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JUDICIAL NOTIFICATIONS

The Madras High Court Technical Manpower (Appointment & Conditions of Service) Rules, 2017.

(Roc. No. 768000B/2016/Comp.3)

No. SRO C-19/2017.

In exercise of the powers conferred by Articles 229 (1) and (2) of the Constitution of India, and of all other powers hereunto enabling, The Chief Justice, hereby makes the following Rules to regulate the appointment and other conditions of service of (a) Technical Manpower posts 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 Hon'ble Supreme Court of India, dated 01-08-2005, for the High Court of Madras and Subordinate Courts in the State of Tamil Nadu and thereafter, re-designated by the Government of Tamil Nadu in G.O.(Ms) No.694, Home (Cts-III) Department, dated 30-9-2016 and (b) the post of Programmer sanctioned by the Government of Tamil Nadu in G.O.Ms.No.685, dated 5-10-2015.

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

(a) These Rules may be called The Madras High Court Technical Manpower (Appointment & Conditions of Service) Rules, 2017 and they shall come into force on the 27th day of June 2017.

(b) These Rules shall apply to all persons appointed in the High Court and Subordinate Courts in the State of Tamil Nadu, to (a) Technical Manpower posts 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 Hon'ble Supreme Court of India, dated 01-08-2005, for the High Court of Madras and Subordinate Courts in the State of Tamil Nadu and thereafter, re-designated by the Government of Tamil Nadu in G.O.(Ms) No.694, Home (Cts-III) Department, dated 30-9-2016 and (b) the post of Programmer sanctioned by the Government of Tamil Nadu in G.O.Ms.No.685, dated 5-10-2015.

2. Definitions:-

- (i) In these Rules, unless the context otherwise requires,-
 - (a) "Appointing Authority" means the Authority, as provided under Rule 4;
 - (b) "Chief Justice" means the Chief Justice of the High Court of Madras;
 - (c) "High Court" means the High Court of Judicature at Madras;
 - (d) "Registrar General" means the Registrar General of the High Court of Judicature at Madras;
- (e) "Service" means the Madras High Court Technical Manpower service, for the category of posts, as mentioned in Rule 3.
 - (f) "Subordinate Courts" means the Subordinate Courts in the State of Tamil Nadu;
 - (g) "State Government" means the State Government of Tamil Nadu.

(ii) Words and expressions used and not defined in these Rules shall have the same meaning, respectively assigned to them in the Madras High Court Service Rules, 2015.

3. Constitution of Service:

The Service shall consist of the following Categories:

- 1 Senior Systems Manager
- 2 System Analyst
- 3 Programmer
- 4 Assistant Programmer

4. Appointing Authority:-

For Category-1 The Hon'ble Ch (Senior Systems Manager)		The Hon'ble Chief Justice			
	For Categories- 2 to 4 (System Analyst; Programmer and Assitant Programmer)	The Registrar General, High Court, Madras, subject to the control of the Hon'ble Chief Justice.			
5. Disciplinary Authority:-					
	For Category-1				
	(Senior Systems Manager)	The Hon'ble Chief Justice			
	For Categories-2 to 4 (System Analyst; Programmer and Assistant Programmer) working in the High Court, Madras both at the Principal seat and at the Madurai Bench	The Registrar General, High Court, Madras, subject to the control of the Hon'ble Chief Justice.			
	For Categories- 2 and 4 (System Analyst and Assistant Programmer) working in the subordinate Courts in the State of Tamil Nadu	The Principal District Judge / District Judge of the District concerned, subject to the control of the Hon'ble Chief			

6. Duties and Responsibilities:

Duties and Responsibilities of all category of posts in the Service are as mentioned in 'Annexure-A' to these Rules.

Justice

7. Scales of Pay and Allocation of Technical Manpower between the High Court and Subordinate Courts:-

The Scales of Pay and allocation of Technical Manpower between the High Court, Madras (both at the Principal Seat and at Madurai Bench) and Subordinate Courts in the State of Tamil Nadu, shall be as per 'Annexure-B' to these Rules.

8. Eligibility:-

No person shall be eligible for appointment to the Service by direct recruitment, unless he satisfies the Appointing Authority -

- (1) that he is a citizen of India,
- (2) that he is of sound health and clean habits;
- (3) that his conduct, character and antecedents are such as to qualify him for the Service;
- (4) that he has completed 18 years of age and has not completed 30 years of age

Provided that --

(i) a person who is a member of the Scheduled Castes, Scheduled Tribes or Backward Classes, shall be eligible for appointment by direct recruitment, if he has not completed 35 years of age on the date of recruitment;

(ii) the maximum age limit for Service candidates (Madras High Court Service and Tamil Nadu Judicial Ministerial Service) for appointment to the Technical Manpower posts, mentioned in Rule 3 above shall be 45 years.

(iii) the Chief Justice may, at his discretion, relax the age rule, if he considers it necessary in individual cases.

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	Category No.	Name of the Post	Qualification Required	Mode of Appointment
	1	Senior Systems Manager	B.E.Computer Science / Information Technology with three years experience in software (or) M.C.A / M.Sc. Computer Science/ Information Technology with five years experience in Software.	(i) By Promotion from eligible, qualified and willing candidate from Category 2 <i>viz.</i> , System Analyst.
				(ii) If no eligible, qualified and willing candidate is available in the feeder cadre <i>viz.</i> , Category-2, System Analyst, then by promotion from eligible, qualified and willing candidate from Category-3 <i>viz.</i> , Programmer, provided they got three years of experience as Programmer.
				(iii) If no eligible, qualified and willing candidate is available in Category-3, <i>viz.</i> , Programmer, then by promotion from eligible, qualified and willing candidate from Category-4, <i>viz.</i> , Assistant Programmer, provided they got five years of experience as Assistant Programmer. While calculating the said five years period of experience as Assistant Programmer, the service rendered by any employee as System Assistant (now re-designated as Assistant Programmer) on contractual basis, shall also be taken into count.
				 (iv) In case, no candidate is available for promotion as mentioned in clauses (i) to (iii) above, then, by direct recruitment.
	2	System Analyst	B.E. Computer Science / Information Technology (No experience required) or M.C.A / M.Sc.(IT) with two years experience in Software.	(i) By Promotion from eligible, qualified and willing candidates from Category-3 <i>viz.</i> , Programmer.

9. Qualification and Mode of Appointment to the posts:-

Category No.	Name of the Post	Qualification Required	Mode of Appointment
		(i	 i) If no eligible, qualified and willing candidates are available in the feeder category viz., Category-3, Programmer, then by promotion from eligible, qualified and willing candidates from Category-4, viz., Assistant Programmer, provided they got five years of experience as Assistant Programmer. While calculating the said five years period of experience as Assistant Programmer, the service rendered by any employee as System Assistant (now re- designated as Assistant Programmer) on contractual basis, shall also be taken into count. ii) In case, no requisite number of candidates are available for promotion as mentioned in clauses
			 (i) and (ii) above, then, by direct recruitment, for such number of unfilled vacancies.
3	Programmer	Master Degree in Computer (i Application (or) Master Degree in Science (Information Technology / Computer Science). (i	 eligible, qualified and willing candidates from Category-4 viz., Assistant Programmer. i) In case, no requisite number of candidates are available for promotion
			as mentioned in clause (i) above, then, by direct recruitment, for such number of unfilled vacancies.
4	Assistant Programmer	A Bachelor Degree in Science (or) Statistics (or) Economics (or) Commerce with Post Graduate Diploma in Computer Application.	By Direct Recruitment

10. Absorption:-

(a) The personnel serving on contractual basis, as on the date of commencement of these Rules, as (1) Senior System Officer (now re-designated as Senior System Manager), (2) System Officer (now re-designated as System Analyst) and (3) System Assistant (now re-designated as Assistant Programmer), having been recruited on contractual basis as per the guidelines laid down in the National Policy and Action Plan for the implementation of Information and Communication Technology in the Indian Judiciary as prescribed by the e-Committee, Supreme Court of India, New Delhi (1st August, 2005) and possessing the educational qualification prescribed under Rule 9 of these Rules for holding the respective post, shall be absorbed in the posts they are holding on the commencement of these Rules, on an individual request submitted by them in this regard to the Appointing Authority.

(b) The personnel serving on contractual basis, as on the date of commencement of these Rules, as (1) Senior System Officer (now re-designated as Senior System Manager), (2) System Officer (now re-designated as System Analyst) and (3) System Assistant (now re-designated as Assistant Programmer), having been recruited on contractual basis as per the guidelines laid down in the National Policy and Action Plan for the implementation of Information and Communication Technology in the Indian Judiciary as prescribed by the e-Committee, Supreme Court of India, New Delhi (1st August, 2005), and possessing qualification prescribed under Rule 9 of these Rules for absorption into the respective post, seek absorption to any other category of post, other than the one they are holding as on the date of commencement of these Rules, they be absorbed into any other category of post, suitable to their educational qualification, subject to the availability of vacancies in that category of post. However, such absorption shall not be to any higher category of post than the one being held by such personnel as on the date of commencement of these Rules.

(c) The personnel serving on contractual basis, as on the date of commencement of these Rules, as (1) Senior System Officer (now re-designated as Senior System Manager), (2) System Officer (now re-designated as System Analyst) and (3) System Assistant (now re-designated as Assistant Programmer), having been recruited as per the guidelines laid down in the National Policy and Action Plan for the implementation of Information and Communication Technology in the Indian Judiciary as prescribed by the e-Committee, Supreme Court of India, New Delhi (1st August, 2005), but do not possess the required Qualification, as mentioned in Rule 9 above, shall be granted a time of three academic years, from the date of commencement of these Rules, to acquire the required educational qualification, as mentioned in Rule 9 above, if an individual request in this regard is submitted by them to the Appointing Authority.

Provided that the Appointing Authority, in his discretion, may grant further extension of time to the personnel, to acquire the required Qualification, as mentioned in Rule 9 above, if an individual request is made by them in this regard. However, such extension of time, under any circumstances, shall not be for more than one academic year from the date of expiry of period of three academic years, granted under this Rule.

(d) The services of the personnel, who fail to acquire the required qualification to get absorbed into a category of post, as required under Rule 9 of these Rules, even after expiry of the time granted under Rule 10(c) of these Rules, shall be discharged from service, after expiry of the said period, without any further notice to them. However, if such personnel possess the qualification prescribed under Rule 9 of these Rules for any other category of post, which is not higher in category of post than the category of post they are holding as on the date of commencement of these Rules, they shall be absorbed into such lower category of post on and from the date of completion of the period of time granted under Rule 10(c) of these Rules and on an individual request in this regard is submitted by them to the Appointing Authority, subject to the availability of vacancies in the category of post, to which absorption is requested by the personnel.

(e) The experience required as qualification for appointment as Senior Systems Manager or as System Analyst is not applicable for candidates serving on contractual basis, as on the date of commencement of these Rules, as Senior System Officer (now re-designated as Senior Systems Manager) or System Officer (now re-designated as System Analyst) and seek absorption as Senior Systems Manager or System Analyst, as the case may be, after acquiring the educational qualification prescribed under Rule 9 of these Rules.

(f) The personnel serving on contractual basis, as on the date of commencement of these Rules, as (1) Senior System Officer (now re-designated as Senior System Manager), (2) System Officer (now re-designated as System Analyst) and (3) System Assistant (now re-designated as Assistant Programmer), having been recruited on contractual basis as per the guidelines laid down in the National Policy and Action Plan for the implementation of Information and Communication Technology in the Indian Judiciary as prescribed by the e-Committee, Supreme Court of India, New Delhi (1st August, 2005), but do not possess the educational qualification for such post, as mentioned in Rule 9 of these Rules, shall be absorbed into the category of post, which they are holding as on the date of commencement of these Rules, on and from the date they fully get qualified to hold the respective post, as per the qualification prescribed under Rule 9 of these Rules, if they acquire such qualification within the time stipulated under Rule 10(c) of these Rules and on an individual request made by them in this regard to the Appointing Authority. However, such absorption is subject to the condition that they should have continued in service, from the date of their request under Rule 10(c) of these Rules, seeking time to acquire the required qualification, till they acquire the qualification and a request for absorption is made by them.

(g) The personnel serving on contractual basis, as on the date of commencement of these Rules, as (1) Senior System Officer (now re-designated as Senior System Manager), (2) System Officer (now re-designated as System Analyst) and (3) System Assistant (now re-designated as Assistant Programmer), having been recruited on contractual basis as per the guidelines laid down in the National Policy and Action Plan for the implementation of Information and Communication Technology in the Indian Judiciary as prescribed by the e-Committee, Supreme Court of India, New Delhi (1st August, 2005), but do not possess the educational qualification to hold such post, as mentioned in Rule 9 of these Rules, on commencement of these Rules, make any request to absorb them into any other category of post than the one they are holding, on any personal ground of inconvenience etc. to acquire the qualification required to get absorbed into the category of post they are holding as on the date of commencement of these Rules, they be absorbed into any other

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category of post mentioned in these Rules, suitable to their educational qualification, subject to availability of vacancies in such category of post. However, such absorption shall not be to any higher category of post than the one being held by such personnel as on the date of commencement of these Rules.

- (h) The absorption under sub Rules (a), (b) and (d) to (g) above, shall be a one time measure.
- (i) Absorption of any personnel to Category-3 Programmer is not permissible.

(j) The personnel, who were not recruited on contractual basis as per the guidelines laid down in the National Policy and Action Plan for the implementation of Information and Communication Technology in the Indian Judiciary as prescribed by the e-Committee, Supreme Court of India, New Delhi (1st August, 2005) and the personnel, who are not in service as on the date of commencement of these Rules, in any category of post, are not entitled for absorption.

11. Seniority:-

(a) The seniority of the personnel serving on the date of commencement of these Rules, as (1) System Officer (now re-designated as System Analyst) and (2) System Assistant (now re-designated as Assistant Programmer), on contractual basis, having been recruited on contractual basis as per the guidelines laid down in the National Policy and Action Plan for the implementation of Information and Communication Technology in the Indian Judiciary as prescribed by the e-Committee, Supreme Court of India, New Delhi (1st August, 2005), shall be in the same order of seniority of their appointment in the respective post on contractual basis and continuing in service as on the date of commencement of these Rules, irrespective of the date of their actual absorption into a category of post, which they are holding as on the date of commencement of these Rules.

(b) The seniority of the personnel seeking absorption under Rules 10(b), 10(d) and 10(g) of these Rules, shall be below the seniority list in the respective category of post, to which they are absorbed i.e. their seniority shall be below the personnel, who are absorbed / yet to absorb in the respective category of post, having been holding the said category of post as on the date of commencement of these Rules. However, the inter-se seniority of the personnel seeking absorption under Rules 10(b), 10(d) and 10(g) in the absorbed category of post shall be in the same order of their appointment on contractual basis.

(c) The seniority of direct recruits appointed after the commencement of these Rules, into Category-2 *viz.* System Analyst and Category-4 *viz.* Assistant Programmer shall be below all the personnel mentioned in sub Rules (a) and (b) of this Rule irrespective of the dates of their direct appointment or absorption. However, the inter-se seniority of the direct recruits shall be as mentioned in their appointment orders.

Explanation:

For the purpose of deriving the seniority of the personnel in the respective category, the personnel who are yet to be absorbed into any category of post and granted time to acquire required qualification under Rule 10(c) of these Rules, shall be considered to hold the respective posts as on the date of commencement of these Rules.

12. Service benefits of personnel absorbed under Rule 10:-

(a) The maximum age limit prescribed under Rule 8(4) of these Rules, is not applicable to the candidates being absorbed under Rule 10 of these Rules.

(b) The period of service rendered by the personnel serving on contractual basis, as on the date of commencement of these Rules, as (1) Senior System Officer (now re-designated as Senior System Manager), (2) System Officer (now re-designated as System Analyst) and (3) System Assistant (now re-designated as Assistant Programmer), having been recruited on contractual basis as per the guidelines laid down in the National Policy and Action Plan for the implementation of Information and Communication Technology in the Indian Judiciary as prescribed by the e-Committee, Supreme Court of India, New Delhi (1st August, 2005), is protected only to the extent mentioned under these Rules and the said period of service cannot be taken into count for any other service benefits like claiming of arrears of pay etc.

13. Promotions:-

(a) Promotion to any of the category of posts shall be made on grounds of merit and suitability, seniority being considered only where merit and suitability are approximately equal.

(c) No personnel shall be considered for promotion unless he/she satisfactorily completes his / her period of probation in the category of post in which he/she has been first appointed / absorbed.

14. Posting and Transfer:-

System Analyst and Assistant Programmer (Categories 2 and 4 respectively) can be transferred throughout the state of Tamil Nadu, at any point of time, in public interest and / or on administrative grounds.

15. Application of other Rules and Acts:-

Subject to these Rules, the Madras High Court Service Rules, 2015, as amended from time to time, as applicable to the employees of the High Court under the Rule making power of the Hon'ble Chief Justice, shall be applicable to the members of the Service, on all matters, which are not specifically provided under these Rules, including Rule 26 thereof.

16. Interpretation of these Rules:-

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

ANNEXURE "A"

Duties And Responsibilities Of Technical Manpower Deployed In High Court Madras And Subordinate Courts In The State Of Tamil Nadu

1. Senior Systems Manager (High Court Madras):

1. Senior System Manager shall report to the Registrar (IT-cum-Statistics) (Central Project Co-ordinator) High Court Madras for the day to day activities.

2. To assist Registrar (IT-cum-Statistics) (Central Project Co-ordinator) High Court Madras and Assistant Registrar (e-Courts), High Court Madras in e-Courts Project related activities.

3. To interact with the System Analysts and Assistant Programmers deployed in High Court and Subordinate Courts for compilation of various reports as directed by the Hon'ble e-Committee, Supreme Court of India.

4. To Monitor National Judicial Data Grid Portal and generation of reports as and when directed by the Registrar (IT-cum-Statistics) / Central Project Co-ordinator High Court Madras.

5. To Monitor of District Court Websites for regular updation of content in the website.

6. To assist the High Court in ICT System administration and management.

7. Senior System Manager shall install computers and IT peripherals delivered to High Court and also responsible for proper functioning of the same.

8. To maintain and upkeep of ICT infrastructure such as hardware, LAN, UPS, VC equipment, KIOSKS, Bio-metric machine, etc., with the concerned service providers.

9. To monitor and manage the video-conferencing facility through which the High Court will be connected to the Madurai Bench and Subordinate Courts.

10. Responsible for maintaining and implementation of the Case Information System (CIS) running in the High Court, regular backup of the databases etc., training of court staff with various modules and facilities of CIS in Subordinate Courts

11. Ownership of problem resolution for addressing the complaints of District & Subordinate Courts for smooth operation of ICT infrastructure

12. Assistance to Hon'ble Judges for effective utilization of I.T Resources.

13. To keep a close eye on new innovation and responsible for suggesting new technology as per the requirement.

14. To conduct periodical review of the entire setup to make sure that all legal procedures are being followed in all the steps and submit the reports to the Registrar (IT-cum-Statistics)

15. To maintain proper inventory and records of ICT equipments provided under the e-Courts project to the High Court and Subordinate Judiciary.

16. To provide all necessary help and guidance to the System Analyst and Assistant Programmers posted in the Subordinate Judiciary in resolving any problems that may arise in ICT related works in the district concerned. If required Senior System Manager may also visit the district concerned to sort out any problem after taking proper approval from the Registrar (IT-*cum*-Statistics).

17. Such other technical support duties as assigned by the Registrar (IT-cum-Statistics) from time to time.

2. Systems Analyst (High Court Madras):

1. System Analyst shall report to the Registrar (IT-cum-Statistics) (Central Project Co-ordinator) High Court Madras for the day to day activities.

2. To assist Registrar (IT-cum-Statistics) (Central Project Co-ordinator) High Court Madras and Assistant Registrar (e-Courts), High Court Madras in e-Courts Project related activities, as and when required.

3. To Monitor High Court Website for regular updation of content in the website.

4. To assist the High Court in ICT System administration and management.

5. Installation and maintenance of Operating System, Office tools, customized application, etc.

6. To keep a close eye on new innovation and responsible for suggesting new technology as per the requirement.

7. To provide all necessary help and guidance to the Programmer and Assistant Programmers posted in the High Court in resolving any problems that may arise in ICT related works.

8. To install computers and IT peripherals delivered to High Court and also responsible for proper functioning of the same.

9. To maintain and upkeep of ICT infrastructure such as hardware, LAN, UPS, VC equipment, KIOSKS, Bio-metric machine, etc., with the concerned service providers.

10. To monitor and manage the video-conferencing facility through which the High Court will be connected to the Madurai Bench.

11. Giving training to Court Staff for effective utilization of I.T Resources.

12. Such other technical support duties to be assigned by the Registrar (IT-cum-Statistics) from time to time.

3. Programmer (High Court Madras):

1. Programmer shall report to the Registrar (IT-cum-Statistics) (Central Project Co-ordinator) High Court Madras for the day to day activities.

2. To assist Registrar (IT-cum-Statistics) (Central Project Co-ordinator) High Court Madras and Assistant Registrar (e-Courts), High Court Madras in e-Courts Project related activities.

3. To develop software tools and packages for the High Court and Subordinate Judiciary related projects in the areas of PHP and DBMS, etc.

4. Installation and maintenance of Operating System, office tools, customized application, etc.

5. To assist the High Court in ICT System administration and management.

6. To keep a close eye on new innovation and responsible for suggesting new technology as per the requirement.

7. Such other technical support duties to be assigned by the Registrar (IT-cum-Statistics), High Court, Madras from time to time.

4. Assistant Programmer (High Court Madras):

1. Assistant Programmer shall report to the Registrar (IT-cum-Statistics) High Court, Madras for the day to day activities.

2. To assist the Registrar (IT-cum-Statistics) (Central Project Co-ordinator) High Court Madras and Assistant Registrar (e-Courts), High Court Madras in e-Courts Project related activities.

3. To assist Programmers, in High Court Madras, in development of software tools and packages for various court related projects in the areas of PHP and DBMS, etc.

4. To assist Senior System Manager, System Analyst and Programmer in their work.

5. Installation and maintenance of Operating System, office tools, customized application, etc.

6. Assistant Programmer shall install computers and IT peripherals delivered to High Court and also responsible for proper functioning of the same.

7. To maintain and upkeep of ICT infrastructure such as hardware, LAN, UPS, VC equipment, KIOSKS, Bio-metric machine, etc., with the concerned service providers.

8. To monitor and manage the video-conferencing facility through which the High Court will be connected to the Madurai Bench.

9. To maintain proper inventory and records of ICT equipments provided under the e-Courts project to the High Court and Subordinate Judiciary.

10. Such other technical support duties to be assigned by the Registrar (IT-cum-Statistics) from time to time.

		ANNEXURE - B		
Category No.	Name of the Post	Scale of Pay	Distribution of vacancies	Total Number of posts
1	Senior Systems Manager			
	(G/o. Ms.No.694, Home (Cts-III) Dept., dt.30-09-2016) – 1 post	Rs.15600 – 39100 + G.P.6600	High Court:	4
			Principal Seat - 1	1
2	System Analyst		High Court:	
	G/o. Ms.No.694, Home (Cts-III) Dept., dt.30-09-2016) – 34 posts		Principal Seat – 1	
			Madurai Bench – 1	
	G/o. Ms.No.143, Home (Cts-III) Dept., dt.17-02-2017) –2 posts	Rs.15600 – 39100 + GP.5400	Subordinate Courts: 32 Districts - 1 (one in each District)	34+2=36
			+ Chennai City Civil Courts - 2	
3	Programmer		High Court:	
	G/o. Ms.No.685, Home (Cts-III) Dept., dt.05-10-2015) – 3 posts	Rs.9300 – 34900 + G.P.4600	Principal Seat - 3	3
4	Assistant Programmer		High Court:	
	G/o. Ms.No.685, Home (Cts-III) Dept., dt.05-10-2015) – 3 posts		Principal Seat - 3+2+2 Madurai Bench - 1	
	G/o. Ms.No.694, Home (Cts-III) Dept., dt.30-09-2016) – 67 posts	Rs.9300 – 34900 + G.P.4400	Subordinate Courts: 32 Districts - 64	3+67+4=74
	G/o. Ms.No.143, Home (Cts-III) Dept., dt.17-02-2017) –4 posts		(two in each District)	
			+ Chennai City Civil Courts - 2	
			Total	114

High Court, Madras - 104, 10th August 2017.

R. SAKTHIVEL, *Registrar General.*

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