

NOTIFICATION

In exercise of the powers vested in him by Article 229 (2) of the Constitution of India, the Chief Justice of High Court of Himachal Pradesh is hereby pleased to make the following Rules for regulating the Appointment, Conditions of Service and the Conduct of the Members of the Technical Manpower (Computers) borne on the Establishment of High Court:

1. **Short title and Commencement :**

These Rules shall be called the ‘**High Court of Himachal Pradesh Members of Technical Manpower (Computers) (Appointment, Conditions of Service and Conduct) Rules, 2014**’. The same shall come into force on the date of publication of the same in the Official Gazette.

2. **Application:**

These Rules shall apply to all persons appointed as Members of Technical Manpower (Computers) after the commencement of these Rules.

3. **Definitions :**

(1) In these Rules unless the context requires otherwise -

i) '**Appointing Authority**' means the Chief Justice of High Court of Himachal Pradesh.

ii) '**Central Project Coordinator**' means the Central Project Coordinator posted, as such, in the High Court of Himachal Pradesh.

iii) '**Chief Justice**' means the Chief Justice of High Court of Himachal Pradesh.

iv) '**Direct Recruitment**' means recruitment otherwise than by way of promotion or transfer or deputation or absorption.

v) '**Disciplinary Authority**' - The appointing Authority as defined in Rule 3(i) of these Rules shall also be the Disciplinary Authority under these Rules.

(vi) '**District Judge**' means the Principal District Judge of a Civil and Sessions Division in Himachal Pradesh and shall include the senior most Judicial Officer of the Civil & Sessions Division officiating as District Judge in absence of the Principal District Judge.

(vii) '**Gazette**' means the gazette of the government of Himachal Pradesh including the e-Gazette.

(viii) '**High Court**' means the High Court of Himachal Pradesh.

(ix) '**Officers and Staff**' means the Officers and staff appointed under these Rules.

(x) '**Registrar General**' means the Registrar General of the High Court of Himachal Pradesh.

(xi) '**Regulations**' means the regulations made by the Chief Justice under these Rules to advance the purpose of and to give effect to these Rules.

(xii) '**Schedule**' means the schedule appended to these Rules.

(xiii) '**Service**' means the service constituting the Members of the Technical Manpower (Computers) under Rule 4 of these Rules.

(xiv) '**State Government**' means the Government of Himachal Pradesh.

(2) All other words and expressions used and not defined herein shall have the same meaning, respectively assigned to the same in **Himachal Pradesh High Court Officers and Members of the Staff (Recruitment, Conditions of Service, Conduct and Appeal) Rules, 2003** as amended or substituted from time to time.

(3) The words '**he**', '**his**' and '**him**' wherever appearing in these Rules shall also denote '**she**', '**her**' and '**her**', respectively.

4. **Strength of the Members of the Technical Manpower (Computers) and Constitution of Service:**

The strength of the members of the Technical Manpower (Computers) shall be as specified in the **First Schedule** to these Rules or as created from time to time by the State Government and the **First Schedule** shall stand automatically amended with the issuance of creation order by the State Government and the '**Service**' shall constitute encompassing such members.

5. **Appointing Authority:**

All appointments and promotions to the service shall be made under the orders of the Appointing Authority as defined in Rule 3(i) of these Rules.

6. **Method of Recruitment, age limit and other qualifications, etc. -**

(1) The method of recruitment, age limit, qualifications and other matters relating to appointment and promotion in the service shall be as per **Second Schedule**.

(2) The syllabus and Rules for the competitive examination for appointment to the service shall be as specified in the **Third Schedule**.

(3) The applications for direct appointment shall be invited by the Registrar General by advertising the posts in two daily newspapers - one Hindi and one English, Employment News and also in any other manner such as notifying the vacancies to the Employment Exchanges concerned or publication of Advertisement in the website of the High Court/District Courts or as may be directed by the Appointing Authority and the eligible person(s) can apply to the vacant post(s) on the prescribed format in **Fourth Schedule**.

(4) The Appointing Authority, in his discretion, can invite applications online also and can also prescribe the requisite fee to be submitted alongwith the application and also the last date for submission of such applications.

(5) The Appointing Authority can also constitute a Committee or different Committees of Hon'ble Judges / Officers and technical experts to oversee the entire process of recruitment and promotion.

(6) In case of direct appointments, the eligible candidates shall be called for written examination and amongst the candidates who qualify the written examination as per the **Third Schedule** annexed to these Rules by securing fifty percent (50%) marks, the candidates equal to ten times of the total advertised vacancies for filling up particular post, shall be called for Practical test and the candidates who qualify the practical test by prescribed standard shall be called for viva voce in the ratio of 1:3 (Three candidates for one advertised vacancy) on the basis of their performance in written as well as practical test subject to the condition that the successful candidate has secured fifty per cent (50%) marks in the written examination and sixty percent (60%) in the practical test.

(7) Final merit list/waiting list shall be drawn on the basis of overall merit in the Written Examination, Practical Test and Viva-Voce of those candidates who have at least secured sixty (60) per cent marks, in aggregate, and such merit list/waiting list shall remain in force for a period of one year from the date of drawing the merit list and offer of appointment(s) shall be made in order of the merit determined in such merit list, of course, subject to applicability of reservation roster.

(8) Looking at the number of posts and applications received, the Appointing Authority may also order for short-listing the candidates on the basis of their academic/professional qualification. However, under such eventuality the examination fee received from the candidates who have been excluded from appearing in the written examination on account

of the process of short-listing, shall be returned/repaid to them.

(9) The Hon'ble the chief Justice in his discretion can make Regulations or issue general or special order(s) in order to advance the purpose of and to give effect to these Rules.

7. **Disqualification for appointment** – No person shall be eligible to the service -

(i) Unless he is citizen of India.

(ii) If he has been dismissed from service by the Central Government or State Governments or U.Ts. or any High Court or Statutory or Local Authority.

(iii) If he has been convicted of an offence involving moral turpitude or who is or has been permanently debarred or disqualified by the High Court or the Union / State Public Service Commission or by any recruitment or Examination conducting Authority from appearing in examinations or selections.

(iv) If he directly or indirectly influences the Recruiting Authority by any means for his candidature.

(v) If he is a man, has more than one wife living, and, if a woman, has married another man during the currency of her marriage, unless any such arrangement or marriage is legally permissible under the personal law applicable to candidate concerned.

8. **Appointment on Contract basis and Execution of Contract:**

(1) Appointments against contractual posts shall be on contract basis for a period of one year, subject to the condition that the appointee(s) has/have passed the requisite written examination, practical test and viva voce as per Rule 6 of these Rules and such period can be extended further on year to year basis subject to the condition that the person concerned is found fit for the job he has been engaged.

(2) At the time of engagement of any candidate on contract basis, he/she shall have to execute a contract as per the policy of the State Government for contractual appointments, of course, mutatis mutandis as directed by the Chief Justice by regulations or general or special order in this behalf.

9. **Regularisation of Contractual appointment:**

Every member of the service on contract basis shall be eligible for regularisation as per

Policy of the Government of Himachal Pradesh for regularisation of contract employees, of course, subject to the condition that his past record is found satisfactory and his initial appointment is in accordance with these Rules.

10. **Probation, Officiation and Confirmation:**

(1) Every person appointed to the service on regular basis shall be on probation for a period of two years.

(2) Every member of the service on promotion shall be on officiating basis for a period of two years.

(3) At the expiry of the period of probation or officiation, as the case may be, the Appointing Authority shall consider the suitability of the person to hold the post whereto he has been appointed or promoted, and

(i) If he is found suitable to hold the post, the Registrar General with the approval of the Appointing Authority shall issue an order confirming him on the post subject to availability of the post.

(ii) If he is not found suitable to hold post whereto he has been appointed or promoted, the Registrar General, with the approval of the Chief Justice, shall

(a) if he is promoted, revert him to the post held by him prior to his promotion and

(b) if he is a probationer, discharge him from the service:

Provided that no person shall be discharged from service on the aforesaid ground without providing him a reasonable opportunity of hearing.

11. **Promotion:**

Promotion to all posts shall be made on the basis of seniority-cum-merit unless promotion of a member has been withheld as a penalty under the relevant Conduct Rules or unless he has been found unfit on the basis of analysis of his ACRs for the last three years.

12. **Seniority:**

(1) A person appointed/promoted to any post under these Rules on the basis of an earlier selection/promotion process shall be senior to the persons selected/promoted in a later selection/promotion process.

(2) For the purpose of direct recruitment in one selection process, the seniority shall be determined as per the merit list maintained by the High Court during the course of selection process under Rule -6. However, where two persons secure equal marks in the

merit list drawn on the basis of consolidated marks secured in written examination, practical test as well as viva voce, then the senior in age shall be treated as senior to the person, who is junior in age.

(3) As regards determining of seniority on promotion, the inter se seniority in the feeder cadre, shall be the sole criteria unless any member of the service has been found unfit for promotion at any point of time.

13. **Condition of Service, Leave, Pension, Salary and Allowances of the members of the service:**

(1) The members of the service deployed in High Court shall be entitled to draw salary, leave and allowances at par with the High Court employees holding equivalent posts/grades whereas members of the service deployed in the Courts subordinate to the High Court of Himachal Pradesh shall be entitled to pay, leave and allowances at par with the employees deployed in the subordinate Courts at the place of his posting and holding equivalent posts/grades.

(2) However, in case there is no equivalent posts in the High Court as well as Courts subordinate to the High Court, then the members of the service deployed in High Court shall be entitled to the pay, leave and allowances at par with the employees working in the H.P. Secretariat and the members of the service deployed in the subordinate Courts shall be entitled to the same salary, leave and allowances as are being drawn by the employees holding equivalent posts/grades in the office of the District Collector.

(3) In all matters like age of retirement / pension / death-cum-retirement gratuity and other benefit and entitlement, the members of the service shall be governed by Himachal Pradesh High Court Officers and the Members of the Staff (Recruitment, Condition of Service, Conduct and Appeal) Rules, 2003, as amended or substituted from time to time.

(4) However, any member of the service employed on contract basis shall be governed by the contractual policy of the State Government as adopted by High Court of Himachal Pradesh, mutatis mutandis, from time to time till he is inducted into the regular cadre under these Rules and they shall be entitled to salary, leave and allowances as applicable to the employees working on contract basis and not like a regular employee. However, they shall be entitled to the holidays and vacations at par with the High Court employees and the employees of the Courts subordinate to the High Court, as the case may be.

14. **Posting, Transfer and Control:**

(1) It shall be exclusive prerogative of the Appointing Authority, of course, subject to overall control of the Chief Justice to post and transfer any member of the Technical Manpower in High Court as well as Courts subordinate to the High Court of Himachal Pradesh.

(2) Each member of the service shall be under the direct control of the Central Project Coordinator. However, subject to overall control of the Central Project Co-ordinator, the District Judge concerned shall also exercise the control over the member of the Technical Manpower (Computers) deployed in his Civil & Sessions Division. In case any member of the service is posted in any Sub – Division then subject to overall control of the Central Project Co-ordinator and the District Judge concerned, the senior most Judicial Officer posted in the Sub-Division shall also exercise control over the member of the Technical Manpower.

15. **Disciplinary Authority:**

The Appointing Authority shall be the disciplinary authority under these Rules and the members of the Technical Manpower shall also be governed by the same Conduct Rules as are applicable to the employees of the High Court.

16. **Reservation:**

All appointments under these Rules shall be subject to the reservation as applicable to the employees of the High Court of Himachal Pradesh under **Himachal Pradesh High Court's Officers and Staff Members (Recruitment, condition of Service, Conduct and Appeal) Rules, 2003**, as amended or substituted from time to time.

17. **Other conditions of service:**

Other conditions of service, for which no specific provisions have been made in these Rules shall be regulated in accordance with the Rules applicable to the members of the staff of the High Court of Himachal Pradesh.

18. **Interpretation:**

If any question as to interpretation of these Rules arises, the decision of the Chief Justice on such interpretation shall be final.

19.

Power to relax:

Where the Chief Justice is of the opinion that it is necessary or expedient so to do, he may, by order and for reason(s), to be recorded, in writing, relax any of the provisions of these Rules including schedule thereto with respect to any category of persons or posts governed under the Rules.

BY ORDER

HON'BLE THE CHIEF JUSTICE

REGISTRAR GENERAL

Endst. No. HHC/Rules/Tech.Man.(Comp.)1/2014.

Dated: 10.11.2014.

Copy forwarded to the :

1. The Deputy Registrar-cum-Special Private Secretary to Hon'ble the Chief Justice.
2. The Principal Secretary (Home) to the Government of Himachal Pradesh, Shimla-2.
3. The L.R.cum-Principal Secretary(Law) to the Government of Himachal Pradesh, Shimla-2.
4. The Member Secretary/Administrative Officer, HP State Legal Services Authority, Shimla.
5. The Director/Deputy Director/Joint Director, H.P. Judicial Academy, Shimla-5.
6. The Accountant General (Audit), H.P., Shimla-3.
7. The Accountant General (A&E), H.P., Shimla-3.
8. All the District and Sessions Judges in Himachal Pradesh with a request to circulate a copy of aforesaid notification amongst all the Judicial Officers under his/her kind control.
9. The Central Project Coordinator, High Court of Himachal Pradesh, w.r.t. His note dated 16.10.2014 for information and necessary action.
10. All the Additional Registrars/Deputy Registrars/ Assistant Registrars/Court Masters/ Secretaries/Chief Librarian/Section Officers/ Marriage Counsellor/ Protocol Officer/ Public Relations Officer;
11. The Secretary/Private Secretary/P.As to the Registrar General/ Registrar (Rules)/ Registrar (Vigilance)/ Registrar(Judicial)/Registrar (Admn);
12. The Section Officer (Computer) for compliance in terms of the office order dated 8.1.2014.
13. The NIC Officer posted in the High Court with a request to update the High Court website;
14. Guard File.
(Sl. Nos.1,9 to 14, High Court of H.P. at Shimla).

(Sushil Kukreja)
Registrar (Rules)

FIRST SCHEDULE

Sl. No.	Name of the post	High Court	Subordinate Courts	Pay band	Grade Pay	Nature of the post	Total no. of posts	Gazetted/non gazetted
1	2	3	4	5	6	7	8	9
1.	Computer Programmer	1	-	Rs. 10300-34800	Rs. 5000/-	Contract basis	1	Gazetted Class-I
2.	Assistant Programmer	1	11 (one each for each District & Sessions Division)	Rs. 10300-34800/-	Rs.3200/-	Contract basis	12	Non-gazetted Class-III

SECOND SCHEDULE

Sl. No.	Post	Nomenclature of the post with Pay scale and Grade pay	Mode of Appointment	Age for direct appointment	Qualification and Experience
1	2	3	4	5	6
1	Computer Programmer	Rs.10,300-34,800+5000 Grade Pay or as may be revised from time to time.	By promotion failing which by direct recruitment a) By promotion from Assistant Programmers deployed in High Court of H.P. and Courts Subordinate to the High Court of H.P. on the basis of joint seniority in the pay scale of Rs. 10,300-34,800 +3200 Grade Pay or as revised from time to time, with 3 years services on regular basis failing which by direct recruitment from the eligible person as per column Nos. 5 and 6.	25 to 45 years to be seen on the last date of receipt of applications only in case of direct appointment.	a) B.E./B. Tech in Computers or I.T. /M.C.A. or equivalent degree in Computer Science from recognized University/ Institution in First Division with two years working experience as a Computer or Software Engineer or System Officer (Computers) or on equivalent post in the field of Computers. Or b) B.E. (Computers)/ B.Tech (Computers)/ B.C.A. or equivalent degree in Computer Science or IT-plus MBA from a recognized University/Institute with at least 50% marks in both the qualifying exams with 2 years working experience as mentioned at (a) above. Or c) B.Sc. (Computer Science or I.T.) with First Division with Post Graduate Diploma in Computer Science/Application/ I.T. from a recognized University/ Institute with First Division with experience as at (a) or (b) above.

Sl. No.	Post	Nomenclature of the post with Pay scale and Grade pay	Mode of Appointment	Age for direct appointment	Qualification and Experience
1	2	3	4	5	6
2	Assistant Programmer	Rs. 10300-34800+3200 Grade Pay.	By direct recruitment from the eligible persons as per column Nos. 5 and 6.	22 to 45 years to be seen on the last date of receipt of application.	<p>a) B.E/B. Tech in Computers or I.T. or equivalent technical qualification at least in Second division.</p> <p>Or</p> <p>b) B.Sc. /B.A. /B.Com in First Division with post Graduate Diploma in Computer application/I.T. with two (2) years experience as System Assistant or Asstt. Programmer on higher or equivalent post.</p> <p>Or</p> <p>(c) Matriculation with 1 year diploma in Computers from any recognized I.T.I. or any other recognized Institution with 6 years experience as at (b) above.</p> <p>Or</p> <p>(d) Matriculation with 3 years Diploma in Computers from any recognized Polytechnic College or equivalent technical qualification from the recognized Institution/Board /University with four (4) years experience as at (b) above.</p>

PART-A**Syllabus and Rules for the Competitive Examination for the post of Computer Programmer.**

The competitive examination shall include the following subjects and each subject will carry marks shown against it.

WRITTEN EXAMINATION: 120 MARKS IN TOTAL**TIME ALLOWED 3:00 HOURS**

Parts	Subject	Syllabus for the written paper	Marks
I	English	This part of the written paper will test the candidate's proficiency in the language and it may include narration, voice change etc. The standard will be that of HS(10+2 stage)	
II	Quantitative aptitude	This will test the speed, reasoning, intelligence and accuracy of the candidate.	20
III	General Knowledge & Current Affairs	This part will test the General Intelligence and power of observation of the candidate regarding matters of the State of H.P., national & International Affairs.	25
IV	Professional Knowledge	This part will test the technical knowledge of the candidate on computers.	50

PRACTICAL TEST: 50 MARKS

1	Practical Test	50
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VIVA VOCE: 25 MARKS

I	Viva voce	30
	(i) Educational Qualification	10
	(ii) Personality/ Interview	10
	(iii) Experience	10

Please Note: (i) Weightage will be given in experience to the candidates who would be working under the e-Courts project as member of Technical Manpower either on contract basis or under the outsourcing mode.

(ii) The minimum qualifying marks in the written examination shall be (50) percent, whereas in the practical test and interview the minimum qualifying marks shall be sixty percent (60) each.

(iii) Candidate having higher qualification and more experience shall be allotted higher marks for educational qualification and experience respectively but subject to the condition that attested copy(ies) of experience certificate(s) is/are annexed with the application form.

Syllabus and Rules for the Competitive Examination for the post of Assistant Programmer.

The competitive examination shall include the following subjects and each subject will carry marks shown against it.

WRITTEN EXAMINATION: 100 MARKS IN TOTAL

TIME ALLOWED 3:00 HOURS

Parts	Subject	Syllabus for the written paper	Marks
I	English	This part of the written paper will test the candidate's proficiency in the English language and it may include narration, voice change etc. The standard will be that of HS(10+2 stage)	
II	Quantitative aptitude	This will test the speed, reasoning, intelligence and accuracy of the candidate.	20
III	General Knowledge & Current Affairs	This part will test the General Intelligence and power of observation of the candidate regarding matters of the State of H.P., national & International Affairs.	20
IV	Professional Knowledge	This part will test the technical knowledge of the candidate on computers.	40

PRACTICAL TEST: 50 MARKS

1	Practical Test	50
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VIVA VOCE: 25 MARKS

I	Viva voce	25
	(i) Educational Qualification	08
	(ii) Personality/ Interview	07
	(iii) Experience	10

Please Note: (i) Weightage will be given in experience to the candidates who would be working under the e-Courts project as member of Technical Manpower either on contract basis or under the outsourcing mode.

(ii) The minimum qualifying marks in the written examination shall be (50) percent, whereas in the practical test and interview the minimum qualifying marks shall be sixty percent (60) each.

(iii) Candidate having higher qualification and more experience shall be allotted higher marks for educational qualification and experience respectively but subject to the condition that attested copy(ies) of experience certificate(s) is annexed with the application form.

FORMAT OF APPLICATION

Advt. No. _____, Dated: _____

- I. Name of the post applied for :
- II. Name of the candidate :
(In Capital letters)
- III. Father's/ Husband's Name :
- IV. Date of Birth : (in figure)
(Attach attested copy of age proof certificate) (in words)
- V. Sex (Male/ Female) :
- VI. Nationality :
- VII. Category :
(if reserved, annex an attested copy in support thereto)
- VIII. Academic/Professional Qualification :
- IX. Technical Qualification :
(in the field of Computer Application / Hardware & Networking etc.)
- X. Detail of examinations passed from matriculation onwards:
(Copies of D.M.Cs./Degrees etc. duly attested by Gazetted officer are to be attached)

Paste your recent passport size self attested photograph here.

(also provide one extra self attested photograph of the same size)

Sl. No.	Year	Examination passed	% of marks	Name of Board/ University
1.	2.	3.	4.	5.

- XI. Permanent Address :
- XII. Address for Correspondence :
- XIII. Experience :
(Copy(ies) of relevant experience certificate(s), duly attested by Gazetted officer be attached in support of claim, otherwise, such experience shall not be considered)
- XIV. Fee detail :
- XV. Tel./Mob. No. (mandatory) :
e-mail id (if available)

Place:
Date:

Full Signature of the Candidate

Verification:

Verified that the above information is true and correct to the best of my knowledge. No part of it is false or incorrect and nothing material has been concealed therefrom.

Verified this the (date) _____ Day of (Month) _____ 20 ____ at _____.

Full Signature of the Candidate