

**HIMACHAL PRADESH
PUBLIC SERVICE COMMISSION**

ADVERTISEMENT NO. II/2009

Applications are invited on the web based Interface for applying online ,from the eligible and desirous citizens of India, for admission to the H.P. Judicial Service Competitive (Preliminary) Examination, 2009, based on Multiple Choice Questions (100% objective type), to be conducted at Shimla and Dharamshala in Kangra District (if adequate Nos. of candidates opt for Dharamshala centre), followed by main written examination and viva voce, for appointment to the following vacancies of Civil Judges, (Junior Division) in the pay scale of Rs.9000-14550/- :-

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| 1. | Clear Cut Vacancies | = | 4(ST-1, OBC-3) |
| 2. | Anticipated Vacancies | = | 4+2=6 |
| 3. | Anticipated Vacancies that
may arise due to promotion,
death or otherwise, say 10%
of the number of posts. | = | 5 |

Total: 15

Note:- The category-wise break-up of anticipated vacancies as shown at Sl. No.2 & 3 will be published subsequently on receipt of the same from the govt. of H.P. in the department of Home.

The computation of the vacancies is subject to variation. The candidates shall apply electronically on web based application through Online interface provided in the website-www.himachal.nic.in/hppsc/. This examination will be conducted by the Commission on 15th May,2009 in accordance with the direction of Hon'ble Supreme Court contained in its judgement dated 04.01.2007 passed in connection with Civil Appeal No.1867/2006 titled as Malik Mazhar Sultan and another Vs U.P. Public Service Commission and Ors., the H.P. Judicial Service Rules, 2004, and the Himachal Pradesh Judicial Service (Syllabus and allocation of Marks) Regulations, 2005 as amended from time to time. The particulars of provisionally admitted candidates showing their roll numbers and examination centres will be available on the website of the Commission on 2nd April,2009. The Admission Letters to eligible candidates will be sent between 2nd to 30th April,2009.

Note:-

- i) The number of vacancies in the service together with proportionate reservation to various categories in respect of this examination may vary.
- ii) The recommendation of selected candidates in order of merit for all categories shall be valid till the next advertisement is published.
- iii) 10 times candidates shall be declared successful for the main examination against each vacancy in the respective category.
- iv) 03 candidates against each vacancy in the respective category shall be called for viva-voce, strictly in order of merit on the basis of the Main written examination.
- v) The candidates are advised to carefully read the instructions contained in this advertisement, in the H.P. Judicial Service Rules, 2004 and the Himachal Pradesh Judicial Service (Syllabus & Allocation of Marks) Regulations, 2005 as amended from time to time to ensure that they

are eligible for admission to this examination in terms of said rules, instructions and conditions. The eligibility of candidates will be determined on the basis of aforesaid Rules and Regulations. The candidates who appear in the aforesaid examination, if found ineligible subsequently, their candidature will stand cancelled. The eligibility of candidates called for the interview will be determined on the basis of original documents and the Commission will not be responsible if the candidature of any candidate is rejected at that stage or at the time of verification by the appointing authority. As such, admission to the examination / interview shall be purely provisional.

The procedure for applying online is as under:-

- Step-I Register yourself as a user in H.P.P.S.C. website. This user I.D. will be applicable for all future references regarding this examination.
- Step-II Fill-up the application Form Online in the given Format.
(Demand Draft for examination fee may be prepared in advance in favour of Secretary, H.P.Public Service Commission, Shimla-2 before filing Application Form Online).
- Step-III After filling-up form, download the same and take the print on **A-4** size paper.
- Step-IV Affix passport size photograph duly attested and other requisite documents as given below in the advertisement along with examination fee (demand draft)
- Step-V Put your signatures within the box provided in the application form and send the same in single fold by post in 9"x6" envelope to the Secretary, H.P. Public Service Commission, Nigam Vihar, Shimla-2, along with above mentioned documents.

Please Note:

Your Online Application will be entertained only after receipt of duly signed application form along with requisite documents in support of eligibility. Applicant may see the status of application online by entering his user I.D. and password.

The result of preliminary examination shall be available on the website of the Commission on 15th June, 2009 showing the particulars of successful candidates, time table and name of Centre for the main examination to be held from 13th to 15th July, 2009 at Shimla. The candidates are advised to download the time table through INTERNET for their information and for appearing in the HPJS (Main) examination. No individual intimation to any candidate will be sent separately.

The candidates are required to submit complete applications on the prescribed form along with examination fee and copy(s) of following certificates duly attested in support of their claims.

- a) Matriculation certificate or its equivalent ,showing the date of birth.
- b) Copy of Graduation Degree / detailed marks certificate, issued by a recognised University.
- c) Copy of Degree in Law recognized by the Bar Council of India.
- d) Original certificates furnished by two respectable persons unconnected with candidate explicitly testifying to his character, good behavior as well as antecedents.

- e) The Scheduled Castes, Scheduled Tribes and Other Backward Classes candidates of H.P. are also required to enclose attested copies of S.C. / S.T. / O.B.C. certificates only on parental basis on the proforma prescribed by the Government and issued by competent authority of the concerned area in Himachal Pradesh. In case certificates furnished is not found on parental basis, such application shall be rejected straightway.

The Scheduled Castes, Scheduled Tribes and Other Backward Classes candidates of States other than Himachal Pradesh will be treated as general candidates. Therefore, examination fee and age limit as is applicable to general category candidate will be applicable to them. The benefit of upper age relaxation to aforesaid reserved categories is permissible, as mentioned in the subsequent para related to 'qualifications and age limit'.

Incomplete application shall be rejected straightway and no correspondence will be entertained subsequently. No examination fee will be refunded in any case. The complete application along with examination fee and requisite documents in support of claims thereof must reach the Commission's office on or before the last date prescribed for receipt of such applications.

The Commission reserves the right to allot any Centre of examination to any candidate. No request for change of centre will be entertained. The main written examination will be conducted at Shimla.

THE LAST DATE FOR RECEIPT OF APPLICATIONS COMPLETE IN ALL RESPECTS FOR ADMISSION TO THIS EXAMINATION IN THE OFFICE OF THE COMMISSION IS 1ST MARCH, 2009.

QUALIFICATIONS AND AGE LIMIT:-

- a) A candidate must be a holder of degree in Law as recognized by the Bar Council of India.
- b) A candidate must have attained the age of 22 years but must not be more than 30 years of age as on the last date prescribed for receipt of applications in the Commission's Office.
- c) A candidate must be a citizen of India.
- d) The upper age limit is relaxable by 3 years for Scheduled Castes, Scheduled Tribes and Other Backward Classes candidates of Himachal Pradesh.

The knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the state of Himachal Pradesh is a desirable qualification.

DISQUALIFICATIONS FOR ADMISSION TO THE EXAMINATION.

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- (1) No person shall be eligible for admission to the examination:-
 - a) If he/ she has been dismissed from any previous service;
 - b) If he/ she has been convicted of any offence involving moral turpitude or has been bound down for good conduct under the provisions contained in Chapter VIII of the Code of Criminal Procedure, or has been permanently debarred / disqualified from appearing in any examination or selection;

- c) If he / she is found either directly or indirectly influencing the selection process in any manner;
- d) If he is a man, having more than one wife living and if a woman, has married a man already having another wife; or
- e) If he / she is an un-discharged insolvent.

THE SUBJECTS AND SYLLABUS FOR THE PRELIMINARY AND MAIN EXAMINATION AND MARKS FOR EACH PAPER SHALL BE AS UNDER:-

1. **PRELIMINARY EXAMINATION:**

The preliminary examination shall be an objective type examination consisting of the following three papers of 100 Marks each:-

- a) Civil Law-I
- b) Civil Law-II
- c) Criminal Law

Each paper shall be of one-hour duration and the examination in all the three papers shall be held on the same day. The syllabus for the preliminary examination shall be the same as provided for Paper-I to III for the Main examination.

2. **MAIN WRITTEN EXAMINATION:**

PAPER-I

CIVIL LAW-I Code of Civil Procedure. Indian Evidence Act, Indian Stamp Act, Himachal Pradesh Courts Act, 1976 and Specific Relief Act.

PAPER-II.

CIVIL LAW-II: Indian Contract Act, Hindu Law, Indian Limitation Act, Transfer of Property Act and H.P. Urban Rent Control Act.

PAPER-III.

CRIMINAL LAW: Indian Penal Code, Criminal Procedure Code, Chapter-XVII (section 138 to 143) of the Negotiable Instruments Act, Punjab Excise Act as Applicable to the State of H.P., Wild Life Protection Act and Indian Forest Act.

PAPER-IV.

ENGLISH

COMPOSITION : A Choice from three Essays on General Subjects.

ESSAY:	150 Marks.
Translation of Hindi	
Passage into English:	50 Marks.
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Total:	200 Marks.
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PAPER-V.

LANGUAGE

Hindi (in Devanagri Script) No books prescribed. The paper of Hindi will comprise of the following:-

Translation of English passage into Hindi. 30 Marks.

Essay in Hindi on any topic out of three. 50 Marks.

Composition (Idioms and Corrections etc.). 20 Marks.

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Total: 100 Marks.
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VIVA-VOCE.

100 Marks.

NOTE:-

- (i) Bare copies of legislative enactments only will be supplied.
- (ii) Each paper will last for three hours. Paper I to IV will carry 200 marks each and Paper V 100 marks. Viva-Voce will carry 100 marks.

The object of the examination is to test practical ability of the candidate, rather than the range of their theoretical knowledge. For this purpose, the paper shall include questions giving facts of a given case requiring candidates to frame issues, to write a judgement and to discuss the admissibility of evidence. Except in case of Paper-V, questions shall be set in English and the candidates shall answer the questions in English. The questions in case of Paper-V shall be set in Hindi in Devanagri Script and the candidates shall answer questions in Hindi in Devanagri Script.

No candidate shall be credited with any marks in any paper unless he obtains at least 45 percent marks in that paper, except Hindi language paper (paper-V) in which candidate should obtain at least 33 percent marks. The standard for language paper shall be that of Matriculation examination of the Himachal Pradesh Board of School Education. The standard for the English paper shall be that of Graduation examination of H.P. University.

No candidate shall be considered to have qualified the written test unless he obtains 50 percent marks in aggregate in all papers and at least 33 percent marks in language paper i.e. Hindi in Devanagri script.

Candidates who have qualified the Main written examination, will be required to appear at such place, as may be fixed by the Commission, for a viva-voce test. The maximum marks for the viva-voce shall be 100. The marks obtained in the viva-voce will be added to the marks obtained in the Main written examination for purpose of selection of the candidates.

The summoning of the candidates for viva-voce test conveys no assurance whatsoever that they will be selected or recommended. Appointment orders to the selected candidates will be issued by the Government.

The inclusion of a candidate in the list of successful candidates shall not confer any right to appointment unless the Government is satisfied after such inquiry as may be considered necessary that the candidate is suitable in all respects for appointment in service before actual offer for appointment is made. The selected candidates will also be subjected to a Medical Examination in accordance with guidelines prescribed by the Hon'ble

High Court under Rule- 9 of H.P. Judicial Service Rules, 2004 read with Regulation '8' of the H.P. Judicial Service (Syllabus and Allocation of Marks) Regulations, 2005.

The candidates, who may be admitted to the examination, will have to write in their own hand. In no case can an amanuensis be allowed.

The Commission does not supply any articles of stationery except authorised Computerised Answer Sheet for preliminary examination and Answer Books, continuation sheets for use in the main written examination. Items such as pen, Ink, whatsoever needed have to be brought by the examinees themselves.

Re-evaluation or rechecking of Answer Sheets / Answer Books (Scripts) is not permissible nor the Commission enters into correspondence in this regard.

It may be ensured by the candidates before submitting the applications that furnishing of false information and documents or suppression of any factual information in the application form would entail disqualification. If the fact that false information / document(s) has been furnished or that there has been suppression of any factual information in the application comes to notice at any time during the service of a person, his service would be liable to be terminated. No columns should be left blank in the application form.

Application on the specimen form duly completed should be accompanied by examination fee of Rs. 250/- (Rs.63/- for candidates belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes categories of Himachal Pradesh only), through Bank Draft payable in any branch of a Bank at Shimla to the Secretary, H.P. Public Service Commission, Shimla-171002.

NOTE-I DISPUTES, IF ANY SHALL BE SUBJECT TO THE JURISDICTION OF COURTS AT SHIMLA.

NOTE-II IN CASE CANDIDATE HAS ANY DOUBT OR OBJECTION ABOUT ANY QUESTION(S) IN THE QUESTION PAPER, HE / SHE IS ADVISED TO GIVE A REPRESENTATION, IN WRITING IMMEDIATELY AFTER THE EXAMINATION IS OVER (THE SAME DAY) IN THE NAME OF THE SECRETARY, H.P. PUBLIC SERVICE COMMISSION TO THE CENTRE SUPERVISOR AND NO REPRESENTATION SHALL BE ENTERTAINED THEREAFTER.

NOTE-III THE APPLICANT SHALL PASTE HIS LATEST PHOTOGRAPH ON THE SPACE PROVIDED IN THE APPLICATION.

**Sd/-
Under Secretary**