



सत्यमेव जयते

दीवानी न्यायालय कर्मचारी संघ उत्तर प्रदेश

मुख्यालय जनपद न्यायालय बदायूँ
कैम्प कार्यालय, जनपद न्यायालय श्रावस्ती

(राजाज्ञा सं 1083/7-137, 17/27-1928 तथा संख्या 99/7139 दिनांक 22 जनवरी 1931 द्वारा मान्यता प्राप्त)

नृपेन्द्र सिंह

प्रान्तीय अध्यक्ष
अध्यक्षीय कार्यालय बदायूँ
9412462719/9259049509

अनिल सिंह
संरक्षक

नरेन्द्र विक्रम सिंह

प्रान्तीय महासचिव
महासचिव कार्यालय श्रावस्ती
9415572022/7398372302

वरिष्ठ उपाध्यक्ष

पण्डित राज कुमार गौतम
फिरोजाबाद
उपाध्यक्ष

सतेन्द्र बहादुर सिंह इटावा

पूरन सिंह मण्डारी मेरठ

हरेन्द्र मोहन सारस्वत एटा

संजीव कुमार पाण्डेय वाराणसी

उपाध्यक्ष मनोनीत

नीरज कुमार श्रीवास्तव लखनऊ

सैयद मोहम्मद ताहा बाराबंकी

सन्दीप चौहान, लखीमपुर

सुश्री प्रतिमा तोमर हापुड

राजेश कुमार यादव लखनऊ

अरुण कुमार सिंह वाराणसी

संयुक्त सचिव

विनोद कुमार दीक्षित चन्दौली

रविन्द्र प्रताप सिंह कानपुर
नगर

राघवेंद्र सिंह यादव लखनऊ

दुर्गेश श्रीवास्तव आजमगढ़

संगठन सचिव

विवेक दत्त उपाध्याय

फरुखाबाद

हर्ष बाबू बुलन्दशहर

क्षेमेन्द्र जैन कौशाम्बी

संजीव विश्वकर्मा गौतमबुद्धनगर

सन्देश कुमार रामपुर

कोषाध्यक्ष

अनिल कुमार श्रीवास्तव लखनऊ

सांस्कृतिक सचिव

अक्षय प्रताप सिंह बुलन्द शहर

आडिटर

मोबीन हैदर नकवी

कार्यकारी सदस्य

हरिशंकर श्रीवास्तव लखीमपुखीरी

राकेश चौहान श्रावस्ती

योगेन्द्र सिंह अमरोहा

आनन्द मिश्र एटा

रवीन्द्र नाथ सिंह चंदौली

बृहस्पति नाथ त्रिपाठी कानपुर

शैलेन्द्र चौधरी उन्नाव

अखिलेश मिश्रा मुरादाबाद

परवेन्द्र सिंह नोएडा

सुभाषचन्द्र तृतीय मेरठ

संजय सक्सेना अलीगढ़

रवीन्द्र नाथ सिंह चन्दौली

हरीश मनी त्रिपाठी, देवरिया

पत्रांक 28/२०२०

सेवा में,

श्रीमान् महानिबन्धक महोदय

माननीय उच्च न्यायालय, इलाहाबाद।

विषय- अधीनस्थ न्यायालयों के में नियुक्त स्वीपर कम फर्राश की मजदूरी (wages) के पुनर्निर्धारण के संबंध में।

महोदय,

उपर्युक्त विषय के संबंध में अवागत कराना है कि अधीनस्थ न्यायालयों में नियुक्त स्वीपर कम फर्राश को माननीय उच्च न्यायालय के आदेश के अनुपालन में मजदूरी (wages) के रूप में प्रतिमाह नियत रु० 6000-00 की दर से भुगतान किया जा रहा है। इस संबंध में उत्तर प्रदेश शासन के न्यूनतम मजदूरी अधिनियम-1948 के अन्तर्गत 74 अनुसूचित नियोजनों में देय परिवर्तनीय मंहगाई भत्ते (संलग्नक) के आधार पर अकुशल श्रेणी के कर्मचारियों को कुल मजदूरी 8625-00 प्रतिमाह नियत की गयी है। इस पत्र के पृष्ठ संख्या 2 पर क्रमांक 63 बुहारने एवं सफाई में नियोजन अंकित है। अधीनस्थ न्यायालयों में नियुक्त स्वीपर कम फर्राश का कार्य पृष्ठ संख्या 2 पर अंकित क्रमांक 63 बुहारने एवं सफाई में नियोजन के अन्तर्गत आयेगा।

अतः अनुरोध है कि उत्तर प्रदेश शासन के न्यूनतम मजदूरी अधिनियम-1948 के अन्तर्गत 74 अनुसूचित नियोजनों में देय परिवर्तनीय मंहगाई भत्ते (संलग्नक) के आधार पर अकुशल श्रेणी के कर्मचारियों को देय मजदूरी 8625-00 प्रतिमाह के समतुल्य धनराशि अधीनस्थ न्यायालयों में नियुक्त स्वीपर कम फर्राश को प्रतिमाह प्रदान किये जाने हेतु इस मांगपत्र को माननीय न्यायालय के समक्ष आदेशार्थ प्रस्तुत करने की कृपा करें।

संघ आपका आभारी रहेगा।

आपका

(नरेन्द्र विक्रम सिंह)

प्रान्तीय महासचिव

दीवानी न्यायालय कर्मचारी संघ उ०प्र०

महासचिव कार्यालय जनपद न्यायालय श्रावस्ती उ०प्र०

संलग्नक- यथोक्त

Regd. Post

From,

Arvind Kumar Singh-II, H.J.S.,
Registrar (Judicial) (Inspection),
High Court of Judicature at
Allahabad.

To,

The Provincial Secretary General,
Diwani Nyayalay Karmachari Sangh,
Civil Court, Shravasti,
Uttar Pradesh.

No. 10 /VIC-10/Admin-'D'/Allahabad; Dated :

02-01-2021

~~December 2020~~

Sub: Information regarding issues raised in the representation bearing no. 28/2020 dated 28.09.2020 of Diwani Nyayalay Karmachari Sangh, Uttar Pradesh.

Sir,

With reference to your representation no. 28/2020 dated 28.09.2020 on the above-mentioned subject, I am directed to inform you that for making necessary revision/ amendments in the Uttar Pradesh District Court Service Rule-2013 for enhancement of the wages paid to the Sweeper-cum-farrash of the Subordinate Court is under consideration.

Yours faithfully,


19/12/2020
Registrar (J.)(Inspection)

From,

Ashish Garg, H.J.S.,
Registrar General,
High Court of Judicature at
Allahabad.



To,

All The District & Sessions Judges,
Subordinate to the High Court of Judicature at
Allahabad.

Circular Letter No.: 17

/Admin D/Allahabad/ Dated : 02.08.2021

Subject:- Compliance of "The Uttar Pradesh Regularisation of Persons Working on Daily Wages or Work Charge or on Contract in Government Departments on Group "C" and Group "D" Posts (Outside the purview of the Uttar Pradesh Public Service Commission) Rules, 2016" in respect of Subordinate Courts as adopted by the High Court.

Madam/Sir,

While enclosing herewith, a copy of the Government Notification Miscellaneous No. 9/2016/2/1/97-Ka-2-2016 Dated, Lucknow, 12 September, 2016 viz. **"THE UTTAR PRADESH REGULARISATION OF PERSONS WORKING ON DAILY WAGES OR WORK CHARGE OR ON CONTRACT IN GOVERNMENT DEPARTMENTS ON GROUP "C" AND GROUP "D" POSTS (OUTSIDE THE PURVIEW OF THE UTTAR PRADESH PUBLIC SERVICE COMMISSION) RULES, 2016"**, I have been directed to say that Hon'ble Court has been pleased to adopt the above mentioned Rules mutatis mutandis in respect of Subordinate Courts.

You are, therefore, requested to take necessary steps for implementation of the aforementioned Rules in your Judgeship.

Encl: As above

Yours faithfully,

Ashish Garg
Registrar General
02/08/2021

C. L. No.: 9139

/Admin D/Allahabad/ Dated : 02.08.2021

Copy forwarded for information and necessary action:-

1. P. S. to all the Hon'ble Administrative Judges at Allahabad and also at Lucknow Bench, Lucknow with the request to place the same before their Lordships for kind perusal.
2. The Senior Registrar, High Court of Judicature at Allahabad, Lucknow Bench, Lucknow.
3. The Principal Secretary & L. R., Nyay Vibhag, UP Government, Lucknow.
4. The Director, Institute of Judicial Training & Research, Gomti Nagar, Lucknow.
5. Registrar(J)(Inspection), High Court of Judicature at Allahabad for necessary compliance.
6. Registrar(J)(Budget), High Court of Judicature at Allahabad for necessary compliance.
7. All the Judicial Officers posted in the Registry in Allahabad High Court and Lucknow.

Registrar General

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no. 9/2016/ 21/97-K a-2-2016 dated 12 September, 2016

GOVERNMENT OF UTTAR PRADESH
PERSONNEL SECTION-2

NOTIFICATION

Miscellaneous

No.9/2016/ 21/97-K a-2-2016

Dated, Lucknow, 12 September, 2016

IN exercise of the powers conferred by the proviso to Article 309 of the Constitution and in supersession of all existing rules and orders on the subject, the Governor is pleased to make the following rules:

THE UTTAR PRADESH REGULARISATION OF PERSONS WORKING ON DAILY WAGES OR ON WORK CHARGE OR ON CONTRACT IN GOVERNMENT DEPARTMENTS ON GROUP 'C' AND GROUP 'D' POSTS (OUTSIDE THE PURVIEW OF THE UTTAR PRADESH PUBLIC SERVICE COMMISSION) RULES, 2016

Short title and commencement 1.(1)

These rules may be called The Uttar Pradesh Regularisation of Persons Working On Daily Wages or On Work Charge or On Contract In Government Departments On Group "C" And Group "D" Posts (Outside The Purview Of The Uttar Pradesh Public Service Commission) Rules, 2016.

(2) They shall come into force at once.

Where these rules shall not apply for regularisation 2

These rules shall not apply for regularisation of :

- (i) Seasonal Collection Ameen/Seasonal Peon;
- (ii) Person/Persons engaged/employed/deployed for seasonal works in Horticulture Department, Agriculture Department, Agriculture Education Department and such similar Departments;
- (iii) Person/Persons engaged/employed/deployed on consolidated pay/ fixed honoraria in the schemes/projects of State Government or Government of India sponsored programmes;
- (iv) Person/Persons engaged/employed/deployed as Home Guard Volunteer and Prantiya Rakshak Dal Volunteer;

1. यह शासनादेश इलेक्ट्रानिकली जारी किया गया है, अतः इस पर हस्ताक्षर की आवश्यकता नहीं है।
2. इस शासनादेश की प्रामाणिकता वेब साइट <http://shasanadesh.up.nic.in> से सत्यापित की जा सकती है।

- (v) Person/Persons engaged/employed/deployed as Shiksha Mitra and Kisan Mitra;
- (vi) Person/Persons engaged/employed/deployed under MNREGA Scheme (Rural Development Department);
- (vii) Person/Persons engaged/employed/deployed in Aaganbadi Kendra (Women and Child Welfare Department);
- (viii) Person/Persons engaged/employed/deployed as Asha Bahu (Medical, Health and Family Welfare Department);
- (ix) Such person/persons or group of persons as notified by the State Government from time to time.

Overriding effect

3. These rules shall have effect notwithstanding anything to the contrary contained in any other rules made by the Governor under the proviso to Article 309 of the Constitution, or orders for the time being in force.

Definitions

4. Unless there is anything repugnant in the subject or context:
- (a) "Appointing Authority" in relation to a Group 'C' or Group 'D' Post means the authority empowered to make appointment on such post under the relevant Service Rules or the executive instructions issued by the Government, as the case may be;
 - (b) "Constitution" means the Constitution of India;
 - (c) "Contract" means legally enforceable agreement between two or more parties with mutual obligations;
 - (d) "Daily Wages" means a person who is engaged or employed or deployed on a casual work on day to day basis and whose wages/remuneration is calculated on the basis of the days he has worked;
 - (e) "Governor" means the Governor of Uttar Pradesh;
 - (f) "Government" means the State Government of Uttar Pradesh;
 - (g) "Work Charge" means a person of temporary establishment or employed on the work of this nature, whose pay, for the time being, is charged directly on the work on which he is engaged.

Regularisation to be made on available vacant post

5. Subject to the provisions of rule 2, regularisation under these rules shall be done on available vacant post in a Government Department:

Provided that if vacant post is not available then, as and when required, a supernumerary post may be created with the approval of the Government.

Regularisation

6. (1) Any person who-
- (i) was directly engaged or employed or deployed or working on daily wages or on work charge or on contract in a Government Department on Group 'C' or Group 'D' post (outside the purview of the Uttar Pradesh Public Service Commission) on or before December 31, 2001 and is still engaged or employed or deployed or working as such on the date of the commencement of these rules; and
 - (ii) possessed requisite qualifications prescribed for regular appointment

1- यह शासनादेश इलेक्ट्रानिकली जारी किया गया है, अतः इस पर हस्ताक्षर की आवश्यकता नहीं है।

2- इस शासनादेश की प्रामाणिकता वेब साइट <http://shasanadesh.up.nic.in> से सत्यापित की जा सकती है।

for that post at the time of such engagement or employment or deployment on daily wages or on work charge or on contract, under the relevant service rules and, subject to the provisions of above mentioned rules 2 and 5,

shall be considered for regular appointment on Group 'C' or Group 'D' post (outside the purview of the Uttar Pradesh Public Service Commission) in permanent or temporary vacancy as may be available on the date of the commencement of these rules, on the basis of his record and suitability before any regular appointment is made in such vacancy in accordance with the relevant service rules or orders.

(2) In making regular appointments under these rules, reservations for the candidates belonging to the Scheduled Castes, Scheduled Tribes, Other Backward Classes and other categories, shall be made in accordance with the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994, and the Uttar Pradesh Public Services (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Ex-Servicemen) Act, 1993, as amended from time to time, and the orders of the Government in force at the time of regularisation under these rules.

(3) For the purpose of sub-rule (1), the appointing authority shall constitute a Selection Committee in accordance with the relevant provisions of service rules.

(4) The appointing authority shall, having regard to the provisions of sub-rule (1), prepare an eligibility list of the candidates, arranged in order of seniority as determined from the date of engagement or employment or deployment on daily wages, on work charge or on contract and, if two or more persons are engaged or employed or deployed together, from the order in which their names are arranged in the said engagement or employment or deployment order. The list shall be placed before the Selection Committee alongwith their character rolls and such other relevant records, pertaining to them, as may be considered necessary to assess their suitability.

(5) The Selection Committee shall consider the cases of the candidates on the basis of their records, referred to in sub-rule (4), and if it considers necessary, it may interview the candidates also to assess their suitability.

(6) The Selection Committee shall prepare a list of selected candidates arranging their names in order of seniority and forward the same to the appointing authority.

Appointments 7. The appointing authority shall, subject to the provisions of sub-rule(2) of rule 6, make appointments from the list prepared under sub-rule(6) of the said rule, in the order in which their names stand in the list.

Appointments be deemed to be under the relevant service rules etc. 8. Appointments made under these rules shall be deemed to be appointments under the relevant service rules or orders, if any.

1- यह शासनादेश इलेक्ट्रानिकली जारी किया गया है, अतः इस पर हस्ताक्षर की आवश्यकता नहीं है।

2- इस शासनादेश की प्रामाणिकता वेब साइट <http://shasanadesh.up.nic.in> से सत्यापित की जा सकती है।

Seniority

9. (1) A person appointed under these rules shall be entitled to seniority only from the date of order of appointment after selection for regularisation in accordance with these rules and shall, in all cases, be placed below the persons appointed in accordance with the relevant service rules or, as the case may be, the regular prescribed procedure, prior to the appointment of such person under these rules.

(2) If two or more persons are appointed together their seniority *inter se* shall be determined in the order mentioned in the order of appointment.

Termination of services

10. The services of a person who is working on daily wages, or on work charge or on contract and who is not found suitable, after consideration under these rules, shall be terminated forthwith and, on such termination, he shall be entitled to receive one month's wages.

Exceptions

11. Notwithstanding anything contained in these rules, where any scheme for regularisation of a person/persons working on daily wages or on work charge or on contract in any Government Department has been presented before any Court in pursuance of an order of the Court, the concerned Department shall obtain the orders of the Court in the matter and shall act accordingly.

Regularisation not a matter of right

12. Notwithstanding anything contained in these rules, the person/persons working on daily wages or on work charge or on contract, shall have no claim for regularisation as a matter of right.

Repeal and savings

13. (1) The Uttar Pradesh Regularisation of Daily Wages Appointment on Group 'C' Posts (Outside the purview of the Uttar Pradesh Public Service Commission) Rules, 1998 and the Uttar Pradesh Regularisation of Daily Wages Appointments on Group 'D' Posts Rules, 2001 are hereby repealed.

(2) Notwithstanding such repeal, appointments made under the rules referred to in sub-rule(1), prior to the commencement of these rules, shall be deemed to have been made under these rules as if the provisions of these rules were in force at all material times.

By order,
Kishan Singh Atoria
Principal Secretary