (iii) by notifying vacancies to the Employment Exchange.

All the applications so received shall be placed before the Selection Committee.

**11. Method of Selection:**

- (1) The appointing authority may make the selections under these

Rules or appoint a selection committee to do so.

- (2) The merit—in the discretion of the appointing authority or the selection committee—may be determined on the basis of written examination, or interview, or by both.
- (3) The appointing authority or the selection committee may prescribe additional qualifications, or procedure, or syllabus for the selection.
- (4) In the selection, if two or more candidates secure equal marks then, the candidate securing higher marks in the written examination will be placed higher in the merit list. If the written marks are also equal then the candidate senior in age will be placed higher.
- (4) The selection list shall be valid for one years from the date of declaration of the results or the next selection, whichever is earlier.

## **PART-V APPOINTMENT, PROBATION, CONFIRMATION, AND SENIORITY**

### **12. Appointment and Probation:**

- (1) The appointments shall be made according to the merit list prepared at the time of the selection.
- (2) A candidate shall be placed on probation for a period of one year.
- (3) The appointing authority may, for reasons to be recorded in writing, extend the period of probation.

Provided that, the total period of probation, including the extended period of probation, shall not exceed three years.

**13. Confirmation:** A probationer may be confirmed at the end of the period of probation or extended period of probation if,

- (i) his work and conduct is satisfactory; and
- (ii) his integrity is certified; and
- (iii) the appointing authority is satisfied that he is otherwise fit for confirmation.

### **14. Seniority:**

- (1) The seniority shall be determined from the date of substantive appointment.
- (2) If members of the service are appointed on the same date then the seniority shall be determined according to the merit list prepared at the time of the appointment.
- (3) These rules will not affect seniority of the members of service as it existed prior to the date of enforcement of these rules.

**15. Pay, Allowances, and Facilities:**

- (1) The pay-scale of the members of the service shall be such as may be determined by the Chief Justice with the approval of the Governor.
- (2) The pay-scales of different posts, on the date of the commencement of these rules, are given in schedule-I.
- (3) The members of the service shall be entitled to allowances and other facilities as are admissible to the members of other services in the High Court in the same pay-scale/grade.

**16. Higher Grade:** In view of limited posts and in order to avoid stagnation—higher grade may be granted to the members of the service in the following post/grade after completion of 12 years of satisfactory service.

- (i) Console Operators drawing pay scale of Junior Programmer;
- (ii) Junior Programmer;
- (iii) Programmer;
- (iv) Systems Analyst drawing pay scale of Senior System Analyst;
- (v) Senior Systems Analyst;
- (vi) Systems Manager.

**17. Other Benefits and Restrictions on Promotions etc:**

- (1) A member of the service—having more than two living children—shall not be given any,
  - (i) promotion; or
  - (ii) increment; or
  - (iii) higher/selection grade.
- (2) In case a member in the service has two or more than two living children on the date of enforcement of these rules, then reference to two living children shall be read as the number of living children that the member has within nine months of enforcement of these rules.
 

Provided that the member furnishes information in writing about number of children within nine months of enforcement of these rules.
- (3) The members of the service—in case they furnish an undertaking that they will not have more than one child—may be given one increment after,
  - (i) 12 years of satisfactory service service in case they are

unmarried; or

(ii) 12 years of their marriage if they are childless; or

(iii) 10 years after their first child is born.

- (4) In case any increment is given and the second child is born then the increment will be canceled and entire amount of increment shall be liable to be returned with 12% per annum interest.

Provided that the Appointing Authority may, after considering the hardship and difficulties in any individual case, reduce the amount of interest or waive the return of the money.

- (5) It is clarified that the benefit of granting increment under sub-rule (3) will be given only once. In case the benefit has been given under any other rule or government order or law then it will not be given again however the provision regarding cancellation, refund and interest as indicated in the preceding sub-rule (including the proviso) shall apply in that case also.
- (6) If twins or more than two children are born at the time of delivery of the second child then they will be treated as one child for purposes of these rules.

## **PART-VII OTHER PROVISIONS**

### **18. Reservation:**

- (1) There shall be reservation of 21% for the SC, 2% for the ST, and 27% for the OBC on the post of Console Operator.
- (2) The High Court may provide any horizontal reservation on the aforesaid post.
- (3) In case for three consecutive selections suitable candidates are not available in the reserved category then the post may be filled by the general candidate.

### **19. Membership of the Organisations:**

- (1) Any member of the Service may become member of any non-political organisation however he shall not accept any post of office bearer, patron, or any other administrative post in such organisation unless
- (i) the organisation is exclusively of the employees of the High Court/ subordinate courts; or
- (ii) the written permission has been granted by the Appointing Authority.

- (2) In case any member of the service is an office bearer or patron or holding any other administrative post at the time of commencement of these rules that the member shall seek permission from the Appointing Authority within a month of enforcement of these Rules. In case it is refused then the member shall resign from the post within a month of the date of communication of the refusal.
- (3) This restriction is in addition to any other restriction imposed under any other law.

**20. Regulation of other matter:**

- (1) Subject to any modification in writing by the Appointing Authority—the members of the service shall be governed by the rules, regulations, and orders applicable to the Government servants holding corresponding posts in the State Government in respect of matters not provided herein.
- (2) In case of any doubt regarding any post being corresponding to a post in the State Government, the matter will be decided by the Appointing Authority.

**21. Residuary Powers:** The Appointing Authority may issue orders in regard to the matters incidental or ancillary to these rules.

Provided that if the order relates to salaries/ allowances/ leave/ pension, then the same shall be made after approval from the Governor.

## Schedule-I

### ***Posts, their rearrangement/up-gradation from the existing posts, Designation, Grade, and Pay Scale***

1. There are 25 posts of the Console Operators cum Data Entry Assistants. Out of these 5 are permanent and 20 are temporary. The six temporary posts be upgraded to the post of Junior Programmer and two may be upgraded to the post of Programmer. The remaining posts be renamed as Console Operator. This arrangement will leave these 25 posts as follows:
  - (i) *Console Operator*—5 permanent and 12 temporary (total 17 posts)
  - (ii) *Junior Programmer*—6 Temporary;
  - (iii) *Programmer*—2 Temporary.
  
2. There are 5 posts of Systems Analyst-cum-Programmer. Out of these 2 are permanent and 3 are temporary. One temporary post be upgraded to Senior Systems Analyst and one to System Manager. The remaining posts be renamed as Systems Analyst. This arrangement will leave these posts as follows:
  - (i) *Systems Analyst*—2 permanent and 1 temporary (total 3 posts);
  - (ii) *Senior Systems Analyst*—1 temporary posts.
  
3. There is one permanent post of In-charge Computer Centre. It may be renamed as Systems Manager. One temporary post of System Analyst be also renamed as System Manager.
  
4. The pay scale of the various posts is as follows:

Sl. No.	Designation	Existing Pay Scale	Cadre	Pay scale after rearrangement and up-gradation
1	<b>Console Operator</b>	Rs. 4500-125-7000	Gr-C	Rs.5500-175-9000
2	<b>Junior Programmer</b>		Gr-B	Rs.6500-200-10500
3	<b>Programmer</b>		Gr-A	Rs. 8000-275-13500
4	<b>Systems Analyst</b>	Rs. 8000-275-13500	Gr-A	Rs. 10000-325-15200
5	<b>Senior Systems Analyst</b>		Gr-A	Rs. 12000-375-16500
6	<b>System Manager</b>	Rs. 12000-375-16500	Gr-A	Rs. 14300-400-18300

5. The higher grade as mentioned in the rules shall be as follows:

- (i) For Console Operators drawing pay scale of Junior Programmer and Junior Programmer—Rs. 8000-275-13500;
- (ii) For Programmer—Rs. 10000-325-15200;
- (iii) For Systems Analyst drawing pay scale Senior Systems Analyst and Senior Systems Analyst—Rs. 14300-400-18300;
- (iv) For Systems Manager—Rs. 16400-450-20000.

---