

HIGH COURT AT CALCUTTA

APPELLATE SIDE

N O T I F I C A T I O N

No. 2254 – RG

Dated : Calcutta, the 17th day of April, 2019

Applications are invited from the members of the West Bengal Judicial Service belonging to the substantive posts of Civil Judge (Senior Division) having not less than 5 years' qualifying service and also the officers belonging to the post of Additional District & Sessions Judge, Fast Track Courts, both in the feeder cadre of Civil Judge (Senior Division), other than District Judges as mentioned in clause (b) of sub-rule (1) of Rule 6 of the West Bengal Judicial (Conditions of Service) Rules, 2004, for conducting Limited Competitive Examination, strictly on the basis of merit for preparation of a panel of qualified officers towards filling up the vacancies, if available, in the quota for Limited Competitive Examination as well as the vacancies, if any, remaining unfilled out of 6 (six) vacancies in the quota of Direct Recruitment from the members of the Bar, in the cadre of District Judge (Entry Level), for the year 2019, consistent with the relevant provisions under Rule 26(1) of the West Bengal Judicial (Conditions of Service) Rules, 2004, without carrying forward such vacancies following the directions and time-schedule of Hon'ble the Supreme Court of India in Malik Mazhar Sultan's case (Civil Appeal No. 1867 of 2006) and without any prejudice to the rights of any of the successful candidates.

A Competitive Examination will be held in Kolkata, West Bengal in last week of June, 2019, for selection of the District Judge (Entry Level) as referred to in the West Bengal Judicial (Conditions of Service) Rules, 2004 as per time schedule fixed by Hon'ble Supreme Court of India in Malik Mazhar Sultan's case. It shall be conducted in three phases.

In the first phase, there will be a preliminary test consisting of objective type questions of fifty (50) marks. Each question of such preliminary test shall carry two (2) marks. In case of each wrong answer, there will be negative marking of two (2) marks. The duration of the preliminary test will be of one hour. The preliminary test will be taken on the basis of Current Affairs, General Awareness and Law papers i.e. (Paper II – V) as prescribed for written examination, second phase. Preliminary test will be conducted through OMR sheets in duplicate.

The minimum marks required to appear in the written test, in the second phase, is 50% of the marks thereby obtained in the preliminary test. Successful candidates shall be allowed to appear at the written examination in the second phase.

Note (1) The marks obtained in the preliminary test shall not be carried forward in the written test in the second phase.

The written test in the second phase consists of five (5) papers (Paper I – V mentioned below). Each paper carries one hundred marks. Time for answering each paper is three hours. Total marks for written test in second phase is 500 (five hundred).

The qualifying marks on each subject will be forty (40) and in addition to that candidates must obtain 50% of aggregate in order to be successful in the written test in the second phase and further **one hundred (100)** marks are reserved for viva voce / personality test. Total three hundred (300) marks in aggregate *i.e.* 50% of the total marks **six hundred (600)** will be the qualifying marks for being empanelled for being appointed to the post of District Judge (Entry Level) by way of Limited Competitive Examination, against unfilled vacancy, if any, out of 06(Six) vacancies in the quota of DRB-2019, in view of the decision of the Hon'ble Supreme Court of India passed in Writ Petition (C) No. 490 of 2007 (Hemani Malhotra - Vs. - High Court of Delhi) prohibiting fixation of any bench mark for viva-voce / personality test.

Syllabus:-

<u>Name of the paper</u>	<u>Syllabus</u>
<u>Paper-I</u>	<ol style="list-style-type: none"> 1. Translation from Bengali to English 2. Precis Writing. 3. Essay Writing on General Awareness Topics
<u>Paper-II</u>	<ol style="list-style-type: none"> 1. Code of Civil Procedure. 2. Arbitration & Conciliation Act. 3. Limitation Act. 4. Specific Relief Act. 5. Law relating to Intellectual Property. 6. Law relation to Contract. 7. Evidence Act.
<u>Paper-III</u>	<ol style="list-style-type: none"> 1. Code of Criminal Procedure. 2. Indian Penal Code. 3. Negotiable Instruments Act (Sections 138 to 147). 4. NDPS Act. 5. Juvenile Justice (Care & Protection of Children) Act. 6. Protection of Children from Sexual Offences Act, 2012. 7. Protection of Women from Domestic Violence Act, 2005.
<u>Paper-IV</u>	<ol style="list-style-type: none"> 1. Transfer of Property Act. 2. Constitutional Law. 3. Statutes on Hindu Law relating to Marriage, Succession, Adoption, Maintenance, Minority & Guardianship. 4. Muslim Law relating to Marriage, Maintenance, Minority & Guardianship. 5. Indian Succession Act. 6. Guardian and Wards Act. 7. Indian Trust Act.
<u>Paper-V</u>	<ol style="list-style-type: none"> 1. West Bengal Premises Tenancy Act. 2. West Bengal Land Reforms Act. 3. West Bengal Estate Acquisition Act. 4. Bengal Public Demand Recovery Act. 5. Industrial Disputes Act. 6. Motor Vehicles Act.

Note (II) Candidates should not be allowed to answer the questions with the assistance of books/Bare Acts either in preliminary test or in written examination in second

2. Viva-voce

The Selection Board shall call such number of successful candidates in the written test in the second phase for viva voce/personality test as it thinks fit strictly according to merit list prepared on the basis of aggregate marks obtained by those candidates, subject to availability of vacancy, if any, remains unfilled out of 6 (Six) vacancies declared in the quota of Direct Recruitment from the Members of the Bar, for the year 2019.

The High Court reserves the right to relax above eligibility criteria and qualifying marks in each subject or aggregate, if required.

The final merit list will be published on the basis of the total marks obtained by the successful candidates on the written in the second phase and the viva voce/personality test.

Pay Scale (Unrevised)

(1) Entry Level - Rs. 51550-1230-58930-1380-63070/- with other perks like free Newspapers, Magazine, Medical Reimbursement facilities, entitlement of 75/50 litres of petrol or diesel or cash equivalent if own car is used instead of pool car, Robe Allowance and other allowance as admissible under Rules.

(2) Selection Grade (available on merit-cum-seniority to 25% of the cadre posts of the District Judges and would be given to those having not less than five years of continuous service in the cadre) - Rs. 57700-1230-58930-1380-67210-1540-70290/-.

(3) Super Time Scale (available on merit-cum-seniority to 10% of the cadre of District Judge who have put in not less than three years continuous service as Selection Grade District Judges) - Rs. 70290-1540-76450/-.

All appointments to the posts mentioned above shall be made by the Governor in accordance with the recommendation of the High Court and all selections to the post mentioned above shall be made by the High Court.

The last date for submission of application is by **4:30 p.m. on 30th April, 2019**. Application reaching the office concerned after the due date and time shall not be considered, even though the same are posted well in advance.

Note (III) Any form of solicitation for selection by or on behalf of any candidate will lead to outright rejection of his/her candidature.

Note (IV) Admission to the examination is purely provisional subject to determination of eligibility in terms of the advertisement.

Note (V) The selection is subject to the decision of the Hon'ble Supreme Court of India, **on the application that the High Court shall file following the Full Court Resolution dated 11th April, 2019** as regards the issue as to whether the ratio between direct recruits, limited departmental examination and regular promotion is to be maintained on the cadre strength or the vacancies.

By Order,

Sd/-

(A. K. Mukherjee)

**Registrar General -cum- Secretary,
Selection Board,
High Court, Appellate Side, Calcutta.**