

## **Delhi High Court Establishment (Appointment And Conditions Of Service) Rules, 1972**

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## **Delhi High Court Establishment (Appointment And Conditions Of Service) Rules, 1972**

In exercise of the powers vested in him by Article 229 of the Constitution of India, the Chief Justice of the High Court of Delhi hereby makes the following rules regulating the appointment of persons to and conditions of service of persons serving on the establishment of the said High Court:-

### **1. Short Title :-**

These rules may be called the Delhi High Court Establishment (Appointment And Conditions of Service) Rules, 1972

### **2. Commencement and Application :-**

- (i) These rules shall come into force from 1st September, 1972
- (ii) These rules shall apply to all the employees of the High Court.

### **3. Definition :-**

In these rules unless there is anything repugnant in the subject or

context: a. "Chief Justice" means the Chief Justice of the High Court of Delhi  
b. "High Court" means the High Court of Delhi  
c. "Prescribed" means prescribed by these rules.  
d. "Recognized University" means any University incorporated by law in India or any other University/Institution which is declared by the Chief Justice to be a recognized University for the purpose of these rules.

#### **4. Establishment Strength :-**

The establishment of the High Court shall consist of the posts shown in Schedule - I to these rules which may be amended by the Chief Justice from time to time.

#### **5. Condition of and eligibility for appointment :-**

A person shall be eligible for appointment on the establishment of the High Court who:-

- a. is a citizen of India;
- b. is medically fit;
- c. is a good character;
- d. possesses the prescribed education qualifications from a recognized University; and
- e. is not below 18 years of age and over 27 years of age on the first day of January of the year in which the process of recruitment is initiated. Provided that the upper age limit for a member of a Scheduled Caste or Scheduled Tribe shall be 32 years.

Provided that the upper age limit for direct recruitment in respect of candidates belonging to Other Backward Classes shall be 30 years.

Provided that the upper age limit for the post of Deputy Registrar (Accounts) under direct recruitment process shall be 45 years for General Category Candidates, 48 years for Candidates belonging to Other Backward Classes and 50 years for candidates belonging to Scheduled Castes/ Scheduled Tribes Categories.

Provided that the upper age limit for the post of Private Secretary/ Librarian shall be 35 years for the General Candidates and 40 years for the members of Scheduled Castes / Scheduled Tribes / Other Backward Classes.

Provided that the upper age limit for the post of Senior Personal Assistant shall be 32 years for General Category Candidates, 35 years for Candidates belonging to Other Backward Classes and 37

years for candidates belonging to Scheduled Castes/ Scheduled Tribes Categories.

Provided further that the upper age limits shall not apply to a person already serving on the establishment of the High Court or of the Courts Subordinate to the High Court.

## **6. Appointment :-**

Appointment to the post of Registrar and the posts specified in Schedule - II shall be made by the Chief Justice.

## **7. Mode of Appointment :-**

Except for appointment on officiating, temporary or ad-hoc basis, the mode of and qualifications for appointment to the post specified in Schedule - II to these rules shall be as stated therein.

## **7A. Appointment on deputation basis :-**

Notwithstanding anything contained in the Rules, appointment to a post or a class of posts in the categories of Deputy Controller of Accounts, Librarian, Private Secretaries, Senior Personal Assistants and Assistant Librarians may also be made on deputation basis of a person or persons serving outside the High Court in connection with the affairs of the Govt. of N.C.T. of Delhi, the educational and other qualifications for these incumbents remaining the same as prescribed in Schedule - II. There will be no upper age limit for appointment on deputation basis.

## **8. Nature of appointment :-**

a. Appointment to post specified in Schedule - II other than the post of Registrar-cum-Secretary to Honble the Chief Justice may be substantive or on probation or on officiating, temporary or adhoc basis. Any appointment other than substantive appointment may be terminated at any time without assigning reasons. Probation shall ordinarily be of one years duration. Expiry of the period of probation shall not result in automatic confirmation.

b. Appointment to the post of Registrar-cum-Secretary to Honble the Chief Justice shall not be made substantively or on probation. Any person appointed as Registrar-cum-Secretary to Honble the Chief Justice by selection from category 1D (Joint Registrar) mentioned in Schedule - I to these rules shall work on the said post on a purely temporary and adhoc basis for so long as his service

may be required in that capacity by the Chief Justice.

c. A person appointed to a post in one category may be transferred to a post of equal status in any other category.

d. In the event of a tie between two or more candidates appointment shall be made in accordance with the seniority in the feeder cadre.

### **9. Appointment to Class -IV posts :-**

Appointment to the posts in Class - IV mentioned in Schedule - I shall be made by the Registrar unless the Chief Justice otherwise directs.

Appointment to Class - IV posts mentioned in Schedule - I may be made by one or more of the following methods, namely:-

- a. By promotion of a person already employed in the Court;
- b. By transfer or deputation of a person serving outside the Court in connection with the affairs of a State or the Union or of the Govt. of N.C.T. of Delhi;
- c. By direct recruitment

### **9A. Reservation of posts for Scheduled Castes, Scheduled Tribes and Other Backward Classes :-**

Consistent with maintenance of efficiency of Administration and subject to availability, 15 per cent posts for Scheduled Castes, 7.5 per cent posts for Scheduled Tribes and 27 per cent posts, to be filled through direct recruitment from Other Backward Classes, shall be reserved for appointment to Class - III and Class - IV posts on the establishment of this court.

### **10. Security :-**

An official holding the post of Chief Cashier or Court Officer shall furnish security to the Registrar in such amount as the Registrar may fix. An official holding the post of Librarian or Stationery Assistant or any post involving dealings in public money may be required by the Registrar in such money as the Registrar may fix

### **11. Application of Central Government Servants Service Rules :-**

In respect of all such matters regarding the conditions of service of Court servants for which no provision or insufficient provision has been made in these rules, the rules and orders for the time being in

force and applicable to Central Governments Servants shall regulate the conditions of service of the Court servants subject to such modifications, variations or exception, if any, in the said rules, as the Chief Justice may, from time to time, specify.

Provided that the Registrar and Joint/Deputy Registrar belonging to Delhi Higher Judicial Service and Delhi Judicial Service respectively, shall be governed by the rules applicable to the said service.

**12. Power to relax rules :-**

The Chief Justice may, by order, dispense with or relax the requirements of any rule to such extent and subject to such conditions as he may consider necessary in any particular case.