

HIGH COURT OF HIMACHALPRADESH AT SHIMLA

No.HHC/Rules/22(25)/83-

Dated: 19th May, 2005.

NOTIFICATION

Whereas in Column 3 against Serial No.1 in the table under Rule 5 of Himachal Pradesh Judicial Service Rules, 2004, in clause (b) thereof there is a provision (with respect to method of recruitment of District Judges/Additional District Judges) that 25% of District Judges/Additional District Judges shall be appointed by promotion from amongst Civil Judges (Senior Division) on the basis of merit through a limited competitive examination as may be prescribed and conducted by the High Court in accordance with the Regulations;

Whereas Rule 2 of the aforesaid 2004 Rules, in clause (g) provides that the Regulations have to be framed by the High Court for prescribing the syllabus for the competitive examination and the suitability test to be conducted by the High Court for the cadre of the District Judges/Additional District Judges as well as various other items mentioned therein.

Now, therefore, in exercise of the powers conferred under Rule 2 (1) (g) (i) & (ii) read with Rule 5 of the Himachal Pradesh Judicial Service Rules, 2004, the High Court of Himachal Pradesh is pleased to make the following Regulations prescribing syllabus for limited competitive examination and allocation of marks for the cadre of Civil Judges (Senior Division):-

- | | | |
|---------------|----|--|
| Short Title | 1. | These Regulations shall be called "The Himachal Pradesh Judicial Service (Promotion from amongst the Civil Judges (Sr. Divn) to the posts of District/Additional District Judges on the basis of limited Competitive Examination) Regulations, 2005. |
| Commencement. | 2. | These Regulations shall come into force with immediate effect. |

Allocation of Marks

3 The competitive examination for promotion from amongst the Civil Judges (Sr. Division) to the post of District/ Addl. District Judges on the basis of limited competitive examination shall consist of :

- (a) Written examination - 500 marks
- (b) Viva Voce - 100 marks
- (c) Judgments - 100 marks
(Ten judgments, five civil and five criminal to be picked up at random, i.e. ten marks for each of such judgments)
- (d) A.C.Rs. - 50 marks
(ACRs of preceding five Years, i.e. 10 marks for each year's ACR.)

Total: 750 marks

Subjects and Syllabus

4. The subjects and syllabus for the written examination shall be as follows:-

Paper-I

Civil Law including local laws of Himachal Pradesh

- (a) The Code of Civil Procedure, 1908
- (b) The Indian Evidence Act, 1872
- (c) The Transfer of Property Act, 1882
- (d) The Guardian & Wards Act, 1890
- (e) The Hindu Adoptions and Maintenance Act, 1956
- (f) The Hindu Marriage Act, 1955
- (g) The Hindu Succession Act, 1956
- (h) The Land Acquisition Act, 1894
- (i) Indian Succession Act, 1925
- (j) Chapter X, XI and XII of the Motor Vehicles Act, 1988.
- (k) The Himachal Pradesh Rent Control Act, 1987
- (l) The Himachal Pradesh Tenancy and Land Reforms Act, 1972 (8 of 1974)
- (m) The Himachal Pradesh Land Revenue Act, 1953 (6 of 1954)
- (n) The Himachal Pradesh Village Common Lands (Vesting and Utilization) Act, 1974 (18 of 1974)

Paper-II

Criminal Law including Special Laws

- (a) The Indian Penal Code, 1860 (45 of 1860)
- (b) The Criminal Procedure Code, 1973 (2 of 1974)
- (c) The Indian Evidence Act, 1872 (1 of 1872)
- (d) The Narcotic Drugs and Psychotropic Substances Act, 1986
- (e) The Prevention of Corruption Act, 1988
- (f) The Scheduled Castes & Schedule Tribes (Prevention of Atrocities) Act 1989
- (g) The Prevention of Food Adulteration Act, 1954
- (h) The Indian Forest Act, 1927

Paper-III

General Knowledge including English Composition

The knowledge of candidates regarding History, Geography, Current affairs, developments in the recent past, Science and Technology etc. etc. In so far as the English Composition is concerned, the candidates would be expected to know about their command over English language including the drafting, writing articles, essays etc. etc.

- Note:-
- (i) Bare copies of legislative enactments only will be supplied.
 - (ii) Each paper will last for three hours. Paper I and II will carry 200 marks each and paper III 100 marks.

Setting of
Papers

5. The Examiner shall set the paper to test the practical ability of the candidates rather than the range of their theoretical knowledge. For this purpose the papers may also include questions giving facts of a given case requiring the candidates to frame issues, to write a judgment and to discuss the admissibility of evidence.

Minimum Qualifying Marks	6(i)	No candidate shall be considered to have qualified the written test unless he obtains a minimum of 60% marks in each individual paper and minimum aggregate of 66% marks in all papers put together.
	(ii)	The standard for the English composition shall be that of graduation examination of Himachal Pradesh University.
	(iii)	Out of the candidates who qualify written examination prescribed above, for each vacancy three candidates shall be called for viva-voce strictly in order of merit obtained in the written examination.
	(iv)	The marks obtained in viva-voce shall be added to the marks obtained in the written examination for drawing over-all merit of the candidates for preparing select list.
Result	7.	The result of the examination shall be declared immediately after completion of the viva-voce test.

BY ORDER

Registrar (Rules)


Endst. No.IHC/Rules/22(25)/83-

Dated:19th May, 2005.

Copy forwarded for information to:-

1. The Principal Secretary to Hon'ble the Chief Justice, of this High Court.
2. The Deputy Registrar-cum-Special Secretary to Hon'ble the Chief Justice.
3. Principal Secretary (Home/Personnel)) to the Government of Himachal Pradesh, Shimla-2.
4. The Secretary (Law) to the Government of Himachal Pradesh, Shimla-2.
5. All the Additional Registrars of this High Court.
6. The Private Secretaries to the Registrar General, Registrar (Vigilance) and PAs to the Registrar (Rules) and Registrar (Inspection), High Court of Himachal Pradesh, Shimla.
7. All the Judicial Officers in Himachal Pradesh.
8. All the Deputy Registrars/Assistant Registrars/Secretaries/Court Secretaries/Private Secretaries/Superintendents/Chief Librarian/Marriage Counsellor-cum-Superintendent (Incharge-PIL) of this High Court.

9. The Accountant General (Audit), H.P. Shimla-3.
10. The Controller, Printing & Stationery, Government of Himachal Pradesh, Shimla-5, for publication in the H.P. Rajpatra. He is also requested to send a copy of the Gazette containing publication to this Registrar at the earliest.
11. Guard file.


Registrar (Rules) 19/5/2005

HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

No.HHC/Rules.22(25)/83-

Dated: 28th March, 2009.

REGULATIONS FOR {PROMOTION FROM AMONGST THE CIVIL JUDGES (SENIOR DIVISION) TO THE POSTS OF DISTRICT/ADDITIONAL DISTRICT JUDGES ON THE BASIS OF LIMITED COMPETITIVE EXAMINATION} REGULATIONS, 2005.

NOTIFICATION

In exercise of the powers conferred under Rule 2(1)(g)(i) & (ii) read with Rule 5 of the Himachal Pradesh Judicial Service Rules, 2004, Hon'ble the Chief Justice and the Hon'ble Judges, High Court of H.P., are pleased to make the following Amendments(s) in "The Himachal Pradesh Judicial Service (Promotion from amongst the Civil Judges (Sr. Division) to the posts of District/Additional District Judges on the basis of limited Competitive Examination) Regulation, 2005".

SHORT TITLE: 1. These Regulations may be called "The Himachal Pradesh Judicial Service {Promotion from amongst the Civil Judges (Sr. Division) to the posts of District/ Additional District Judges on the basis of limited Competitive Examination}(first amendment) Regulations, 2009."

COMMENCEMENT: 2. These Regulations shall come into force with immediate effect.

Amendment 3. Regulation No. 3, 4 and 8 of the "The Himachal Pradesh Judicial Service ("The Himachal Pradesh Judicial Service (Promotion from amongst the Civil Judges (Sr. Division) to the posts of District/Additional District Judges on the basis of limited Competitive Examination) Regulation, 2005"." shall be added as follows:

Submission of Applications/ Allocation of Marks. **3(A)** The application shall be submitted by the eligible Civil Judges(Sr.Division) for appointment to the cadre of District Judges/Addl.District Judges on the basis of Limited competitive examination, who fulfill the qualifications as provided in Rule 5 of Himachal Pradesh Judicial Service Rules, 2004, in the format given in schedule-I to these Rules.

(B).The competitive examination for promotion from Amongst the Civil Judges (Sr.Division) to the post of District/Addl.District Judges on the basis of limited competitive examination shall consist of :-

- | | | | |
|------|--|-----------|------------------|
| (i) | Written examination | | |
| | (a) Objective questions with multiple choice questions which can be scrutinized with the help of the computer; and | 200 marks | |
| | (b) subjective/narrative | | 200 marks |
| (ii) | Viva voce | ---- | <u>100 marks</u> |
| | | Total: | <u>500 marks</u> |

**Constitution
of the Committee.**

4. (i) The examination committee shall consist of:-
- (a) Chairman: Chief Justice.
 - (b) Members: Two or three Judges of the High Court, as may be nominated by the Chief Justice.
 - (c) Secretary: Registrar General or such other officer of the High Court as may be nominated by the Chief Justice.
- (ii) The committee shall be over all incharge of the examination and shall be responsible to ensure the implementation of these Regulations.

NOTE:

- (1) Serial No.4 to 7 shall accordingly be renumbered as serial No. 5 to 8 in the Regulations.
- (2) Words Paper-I, Paper-II, Paper-III and note shall stand deleted from the "Subject and Syllabus".

Result:

- 8.
- a) The 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.

BY ORDER

**(K.L. Sharma)
Registrar (Rules)**

Schedule -I

{Refer to Regulation 3(A)}

FORMAT OF THE APPLICATION

1. Name :
2. Father's/Husband's name:
3. Date of Birth:
4. Nationality:
5. Academic Qualification:
6. Date of appointment as Civil Judge (Sr. Division):
7. Total length of service as Civil Judge (Sr. Division).
8. Permanent address:
9. Address for correspondence With PIN:

Paste your
Passport size
Photograph
here.

Place:

Date:

Signature of the applicant.

Verification:

Verified that the above information is true and correct to the best of my knowledge. No part of it is false or incorrect and nothing material has been concealed therefrom.

Verified on this the (dated) _____ Day of
(Month) _____ 200__ at _____.

Signature of the applicant.