

Notification No. Home-B(B)2-4/2004-II dated as required under Clause (3) of article 348 of the Constitution of India).

**GOVERNMENT OF HIMACHAL PRADESH  
'HOME DEPARTMENT'**

No. Home-B(B)2-4/2004-II, dated Shimla-2, the

20/09/2008.

**NOTIFICATION**

In exercise of the powers conferred by Articles 233, 234 and proviso to Article 309 of the Constitution of India read with sub-section (1) of section 4 of the Himachal Pradesh Judicial Officers (Pay and Conditions of Service) Act, 2003 (Act No.10 of 2003) and all other powers enabling him in this behalf, the Governor of Himachal Pradesh, in consultation with the High Court of Himachal Pradesh and Himachal Pradesh Public Service Commission, is pleased to make the following rules further to amend the Himachal Pradesh Judicial Service Rules, 2004, namely:-

Short title and commencement 1. (1) These rules may be called the Himachal Pradesh Judicial Service (1st Amendment) Rules, 2008.

Amendment of Table Under Rule-5 2. For table under Rule-5 of the Himachal Pradesh Judicial Service Rules, 2004, (herein after referred to as the "said rules") the following shall be substituted namely:-

**" TABLE UNDER RULE-5"**

Sr.No.	Cadre	Method of recruitment	Qualification, age limit and experience etc.
1.	District Judges/ Additional District Judge	(a) 50% by promotion from amongst the Civil Judges (Sr.Divn.) on the basis of principle of merit-cum-seniority and passing a suitability test as may be prescribed & conducted by the High Court in accordance with the regulations.  (b) 25% by promotion from amongst Civil Judges (Sr.Divn.) on the basis of merit through limited Competitive examination as may be prescribed and conducted by the High court in accordance with the regulations.  (c) 25% by direct recruitment, from amongst eligible Advocates, on the basis of examination, written as well as oral (viva voce) test as may be prescribed and conducted by the High Court in accordance with the regulations.	Minimum service of five years in the cadre of Civil Judge (Sr.Div.).

		<p>The following shall be the eligibility criteria, including qualifications, age limit and experience etc.</p> <p>(i) citizen of India;</p> <p>(ii) Holder of a degree in Law as recognized by the Bar Council of India.</p> <p>(iii) Practicing Advocate at the Bar of a minimum period of seven years as on the last date fixed for receipt of the applications.</p> <p><b>Note:</b> For the purpose of this clause, in computing the period during which a person has been an Advocate there shall be included any period during which he has held a Judicial Office.</p> <p><b>Explanation:</b> (1) Judicial Office includes any other Office as may be prescribed being equivalent to a Judicial Office, by the High Court in the regulations made for this purpose.</p> <p><b>Explanation (II)</b> The candidates who are employed in any Government department or in any other Organization are required to submit their application(s) through their respective employer(s)</p>
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**A:** For filling of vacancies in the cadre of District Judges/Addl. District Judges through the recruitment methods shown in clauses (b) and (c) above, the following time schedule shall be followed:

Sr. No	Description	Date
1.	<p><b>Number of vacancies to be notified by the High Court.</b></p> <p><b>Vacancies to be calculated including-</b></p> <p>a) existing vacancies;</p> <p>b) future vacancies that may arise within one year due to retirement;</p> <p>c) future vacancies that may arise due to elevation to the High Court, death or otherwise, say ten percent of the number of posts; and</p> <p>d) vacancies arising due to deputation of judicial officers to other department may be considered as temporary vacancy.</p>	31 <sup>st</sup> March
2.	<b>Advertisement inviting applications from eligible candidates</b>	15 <sup>th</sup> April
3.	<b>Last date for receipt of application</b>	30 <sup>th</sup> April
4.	<b>Publication of list of eligible applicants</b>	15 <sup>th</sup> May

5.	Dispatch/issue of admit cards to the eligible applicants	16 <sup>th</sup> May to 15 <sup>th</sup> June
6.	Written examination may be- a) objective questions with multiple choice question which can be scrutinized with the help of the computer; and b) subjective/narrative.	30 <sup>th</sup> June
7.	Declaration of result of written examination a) Result shall be put on the website and also published in the newspaper. b) The ratio of 1:3 of the available vacancies to the successful candidates shall be maintained	16 <sup>th</sup> August
8.	Viva Voce	1 <sup>st</sup> to 7 <sup>th</sup> September
9.	Declaration of final select list and communication to the appointing authority a) Result shall be put on the website and also published in the newspaper. b) Select list shall be published in the order of merit and shall be double the number of vacancies notified. c) Select list shall be valid till the next select list is published.	15 <sup>th</sup> September
10.	Issue of appointment letter by the competent authority for all existing vacant posts as on date	30 <sup>th</sup> September
11.	Last date for joining	31 <sup>st</sup> October

B. For filling of vacancies in the cadre of District Judges/Additional District Judges through the method of recruitment shown in clause (a) above, the following time schedule shall be followed:-

Sr. No	Description	Date
1.	Number of vacancies to be notified by the High Court. Vacancies to be calculated including a) existing vacancies; b) future vacancies that may arise within one year due to retirement; and c) future vacancies that may arise due to elevation to the High Court, death or otherwise, say ten percent of the number of posts.	31 <sup>st</sup> March
2.	Publication of list of eligible Officers a) The list shall be put up on the website b) Zone of consideration shall be 1:3 of the number of vacancies.	15 <sup>th</sup> May
3.	Receipt of judgements from the eligible officers.	30 <sup>th</sup> May
4.	Viva Voce Criteria: a) ACR for last five years; b) Evaluation of judgments furnished; and c) Performance in the oral interview.	15 <sup>th</sup> to 31 <sup>st</sup> July

5.	<b>Declaration of final select list and communication to the appointing authority</b>  a) Result shall be put on the website and also published in the newspaper. b) Select list be published in order of merit and shall be double the number of vacancies notified.	<b>31<sup>st</sup> August</b>
6.	<b>Issue of appointment letter by the competent authority for all existing vacant posts as on date.</b>	<b>30<sup>th</sup> September</b>
7.	<b>Last date for joining</b>	<b>31<sup>st</sup> October</b>

**Explanation 1: Appointments to the cadre of the District Judges from categories (a), (b) and (c) shall be in accordance with 40 point roster to be maintained by the High Court in this behalf.**

Sr.No	Cadre	Method of recruitment	Qualifications, age limit and experience etc.
1.	2.	3.	4.
1.	Civil Judges (Sr.Divn.)	By promotion from the cadre of civil Judges (Jr.Divn.) on the basis of merit-cum-Seniority.	Minimum experience of five years in the cadre of Civil Judges (Jr.Divn.)

**Note 1:** The Appointing Authority, may in situation where Civil Judges (Jr.Divn.) with the aforesaid requisite experience are not available, relax the aforesaid minimum experience criteria but in no case shall such relaxation go below three years.

**Note II:** For filling up vacancies in the cadre of Civil Judge (Sr.Divn.) through the aforesaid method of recruitment, following time schedule shall be followed:-

Sr. No	Description	Date
1.	<b>Number of vacancies to be notified by the High Court.</b> <b>Vacancies to be calculated including</b> a) existing vacancies; b) future vacancies that may arise within one year due to retirement; and c) future vacancies that may arise due to elevation to the High Court, death or otherwise, say ten percent of the number of posts.	<b>31<sup>st</sup> March</b>
2.	<b>Publication of list of eligible Officers</b> a) The list may be put up on the website, b) Zone of consideration shall be 1:3 of the number of vacancies.	<b>15<sup>th</sup> May</b>
3.	<b>Receipt of judgments from the eligible officers.</b>	<b>30<sup>th</sup> May</b>

4.	<b>Viva Voce Criteria:</b> a) ACR for last five years; b) Evaluation of judgments furnished; and c) Performance in the oral interview.	1 <sup>st</sup> to 16 <sup>th</sup> August
5.	<b>Declaration of final select list and communication to the appointing authority</b>  a) Result shall be put on the website and also published in the newspaper. b) Select list shall be published in order of merit and shall be double the number of vacancies notified.	15 <sup>th</sup> September
6.	<b>Issue of appointment letter by the competent authority for all existing vacant posts as on date.</b>	30 <sup>th</sup> September
7.	<b>Last date for joining</b>	31 <sup>st</sup> October

1.	2.	3.	4.
3.	<b>Civil Judges (Jr.Divn.)</b>	<b>By direct recruitment on the basis of merit obtained in the competitive examination, written as well as oral (viva voce) tests to be conducted by the H.P.Public Service Commission.</b>	<b>The following shall be the eligibility Criteria including qualification and Age etc:-</b> (1) Citizen of India (2) Holder of Degree in Law as recognized by the Bar Council of India. (3) Age limit, minimum 22 years and Maximum 30 years and 33 years in cases of candidates belonging to Scheduled Caste/ Scheduled Tribe/ other prescribed reserved categories as on the last date prescribed for receipt of applications: <b>Provided that the direct appointments to the service shall be subject to the orders regarding reservation in the service for SC,ST, Backward Classes issued by the Himachal Pradesh Govt., from time to time, and made applicable to such appointments, in consultation with the High Court.</b>

**Note:** For filling of vacancies in the cadre of Civil Judge (Jr.Divn.) through the aforesaid method of recruitment, following time schedule shall be followed:-

Sr. No	Description	Date
1.	<b>Number of vacancies to be notified by the High court.</b> <b>Vacancies to be calculated including-</b> <ol style="list-style-type: none"> <li>a) existing vacancies;</li> <li>b) future vacancies that may arise within one year due to retirement; and</li> <li>c) future vacancies that may arise due to promotion, death or otherwise, say ten percent of the number of posts.</li> </ol>	<b>15<sup>th</sup></b> <b>January</b>
2.	<b>Advertisement inviting applications from eligible candidates</b>	<b>1<sup>st</sup> February</b>
3.	<b>Last date for receipt of application</b>	<b>1<sup>st</sup> March</b>
4.	<b>Publication of list of eligible applicants:</b> <b>The list shall be put up on the website</b>	<b>2<sup>nd</sup> April</b>
5.	<b>Dispatch/issue of admit cards to the eligible applicants</b>	<b>2<sup>nd</sup> to 30<sup>th</sup></b> <b>April</b>
6.	<b>Preliminary written examination</b> <b>Objective questions with multiple choice</b> <b>which shall be scrutinized with the help of Computer</b>	<b>15<sup>th</sup> May</b>
7.	<b>Declaration of result of preliminary written examination</b> <ol style="list-style-type: none"> <li>a) Result may be put on the website and also published in the newspaper.</li> <li>b) The ratio of 1:10 of the available vacancies to the successful candidates shall be maintained</li> </ol>	<b>15<sup>th</sup> June</b>
8.	<b>Final Written examination</b> <b>Subjective/narrative</b>	<b>15<sup>th</sup> July</b>
9.	<b>Declaration of result of final written examination</b> <ol style="list-style-type: none"> <li>a) Result shall be put on the website and also published in the newspaper.</li> <li>b) The ratio of 1:3 of the available vacancies to the successful candidates shall be maintained.</li> <li>c) Dates of interview of the successful candidates shall be put on the internet which shall be printed by the candidates and no separate intimation of the date of interview need to be sent</li> </ol>	<b>30<sup>th</sup> August</b>
10.	<b>Viva Voce</b>	<b>1<sup>st</sup> to 15<sup>th</sup></b> <b>October</b>
11.	<b>Declaration of final select list and communication to the appointing authority</b> <ol style="list-style-type: none"> <li>a) Result shall be put on the website and also published in the newspaper.</li> <li>b) Select list shall be published in order of merit and shall be double the number of vacancies notified.</li> </ol>	<b>1<sup>st</sup></b> <b>November</b>
12.	<b>Issue of appointment letter by the competent authority for all existing vacant posts as on date</b>	<b>1<sup>st</sup></b> <b>December</b>
13.	<b>Last date for joining</b>	<b>2<sup>nd</sup> January</b> <b>of the</b> <b>following</b> <b>year</b>

**Note:-** Every candidate applying for direct recruitment, either for the post mentioned in (c) or post mentioned at 3 above shall submit alongwith the application, certificate furnished by two respectable persons un-connected with him, testifying to his character good behavior as well as antecedents."

**Amendment of Schedule**

3. In the Schedule appended to the said rules for the provisions against Sr. No.,1 the following shall be substituted, namely:-

Sr. No.	Cadres	No. of Posts			Pay Scale
		Permanent	Temporary	Total	
1	2	3	4	5	6
1.	District Judges/ Addl. Distt. Judges	1. DSJ - 11 2. DJ(Forest) -01 3.ADSJ -07 4.Reg.Gen. -01 5.Reg(Vig.) 01 6.Reg.(Rules) 01- 7.Reg.(Ins) 01 8.Director, HPSJA 01 9.Jt.Director HPSJA 01 10.Legal Advisor to Lokayukta 01  Total:- 26	8 (Leave Reserve-cum-Deputation) including 3 posts for Presidents District Consumer Forum)	34	<u>Master Pay Scale</u>  Rs.9000-250-10750-300-13150-350-15950-400-19150-450-21850-500-24850 (a) <u>Initial Scales</u>  Rs.16750-400-19150-450-20500  (b) <u>Selection Grade</u>  (25% of the cadre strength)  Rs.18750-400-19150-450-21850-500-22850  (c) <u>Super Time Scale</u>  (10% of the cadre strength)  Rs.22850-300-24850"

By Order

Principal Secretary(Home) to the Government of Himachal Pradesh.

Endst.No: Home-B(B)2-4/2004-II Dated: Shimla-2 the  
 Copy forwarded for information and necessary action to:-  
 1. The Registrar General, H.P.High Court, Shimla-1.

20 /9/2008

2. **The Secretary, H.P.Public Service Commission, Shimla-2..**
3. **The Accountant General, H.P.Shimla-2.**
4. **All Administrative Secretaries to the Govt. of H.P.**
5. **All the District/Addl. District Judges in H.P.**
6. **Controller, HP Printing Press Shimla-5 for publication in Official Gazette**
7. **50 spare copies.**

**Sd/-**  
**Special Secretary(Home) to the**  
**Government of Himachal Pradesh.**

