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मध्यप्रदेश राजपत्र

प्राधिकार से प्रकाशित

क्रमांक 26]

भोपाल, शुक्रवार, दिनांक 28 जून 2019—आषाढ 7, शक 1941

भाग ४

विषय—सूची

(क)	(1) मध्यप्रदेश विधेयक,	(2) प्रवर समिति के प्रतिवेदन	(3) संसद में पुरःस्थापित विधेयक.
(ख)	(1) अध्यादेश	(2) मध्यप्रदेश अधिनियम,	(3) संसद के अधिनियम.
(ग)	(1) प्रारूप नियम,	(2) अन्तिम नियम.	

भाग ४ (क)—कुछ नहीं

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भाग ४ (ग)

अंतिम नियम

विधि और विधायी कार्य विभाग

क्र. 3202-2019-21-ब-(एक).-

भोपाल, दिनांक 19 जून 2019

THE MADHYA PRADESH DISTRICT COURT TECHNICAL MANPOWER
(APPOINTMENT & CONDITIONS OF SERVICE) RULES, 2019

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Madhya Pradesh, in consultation with the High Court of Madhya Pradesh, hereby, makes

following Rules to regulate the appointment and other conditions of service of posts of Technical Manpower created under the National Policy and Action Plan for Implementation of Information and Communication Technology in the Indian Judiciary, prepared by the e-Committee of the Supreme Court of India, dated 01.08.2005, for the service of employees of the establishment of District Courts under the superintendence of High Court of Madhya Pradesh.

1. Short title, commencement and extent of application.-

- (1) These Rules shall be called "The Madhya Pradesh District Court Technical Manpower (Appointment & Conditions of Service) Rules, 2019".
- (2) They shall come into force from the date of publication in the Madhya Pradesh Gazette.
- (3) These Rules shall apply as one time measure of appointment.
- (4) These Rules shall apply to.-
 - (a) all persons appointed in Technical Manpower Posts in the Establishment of District Courts in the State of Madhya Pradesh.
 - (b) person appointed in Technical Manpower posts includes System Officer and System Assistant.

2. The appointment shall be made on the following posts.-

- (1) System Administrator (now re-designated as Junior System Analyst).
- (2) Console Operator/System Manager (now re-designated as Senior Computer Programmer Assistant).

3. **Appointing Authority.-**

S.No.	Categories	Appointing Authority
(1)	System Administrator (now re-designated as Junior System Analyst)	The District Judge of the district concerned
(2)	Console Operator/ System Manager (now re-designated as Senior Computer Programmer Assistant)	

4. **Age.-** Candidate should be above 18 years but should not have crossed the maximum age prescribed by the State Government:

Provided that the Candidate appointed under the scheme of e-Court Project of the Supreme Court of India and has worked for 2 years or more, shall be entitled for age relaxation of the period of such appointment/services, subject to maximum age limit up to 55 years, for the posts mentioned in Schedule-I.

5. **Qualification and Mode of Appointment to the posts.-**

The qualification and mode of appointment to the posts shall be as prescribed in Schedule-I and Schedule-II of these rules.

6. **Provision for reservation of Appointment.-**

- (1) Posts shall be reserved for the members of the Scheduled Castes, Scheduled Tribes and Other Backward Classes to such extent and in such manner as may be specified by the State Government from time to time. The reservation for these categories shall be applicable only vertically:

Provided that reservation on the district level posts shall be as per the district wise reservation roster, issued by the General Administration Department from time to time.

- (2) Total 6 percent Horizontal reservation shall be given to persons with physical impairment in the following manner:-

1.	Blindness and low vision	1.5%
2.	Deaf and hard of hearing	1.5%
3.	Locomotive disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy	1.5%
4.	Autism, intellectual disability, specific learning disability and mental illness	1.5%

Provided that if such reserved posts or any of them are not filled in a given recruitment year due to non-availability of suitable candidate, they shall be re-advertised for respective categories once more and if any such posts remain vacant due to the same reason, they shall first be filled by interchange among the five categories of disabled persons and if it remains vacant, they shall be treated as un-reserved posts.

Provided that the reservation shall be made as per the posts identified and earmarked by the High Court for specially abled persons.

- (3) As per the provision of the Madhya Pradesh Civil Services (Special Provisions for Appointment of Women) Rules, 1997, 33 percent Horizontal reservation shall be applicable for women candidates.
- (4) Appointments shall be made strictly in accordance with the roster prescribed separately for direct recruitment.
- (5) Verification of percentage of physical impairment case of "Specially abled" candidates shall be done by the District Medical Board.

- (6) As per provision of The Madhya Pradesh Lok Seva (Anushuchit Jatiyon Anusuchit Jan Jatiyon Aur Anya Pichhade Vargon Ke Liye Arakshan) Adhiniyam, 1994, in the event of non-availability of the eligible and suitable candidates amongst the Other Backward Classes, Scheduled Castes and Scheduled Tribes, as the case may be, in a particular year, the vacancies so reserved for them shall not be filled by the members who do not belong to such castes or tribes or classes as the case may be.

If in respect of any recruitment year any vacancy reserved or any category of persons belongs to Other Backward Castes, Scheduled Castes and Scheduled Tribes remains unfilled, such vacancy shall be carried forward to be filled up in the next or three consecutive recruitment years.

When a vacancy carried forward in the manner aforesaid it shall not be counted against the quota of the vacancies reserved for the concerned category of persons for the recruitment year to which it is carried forward:

Provided that the appointing authority may at any time undertake a special recruitment to fill up such unfilled vacancy and if such vacancies remain unfilled it shall be carried forward to the next or three consecutive recruitment years in total and thereafter such reservation would lapse.

7. Interpretation of these Rules.-

Whenever any difficulty or doubt arises in applying and/or interpreting these Rules, the decision of the High Court, thereon, shall be final.

8. Relaxation.-

Nothing in these Rules shall be construed to limit or abridge the power of the High Court to deal with the case of any person(s) to whom these rules apply. The High Court may dispense with or relax any particular rule in such manner as may appear to it as just and equitable.

9. **Residuary provision.-**

- (1) All members of the service shall be subject to the superintendence of the High Court.
- (2) In respect of all matters (not provided in these rules) regarding the conditions of service of the members including matters relating to the conduct, control and discipline, provisions of M.P. Civil Services (General Conditions of Services) Rules, 1961, M.P. Civil Services (Conduct) Rules 1965, M.P. Civil Services (Classification, Control and Appeal) Rules, 1966 and all others Rules applicable to M.P. State Government Employees shall apply subject to such modification, variation and exceptions, as the High Court may, from time to time, specify.

SCHEDULE-I
(SEE RULE 5)

S.NO.	NAME OF SERVICE		EDUCATION & TECHNICAL QUALIFICATION PRESCRIBED
1.	Junior System Analyst	1.	B.E./B.Tech (C.S/IT.) / MCA / M.Sc. (C.S/IT.) from recognized university with atleast 2 years experience of working on Linux/ Open Source Software / Windows / DBMS / Software development/Desktop & Network support.
			OR
			ME/M.Tech (C.S/ IT.) with atleast 1 year experience of working on Linux / Open source software / Windows / DBMS / Software development /Desktop & Network support.

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		2.	Work experience of not less than 2 years in District Court Establishment or High Court
2.	Senior Computer Programmer Assistant	1.	B.E. / B.Tech / B.Sc. in C.S. / I.T. / Electronics & Telecommunications / B.C.A. / M.C.A. / M.Sc. (Electronics / C.S. / I.T) with atleast 1 year experience in working on Linux / Open Source Software / Windows / DBMS / Software development.
		2.	Work experience of not less than 2 years in District Court Establishment or High Court.

**SCHEDULE-II
(SEE RULE 5)**

S. NO	NAME OF THE POST	CLASSIFICATION	SCALE OF PAY	APPOINTING AUTHORITY	METHOD OF RECRUITMENT
1.	Junior System Analyst	CLASS -III	9300-34800+ GP 4200 (As per 6 th pay commission)	District Judge	By direct recruitment through suitability test conducted by High Court from amongst the persons appointed as District Judge System Officer under e-court Project of the Supreme Court of India with essential qualification prescribed in these Rules
2.	Senior Computer Programmer Assistant	Class-III	9300-34800+GP 3600 (As per 6 th pay commission)	District Judge	By direct recruitment through suitability test conducted by High Court from amongst the persons appointed as District Judge Assistant under e-Court Project of the Supreme Court of India with essential qualification prescribed in these Rules.
					India with essential qualification prescribed in these Rules.

क्र. 3249-2019-इक्कीस-ब-(एक)-

भोपाल, दिनांक 21/22 जून 2019

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Madhya Pradesh, in consultation with the High Court of Madhya Pradesh, hereby makes the following Rules for regulating the recruitment and conditions of service of employees of the establishment of District Courts under the superintendence of High Court of Madhya Pradesh, in supersession of all previous rules, instructions and orders in force:

PART-I
GENERAL

1. Short title, extent and commencement.-

- (i) These Rules may be called "The Madhya Pradesh District Court Establishment (Recruitment and Conditions of Service) Rules, 2016".
- (ii) These Rules shall come into force from the date of their publication in Madhya Pradesh Gazette.
- (iii) These Rules shall apply to every member of the service without prejudice to the generality of the provisions contained in The Madhya Pradesh Civil Services (General Conditions of Service) Rules, 1961.

2. Definitions.-

In these Rules, unless there is anything repugnant in the subject or context-

- (a) "Appointing Authority" means the High Court or the District and Sessions Judge of respective Districts, as specified in Schedule II;
- (b) "Chief Justice" means the Chief Justice of the High Court of Madhya Pradesh;
- (c) "Counseling" means process of allocation of District on the choice of candidate on the basis of merit for appointment in a particular district;
- (d) "Departmental Promotion Committee" means committee as specified in clause (a) and (b) of sub-rule (1) of rule 19 of these rules;

- (e) "Establishment" means District Court establishment;
- (f) "Examination" means examination conducted by the "Examination Cell" of the High Court for selection of employees of the District Court;
- (g) "Examination Committee" means Committee constituted by the Chief Justice to monitor and overseeing the selection process for the recruitment of various staff of District Courts;
- (h) "Governor" means the Governor of Madhya Pradesh;
- (i) "Government" means the Government of Madhya Pradesh;
- (j) "Other Backward Class" means the other Backward Classes of citizens as specified by the State Government vide notification No. F.85-XXV-4-84, dated the 26th December, 1984 as amended from time to time;
- (k) "Post" means posts as mentioned in Schedule II;
- (l) "Schedule" means each schedule appended to these rules;
- (m) "Scheduled Castes" means any caste, race or tribe or part of or a group within a caste, race or tribe specified as scheduled castes with respect to the State of Madhya Pradesh under article 341 of the Constitution of India;
- (n) "Scheduled Tribe" means any tribe, tribal community or part of or group within a tribe or tribal community specified as scheduled tribes with respect to the State of Madhya Pradesh under article 342 of the Constitution of India;

- (o) "Selection Authority" means "Examination Cell" of the High Court established for the purpose;
- (p) "Service" means Madhya Pradesh District Court service;
- (q) "Specially abled" means persons coming under the provision of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996).
- (r) "Year of Recruitment" means year commencing from 1st January to 31st December;

PART-II

3. Constitution of Service.-

- (1) On and from the date of commencement of these Rules "The Madhya Pradesh District Court Services" shall be constituted.
- (2) The Madhya Pradesh District Court Services shall consist of the following persons, namely:
- (i) Persons, who at the time of commencement of these rules are holding substantive or in an officiating capacity, the posts specified in the Schedule II;
- (ii) Persons recruited to the service before the commencement of these rules; and
- (iii) Persons recruited to the service in accordance with the provisions of these rules.

4. Classification, Scale of Pay etc.-

- (1) The classification of the service, the number of posts included in the service and the scale of pay attached thereto shall be as specified in Schedule II:

Provided that the Government may, from time to time, add or reduce the number of posts included in the service either on permanent or temporary basis.

- (2) The member of service shall have eligibility of time pay scale under the provisions of the circular dated 24th July 2008 of the Finance Department.

PART-III**RECRUITMENT****5. Method of Recruitment.-**

Recruitment to the service after the commencement of these rules shall be made by the following method, namely;

- (a) By direct recruitment through Competitive Examination or Interview or by both for the posts indicated in the Schedule II;
- (b) By promotion of members of service as specified in Schedule II;
- (c) By transfer or deputation of persons who hold in substantive or officiating capacity such posts in such service as may be specified in this behalf by the High Court;

6. Appointment to the service.-

All appointments to the service after the commencement of these rules shall be made by the appointing authority and no appointment shall be made except after selection by one of the methods of recruitment as specified in these Rules;

7. Eligibility for direct recruitment.-

In order to be eligible for selection, a candidate must satisfy the following conditions, namely:

- (a) He must be a citizen of India;
- (b) He should have attained the age of 18 years but should not have attained the maximum age as specified by the Government by general or special order”;
- (c) The Upper age limit for candidates belonging to Schedule Caste, Schedule Tribe or Other Backward Classes and females shall be relaxable which is subject to change as per the Government policy;
- (d) The Upper age limit shall also be relaxable in respect of widow, destitute or divorced women candidates;
- (e) The upper age limit shall also be relaxable in respect of the candidates who are or have been the Permanent or Temporary Employee of the Madhya Pradesh Government or Board and Corporation owned by the Government of Madhya Pradesh subject to change as per Government policy. This concession shall also be admissible to the contingency paid, work-charged or contract employee;

- (e-1) A Candidate appointed on contractual basis and has worked for 5 years or more, shall be entitled for age relaxation of the period of contractual appointment, subject to maximum age limit up to 55 years, for the post mentioned in Schedule-I, which are reserved for contractual employees.
- (f) The relaxation in the upper age limit in respect of "Specially abled" candidates shall be as per the Orders/Guidelines issued by the Government from time to time.
- (g) In the Clerical Cadre 25% posts shall be reserved for the persons having Post Graduate degree in Management in Finance/Human Resource Management/Graduate or Post Graduate degree in Information Technology (I.T)/Computer Science (C.S.):

Provided that in case the aforesaid posts remain unfilled due to non-availability of suitable candidate, the vacant posts shall be filled from the general pool in the same year.

Date of reckoning of age.- The age limit shall be reckoned as on 1st January of the current year of recruitment.

Explanation.-A woman candidate will be deemed to be destitute if she has no source of income and her parents and her husband do not support her financially or who has some source of income but that does not exceed a sum of money specified by the High Court as determined by the State Government.

Note.-In no other case will these age limits be relaxed. Departmental candidates must obtain previous permission of their appointing authority to appear for the selection.

8. Educational Qualification.-

The candidate must possess the educational qualifications prescribed for the service as shown in schedule I.

9. Disqualification for Appointment.-

- (1) No person shall be eligible for appointment unless he is citizen of India.
- (2) No candidate who has more than one spouse living will be eligible for appointment to the service.
- (3) No candidate shall be eligible for appointment unless he has been certified to be medically fit for appointment to the post by the District Medical Board.

Provided that a candidate may be appointed provisionally subject to production of Medical fitness certificate as aforesaid within a period of 30 days from the date of appointment. If the candidate is found unfit by the Medical Board, his services shall be liable to be terminated forthwith.

- (4) Any attempt on the part of the candidate to obtain support for his candidature by any means shall be held disqualified by the Committee for selection.
- (5) No person shall be eligible for appointment if he or she-
 - (a) Is or has been a member of, or has associated himself or herself with, anybody or association after such body or association is declared as an unlawful body or association;

or

- (b) Has participated in or is associated with, any activity or programme-
- (i) Aimed at subversion of the Constitution of India.
 - (ii) Aimed at organized breach or defiance of law involving violence;
 - (iii) Which is prejudicial to the interests of the sovereignty and integrity of India or the security of the State; or
 - (iv) Which promotes on grounds of religion, race, language, caste or community, feelings of enmity or hatred between different sections of the people;

or

- (c) Is dismissed from service under the Government of India or any State Government or any High Court;

or

- (d) Is or has been debarred or disqualified by the Union or any State Public Service Commission or any High Court from appearing for any examination or selection conducted by it;

or

- (e) Is or has been convicted of an offense involving moral turpitude.

(6) In respect of all such matters regarding conditions of service of the officers and employees of the Subordinate Courts of the State of Madhya Pradesh for which no provision or insufficient provision has been made in these Rules, the provisions of Madhya Pradesh Civil Services (General Conditions of Service) Rules, 1961 shall be applicable with amendments made therein from time to time.

10. A selected candidate shall be eligible for appointment subject to the satisfaction of the Appointing Authority after verification of his testimonials and antecedents..

11. Requisition from District Establishments.-

All the District Establishments shall send their requisition forms to the Registrar (D.E.) of the High Court by 30th September of every recruitment year for all such posts which are to be filled and likely to fall vacant in the ensuing recruitment year. District Establishments in their requisition shall show the details of the posts of the reserved categories. Registrar (D.E.) of High Court after receiving all requisitions from District Establishments shall compile in tabular form details of all posts including reservations by the 30th October to the Examination Cell for starting recruitment process.

12. Mode of Selection.-

(a) Selection will be made in a centralized manner by the Examination Cell of the High Court as per directions of the Examination Committee.

- (b) Examination Cell shall advertise the total number of vacancies across the State in daily newspapers, both, English and Hindi language.
- (c) Examination Cell shall conduct a centralized written examination followed by interview as per the directions of the Examination Committee of the High Court. The examination may be conducted offline or online system in the months of January to April every year.
- (d) The Examination Cell may change the mode of testing the suitability of candidates as per the recommendation of the Examination Committee as and when such change is considered to be appropriate.
- (e) In conducting "Online examination", precautions mentioned in Schedule IV, to the extent considered applicable by the Examination Committee, shall be adhered to.
- (f) The Examination Cell, on the directions of Examination Committee, may hold screening test, which may also be held online, prior to main written examination if the ratio of number of eligible candidates and the number of posts is inordinately high in view of Examination Committee.
- (g) The names of candidates recommended for appointment shall be sent by the Examination Cell to Appointing Authority.

13. Appointment of Candidates.-

Appointing Authority, after scrutinizing documents of the recommended candidates and satisfying itself as to his eligibility regarding suitability in all respects of an appointment to the post in the cadre, shall issue an order of appointment which shall be final.

14. Requirement of Character Certificate.-

No person shall be appointed unless the Appointing Authority is satisfied that he is of good character and is in all respect suitable for appointment to the service. Every candidate selected for direct recruitment shall furnish to the Appointing Authority certificates, given not more than six months prior to the date of selection, by two respectable persons.

15. Conditions relating to Physical fitness.-

No candidate selected for appointment shall be appointed to any post unless he satisfies the Appointing Authority that he is physically fit to discharge the duties that he may be called upon to perform. Appointing Authority, may by order, prescribe the physical standards required to be satisfied by a person for appointment and specify the Medical Authority which may grant the certificate of physical fitness and provide such other incidental matters as may be necessary. The opinion of the Medical Authority regarding the physical fitness or otherwise of the candidate shall be binding on the candidates.

However, a Candidate selected for appointment who fails to appear before the Medical Authority specified by the Appointing Authority shall be given one more opportunity to appear before such authority. If the candidate fails to appear before Medical Authority given on second occasion his name shall be deleted from the list of selected candidates and he shall cease to be eligible for appointment.

16. Examination Fees etc.-

Every candidate for direct recruitment to any category of post shall be required to pay such fees and portal charges, if any, as may be specified by the Examination Committee in respect of his applications.

The relaxation of fee which is applicable to the candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes shall be applicable to the domiciles of Madhya Pradesh who have been declared by the Government as Scheduled Castes, Scheduled Tribes and Other Backward Classes only:

Provided further that the candidates belonging to Other Backward Classes and are coming in creamy layer shall not be eligible for the benefit of reservation, relaxation in age limit or any other benefit of the category.

Provision for fee relaxation shall also be applicable for Specially abled candidates.

17. Joining time for appointment.-

- (1) A Candidate appointed by direct recruitment shall assume charge of the post specified by the Appointing Authority on the date or within the period specified in the order.

However, the Appointing Authority may, on the application of the candidate and if satisfied that there are good and sufficient reasons for doing so, by order in writing, grant such further time but not exceeding thirty days as it may deem necessary.

Explanation.- For the purpose of the sub-rule "the date of the order of appointment" means the date of dispatch of order of appointment by registered post to the address given by the candidate.

- (2) The name of the candidate who fails to assume charge of the post within the time specified in sub-rule (1) shall stand deleted from the list of selected candidates and the candidate concerned shall cease to be eligible for appointment and in that event, Appointing Authority may appoint candidates from the wait list as per the Rules framed in that respect.

- (3) **Validity period of the select list.-** The select list of the successful candidates in the examination in any recruitment year shall be valid upto 12 months from the date of declaration of the select list.

18. Provision for reservation of Appointment.-

- (1) Posts shall be reserved for the members of the Schedule Castes, Schedule Tribes and for Other Backward Classes to such extent and in such manner as may be specified by the Government. The reservations for these categories shall be applicable only vertically:

Provided that reservation on the district level posts shall be given as per the district wise reservation roaster, issued by the General Administration Department.

- (2) A total 6 percent Horizontal reservation shall be given to persons with physical impairment, with 2 percent each for hearing, visually and orthopedically impaired:

Provided that the reservation shall be made as per the posts identified and marked by the High Court for specially abled persons.

- (3) As per the provision of The Madhya Pradesh Civil Services (Special Provisions for Appointment of Women) Rules, 1997, 30 percent horizontal reservation shall be applicable for women candidates.
- (4) Appointments shall be made strictly in accordance with the roster prescribed separately for direct recruitment and promotion.

- (4-a) 20% of posts mentioned in Schedule-I shall be reserved and filled-up from the candidate who is/was working for not less than 5 years on contractual basis, in the same category or higher category of post, in the service of High Court or District Courts Establishment. The said appointment shall be through selection/suitability test with minimum qualifying marks for candidates belong to Unreserved Categories as 55% and for candidates belonging to OBC, SC/ST Categories as 50%.
- (5) Verification of percentage of physical impairment in case of "Specially abled" candidates shall be verified by the Medical Board.
- (6) In the event of non-availability of the eligible and suitable candidates amongst the Other Backward Casts, Scheduled Castes and Scheduled Tribes, as the case may be, in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure, and an equivalent number of additional vacancies shall be reserved in the subsequent year. Such of the vacancies which remain so unfilled shall be carried forward to the subsequent three recruitment years in total and thereafter such reservation would lapse.

Appointment By Promotion

19. Constitution Of Departmental Promotion Committee:

- (1) (a) There shall be constituted a three members Committee consisting of District Judge as Chairman, Senior-most Additional District Judge (for the time being working), Senior-most Civil Judge Senior Division (for the time being working).
- (b) The constitution of Departmental Promotion Committee for the post of Administrative Officer and Deputy Administrative Officer shall be as per direction of the Chief Justice.
- (2) The selection list shall be prepared by the Committee and the District Judge shall issue appointment orders based on the recommendation of the Committee.
- (3) The exercise of departmental promotion shall be carried out every year regularly as per Calendar containing date wise Schedule for appointments to various posts.
- (4) The selection shall be made on the basis of seniority-cum-merit up to Accountant and thereafter on the basis of merit-cum-seniority subject to *Rule 20*.
- (5) An employee who has not been found fit for being promoted or whose seniority has been affected may submit his representation before the High Court within thirty days from the date of publication of the list.
- (6) The Committee of the High Court considering such representation may cancel or modify such selection list.

20. Provision For Departmental Competitive Examination To Promote Merit.-

In order to promote merit, 15% of vacancies in any cadre shall be kept open for appointment from Lower Cadre by selection through competitive examination and only in case of non availability of suitable candidates through competitive examination, the same will not be carried forward and such vacancies may be filled by promotion "as per sub-rule (4) of Rule 19 above".

21. Seniority .-

Seniority of the person included in the select list shall follow the order in which the names of such persons appear in the select list.

In case list of candidates promoted on the basis of seniority-cum-merit and the list of candidates selected through competitive examination is brought out during the same recruitment year, the seniority of candidates promoted on the basis of seniority-cum-merit shall be over and above the seniority of candidates selected through competitive examination.

22. Preparation of List Of Suitable Officers.-

(1) The Departmental Promotion Committee shall prepare a list of such persons who satisfy the conditions prescribed and as are held by the

Committee to be suitable for promotion to the service. The list shall be sufficient to cover the anticipated vacancies on account of retirement and promotion during the course of one year from the date of preparation of the select list. A reserved list containing 25% of the number of persons included in select list shall also be prepared to meet the unforeseen vacancies occurring during the course of the aforesaid period.

- (2) The names of selected officials included in the list shall be arranged in order of seniority in service.

Explanation :- A person whose name is included in the select list but who is not promoted during the validity of the list, shall have no claim to seniority over those considered in a subsequent selection merely by the fact of his earlier selection.

- (3) The list so prepared shall be reviewed and revised every year.
- (4) If in the process of selection, review or revision, it is proposed to supersede any member of the service, the committee shall record its reasons for the proposed supersession.

23. Reservation.-

Reservation for the promotion to any service in favour of the Scheduled Castes, Scheduled Tribes and Other

Backward Classes shall be in accordance with the orders issued by the High Court from time to time.

24. Select List.-

The select list shall ordinarily be in force until it is reviewed or revised in accordance with sub-rule (3) of Rule 22 mentioned above, but its validity shall not be extended beyond the total period of 12 months from the date of its publication:

Provided that in the event of a grave lapse in the conduct of performance of duties on the part of any person included in select list a special review of the select list may be made at the instance of the Appointment Authority and it may, if it thinks fit, remove the name of such person from the select list.

PART-IV
PROBATION

25. (1) All appointments to the Service by direct recruitment or by promotion shall be on probation for the period of two years.
- (2) The period of probation for reasons to be recorded in writing, may be extended by the Appointing Authority by such period not exceeding the period of probation specified in sub rule(I) or (II) of Rule 3.
- (3) At the end of period of probation or the extended period of probation the Appointing Authority shall consider the suitability of the person so appointed or promoted to hold the post to which he was appointed or promoted, and
- (I) If it is decided that he is suitable to hold the post to which he was appointed or promoted, it shall, as soon as possible, issue an order declaring him to have satisfactorily completed the period of probation and such an order shall have effect from the date of expiry of the period of probation, including extended period, if any, as the case may be.
- (II) If it is considered that the person is not suitable to hold the post to which he was appointed or promoted, as the case may be, he shall by order:
- (a) If he is a promotee, revert him to the post which he held prior to his promotion;
- (b) If he is probationer, discharge him from service.
- (3) A person shall not be considered to have satisfactorily completed the period of probation

unless a specific order to the effect is passed, any delay in passing such an order shall not entitle the person to be deemed to have satisfactorily completed the period of probation.

26. Discharge of a probationer during the period of probation.-

Notwithstanding anything contained in the rule mentioned above the Appointing Authority may, at any time during the period of probation, discharge from the service, a probationer on account of reason that his/her services are no more required.

27. Increment during the period of probation.-

A probationer or promotee may draw the increments that accrued during the period of probation. He shall not, however, draw any increment after the expiry of the period of probation unless and until he is declared to have satisfactorily completed his probation.

When a probationer or promotee is declared to have satisfactorily completed his probation, he shall draw, from the date as such order takes effect, the pay he would have drawn had he been allowed the increments for the whole of his service from the date of his appointment or probation.

28. Appointment to the service from the select list.-

- (1) Appointments of the persons included in the select list shall follow the order in which the names of such persons appear in the select list.
- (2) In case of promotion, it shall not ordinarily be necessary to consult the Committee for exclusion of a person whose name is included in the select list if during the period intervening between the inclusion of his name in the select list and the date of the proposed appointment, there occurs any deterioration in his work, which, in the opinion of the Appointing Authority, is such as to render him unsuitable for appointment to the service.

29. Applicability of other Rules.-

The Pay, Allowance, Pensions, Gratuity, Leave, Retirement, T.A., Medical Allowance, GPF, Discipline, Control, Punishment and other conditions of service of persons appointed to the District Courts Establishment shall be governed by the rules applicable to the employees of the Government.

30. Transfer.-

1. The **Chief Justice**, may, in **administrative exigency**, transfer any member of the service from one District Court establishment, to another District Court establishment within the State and the member of the service so transferred, shall carry his seniority with him.

2. However, in case the employee requests his transfer, he shall not be entitled to seniority which he held prior to such transfer and his seniority in his new place of posting, his position, will be at the bottom of other employees of the same cadre posted in the District to which he is transferred.

31. Deputation.-

Any member of the service may be deputed by the High Court for a continuous period not exceeding four years to perform the duties of any post in the Central Government or the State Government or took service in any Organization, which is wholly or partly owned or controlled by the Government.

**PART-V
MISCELLANEOUS**

32. Age of superannuation.-

Subject to the provision contained in Rule 56(2) of the Fundamental Rules and Rule 42(1)(b) of Madhya Pradesh Civil Services (Pension) Rules, 1976, the age of superannuation of a member of the service shall be the age specified by the Government from time to time for the employees of the Government of the same cadre.

33. Retirement in public interest.-

Notwithstanding anything contained in these rules or any other law the appointing authority may, if it is of the opinion that it is in the public interest so to do, have the absolute right to retire any member of the Service who has put in not less than twenty years of service or has attained

the age of 50 years whichever is earlier, by giving him notice of not less than three months in writing or three months pay and allowances in lieu of such notice.

34. Training etc.-

- (1) Every person appointed by direct recruitment to the Service shall, undergo such training as the High Court may, from time to time, specify.
- (2) Every member of the Service shall be given such periodical training as the High Court may, from time to time, specify.
- (3) Every member of the Service shall pass such tests or examinations within such time as the High Court may, from time to time, specify.

35. Interpretation.-

If any question arises regarding the interpretation of the rules, it shall be referred to the Chief Justice whose decision, thereon, shall be final.

36. Relaxation.-

Nothing in these Rules shall be construed to limit or abridge the power of the High Court to deal with the case of any person(s) to whom these rules apply may dispense with or relax the particular rule in such a manner as may appear to him to be just and equitable.

37. Repeal and Savings.-

All Rules, Orders, Instructions and Circulars corresponding to these Rules, in force immediately before

the commencement of these Rules are hereby repealed in respect of matters covered by these Rules:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

38. Residuary provision.-

- (1) All members of the service shall be subject to the superintendence of the High Court.
- (2) In respect of all matters (not provided in these rules) regarding the conditions of service of the members of the service, including matters relating to the Conduct, Control and Discipline, provisions of M.P. Civil Services (Conduct) Rules, 1965, M.P. Civil Services (CCA) Rules, 1966 and all other applicable to M.P. State Government employees shall apply subject to such modification, variation and exceptions, if any, as the High Court may, from time to time specify.

SCHEDULE-I		
(SEE RULE 8)		
S.No.	Name of Service	Educational and Technical Qualification Prescribed
1.	Court Manager	<p>1. B.Tech. in Computer Science/B.Tech. in I.T. with degree in MBA (in Finance / Human Resource) from a recognized university and preferably having two years of experience in managerial capacity.</p> <p style="text-align: center;">OR</p> <p>Bachelor Degree with Masters in Business Administration or advanced diploma in General Management from U.G.C. recognized University or Institution along with 3 (Three) years experience/ training in system and process management or 3 years experience/ training in I.T. System Management/ Human Resource Management/ Financial System Management/ Court Management in Government Organization or reputed Institution/ Industry having turnover of not less than 100 crores.</p> <p style="text-align: center;">And</p> <p>2. Excellent communication skill in Hindi and English;</p> <p>3. Excellent social skill;</p> <p>4. Excellent computer application skill;</p> <p>5. Preference will be given to candidates having qualification and experience in the field of Law/ specialization in Human Resource/</p>

		Finance and also to such candidates who have worked efficiently as Court Manager in the High Court /Subordinate Courts of M.P.
2.	Junior System Analyst	<p>1. B.E. (C.S/I.T.)/MCA/M.Sc. (C.S/I.T.) from recognized university with atleast 4 years experience of working on Linux/Open Source Software/Windows/DBMS/Software development/Desktop and Network support.</p> <p style="text-align: center;">Or</p> <p>M.E./M.Tech (C.S/I.T.) with atleast 2 years experience of working on Linux/Open source software/Windows/ DBMS/Software development/Desktop and Network support.</p> <p>2. Work experience with Company or domain having turnover of not less than 100 crores.</p> <p>3. Additional desirable qualification MBA (IT Management)</p>
3.	Senior Computer Programmer Asstt.	<p>1. B.E./B.Tech. In Computers / I.T. / Electronics and Telecommunications/ M.C.A. /M.Sc. (Electronics) with atleast 2 years experience in working on Linux/Open Source Software/Windows/ DBMS/Software development.</p> <p>2. Work experience with Company or domain having turnover of not less than 100 crores.</p> <p>3. Additional desirable qualification MBA (IT Management)</p>
4.	Stenographer Grade-II	<p>1. Graduation in any discipline from a recognized University.</p> <p>2. C.P.C.T. score card exam passed from M.P. Agency for Promotion of Information Technology (MAP-I.T.) or any other</p>

		<p>Agency/Institution recognized by the M.P. Government.</p> <p>3. Hindi Shorthand exam passed with speed of 100 W.P.M. from Board/Institution recognized by M.P. Government.</p> <p>4. One year Diploma Course passed in Computer Application from Institution recognized by M.P. Government.</p>
5.	Stenographer Grade -III	<p>1. Graduation in any discipline from a recognized University.</p> <p>2. C.P.C.T. score card exam passed from M.P. Agency for Promotion of Information Technology (MAP-I.T.) or any other Agency/Institution recognized by the M.P. Government,</p> <p>3. Hindi Shorthand exam passed with speed of 80 W.P.M. from Board/Institution recognized by M.P. Government.</p> <p>4. One year Diploma Course passed in Computer Application from Institution recognized by M.P. Government.</p>
6.	Assistant Grade -III	<p>1. Graduation in any discipline from a recognized University.</p> <p>2. C.P.C.T. score card exam passed from M.P. Agency for Promotion of Information Technology (MAP-I.T.) or any other Agency/Institution recognized by the M.P. Government.</p> <p>3. One year Diploma Course passed in Computer Application from Institution</p>

		recognized by M.P. Government.
7.	Assistant Grade III (English Knowing)	<ol style="list-style-type: none"> 1. Graduation in any discipline from a recognized University. 2. C.P.C.T. score card exam passed from M.P. Agency for Promotion of Information Technology (MAP-I.T.) or any other Agency/Institution recognized by the M.P. Government. 3. English Shorthand exam passed with speed of 80 W.P.M. from Board/Institution recognized by M.P. Government. 4. One year Diploma Course passed in Computer Application from Institution recognized by M.P. Government.
8.	Driver (Contingency)	<ol style="list-style-type: none"> 1. 10th Standard passed from any Board/Institution recognized by Government. 2. Driving Licence holder of Light Motor Vehicle.
9.	Peon/Chowkidar/Waterman/Mali/Sweeper (Contingency)	<ol style="list-style-type: none"> 1. 8th Standard passed.

SCHEDULE II**(SEE RULE 5)**

S. No.	Name of the post	No. of post	Classification	Scale of pay	Appointing authority	Method of Recruitment
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Court Manager	50	III	15600-39100-G.P.5400	District Judge	By Direct Recruitment
2.	Administrative officer	50	III	15600-39100-G.P.5400	Registrar General	By promotion from Deputy Administrative officer/Senior Personal Assistant in ratio of 90% and 10% respectively subject to the condition that if "Senior Personal Assistant" is not available that will not be carried forward and will be filled from "Deputy Administrative Officer" and the option by the "Deputy Administrative Officer", once exercised shall not be revoked.
3.	Junior System Analyst	50	III	9300-34800+GP 4200 (As per 6th pay commission)	District Judge	50% by direct recruitment and 50% by promotion from amongst the Senior Computer Programmer Asstt. having experience of 5 years on the basis of merit-cum-seniority.

4.	Senior Computer Programmer Asstt.	150	III	9300-34800 + GP 3600 (As per 6 th Pay Commission)	District Judge	50% by direct recruitment and 50% by promotion through departmental examination conducted by the High Court from amongst Stenographer/Stenographer Grade-II/Stenographer Grade-III/Assistant Grade-III having experience of 3 years with essential qualification prescribed for direct recruitment.
5.	Deputy Administrative officer	168	III	9300-34800-G.P.3200	Registrar General	By promotion from Accountant who have completed five years of service.
6.	Accountant	100	III	5200-20200-G.P. 2800	District and Sessions Judge	By promotion from Asstt. Accountant/Asstt. Gr.II or Asstt. Gr.III who have completed five years service and also have passed accounts training or Asstt. Gr.II who has crossed the age of 45.
7.	Assistant Accountant	117	III	5200-20200-G.P. 2400	District and Sessions Judge	By promotion from Asstt. Gr.II or Asstt. Gr.III who have completed five years service and also have passed accounts training or Asstt. Gr.II who has crossed the age of 45.
8.	Statistical Writer	50	III	5200-20200-G.P. 2400	District and Sessions Judge	By promotion from Asstt. Gr.III.

9.	Reader to District Judge	48	III	9300-34800 G.P. 3600	District and Sessions Judge	By promotion from Reader Grade II.
10.	Reader to ADJ	701	III	9300-34800 G.P. 3600	District and Sessions Judge	By promotion from Reader Grade II.
11.	Reader to Civil Judge (Senior Division)	346	III	5200-20200- G.P. 2800	District and Sessions Judge	By promotion from Reader Grade III.
12.	Reader to Civil Judge II (Junior Division)	932	III	5200-20200- G.P. 2400	District and Sessions Judge	By promotion from Asstt. Gr. III.
13.	Record Keeper	62	III	5200-20200- G.P. 2400	District and Sessions Judge	By promotion from Asstt. Gr. III.
14.	Librarian-Cum-Farms Clerk	78	III	5200-20200- G.P. 2400	District and Sessions Judge	By promotion from Asstt. Gr. III.
15.	Execution Clerk (Asstt. Gr. II)	741	III	5200-20200- G.P. 2400	District and Sessions Judge	By promotion from Asstt. Gr. III.
16.	Execution Clerk (Asstt. Gr. III)	1245	III	5200-20200- G.P. 1900	District and Sessions Judge	75% By direct recruitment and 25% by promotion from Class IV.
17.	Asstt. Gr. III (for Court Manger)	50	III	5200-20200-G.P. 1900	District and Sessions Judge	75% By direct recruitment and 25% by promotion from Class IV.
18.	Assistant Record Keeper	361	III	5200-20200- G.P. 1900	District and Sessions Judge	75% By direct recruitment and 25% by promotion from Class IV.
19.	Deposition Writer	2002	III	5200-20200- G.P. 1900	District and Sessions Judge	75% By direct recruitment and 25% by promotion from Class IV.

20.	Despatcher	58	III	5200-20200-G.P. 1900	District and Sessions Judge	75% By direct recruitment and 25% by promotion from Class IV.
21.	Assistant Statistical Writer	45	III	5200-20200-G.P. 1900	District and Sessions Judge	75% By direct recruitment and 25% by promotion from Class IV.
22.	Office Mohrir	54	III	5200-20200-G.P. 1900	District and Sessions Judge	75% By direct recruitment and 25% by promotion from Class IV.
23.	Senior Personal Assistant	41	III	9300-34800 G.P. 4200	District and Sessions Judge	By promotion from Personal Assistant.
24.	Personal Assistant	357	III	9300-34800 G.P. 3600	District and Sessions Judge	By promotion from Stenographer.
25.	Stenographer	364	III	5200-20200-G.P. 2800	District and Sessions Judge	By promotion from Stenographer Gr.II.
26.	Stenographer Grade II	328	III	5200-20200-G.P. 2800	District and Sessions Judge	By promotion from Stenographer Gr.III and Direct Recruitment.
27.	Stenographer Grade III	757	III	5200-20200-G.P. 2400	District and Sessions Judge	By direct recruitment.
28.	Stenographer Grade III (For Court Manager)	50	III	5200-20200-G.P. 1900	District and Sessions Judge	By direct recruitment.
29.	Head Copyist	61	III	5200-20200-G.P. 2400	District and Sessions Judge	By promotion from Asstt. Gr.III.

30.	Copyist	362	III	5200-20200-G.P. 1900	District and Sessions Judge	75% By direct recruitment and 25% by promotion from Class IV.
31.	Office Typist	108	III	5200-20200-G.P. 1900	District and Sessions Judge	75% By direct recruitment and 25% by promotion from Class IV.
32.	District Nazir	50	III	5200-20200-G.P. 2400	District and Sessions Judge	By promotion from Asstt. Gr.III.
33.	Senior NaibNazir	92	III	5200-20200-G.P. 2400	District and Sessions Judge	By promotion from Asstt. Gr.III.
34.	Junior NaibNazir	228	III	5200-20200-G.P. 2100	District and Sessions Judge	By promotion from Asstt. Gr.III.
35.	Sale Amin	236	III	5200-20200-G.P. 1900	District and Sessions Judge	75% By direct recruitment and 25% by promotion from Class IV.
36.	Process Writer	1826	III	5200-20200-G.P. 1900	District and Sessions Judge	75% By direct recruitment and 25% by promotion from Class IV.
37.	Process Server	1113	IV	5200-20200-G.P. 1800	District and Sessions Judge	By promotion from other Class IV employeecs of the Establishment possessing requisite qualification.
38.	Driver to DJ/ADJ	218	IV	5200-20200-G.P. 1900	District and Sessions Judge	By promotion from other Class IV employees of the Establishment possessing requisite qualification.
39.	Driver to CJM	50	IV	5200-20200-G.P. 1900	District and Sessions Judge	By promotion from other Class IV employees of the Establishment possessing requisite qualification.

40.	Daftari	54	IV	4440-7440 G.P. 1400	District and Sessions Judge	By promotion from other Class IV employees of the Establishment possessing requisite qualification.
41.	Farrash	130	IV	4440-7440 G.P. 1300	District and Sessions Judge	By promotion form contingency Class IV employees.
42.	Daftari-cum- Farrash	150	IV	4440-7440 G.P. 1300	District and Sessions Judge	By promotion form contingency Class IV employees.
43.	Record Supplier	56	IV	4440-7440 G.P. 1400	District and Sessions Judge	By promotion from other Class IV employees of the Establishment possessing requisite qualification.
44.	Jamadar	651	IV	4440-7440 G.P. 1400	District and Sessions Judge	By promotion from other Class IV employees of the Establishment possessing requisite qualification.
45.	Peon (For Court Manager)	50	IV	4440-7440 G.P. 1400	District and Sessions Judge	Promotion by seniority from other Class IV employees in the Grade Pay of Rs. 1300/- of the Establishment.
46.	Office Peon	146	IV	4440-7440 G.P. 1300	District and Sessions Judge	By promotion from contingency Class IV employees
47.	Record Room Peon	38	IV	4440-7440 G.P. 1300	District and Sessions Judge	By promotion from contingency Class IV employees
48.	Copying Peon	30	IV	4440-7440 G.P. 1300	District and Sessions Judge	By promotion from contingency Class IV employees
49.	Court Peon	2254	IV	4440-7440 G.P. 1300	District and Sessions Judge	By promotion from contingency Class IV employees

50.	Chowkidar	279	Contingency	Collector Rate	District and Sessions Judge	By Direct recruitment
51.	Waterman	257	Contingency	Collector Rate	District and Sessions Judge	By Direct recruitment
52.	Sweeper	248	Contingency	Collector Rate	District and Sessions Judge	By Direct recruitment
53.	Mali	68	Contingency	Collector Rate	District and Sessions Judge	By Direct recruitment
54.	Driver	136	Contingency	Collector Rate	District and Sessions Judge	By Direct recruitment
55.	Peon	139	Contingency	Collector Rate	District and Sessions Judge	By Direct recruitment

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
सत्येन्द्र कुमार सिंह, प्रमुख सचिव.

उच्च न्यायालय, मध्यप्रदेश, जबलपुर

No. A-1540

Jabalpur, the 20th June 2019

AMENDMENT

THE HIGH COURT OF MADIYA PRADESH RULES, 2008,

1. In page No. (X), under the heading of Rule Committee, after the name "Shri Rameshwar Neckhra" the words "Chariman" shall be substituted by the word "Chairman".
2. In preamble, the word "articles" shall be substituted by the word "Article".
3. In chapter II, sub-rule (6) of Rule 5, the word "sections" shall be substituted by the word "section".
4. In rule 22 of chapter II, Rule 1 (10) of chapter IV and clause (b)(i) of sub-rule (3) of Rule 1 of chapter XI, the word "Peoples" shall be substituted by the words "the People".
5. In chapter XIV, Sub-Rule (5) and (6) of Rule 11, the word "fare" shall be substituted by the word "fair".