

**HIGH COURT AT CALCUTTA,****APPELLATE SIDE**

NO.4347 – RG

Dated : Calcutta, the 2<sup>nd</sup> day of November, 2021

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 & Session Judge, Fast Tract Courts, both in the feeder cadre of Civil Judge (Senior Division), other than District judges as mentioned in the 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 of 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 4 (four) vacancies in the quota of Direct Recruitment from the members of the Bar, in the cadre of District Judge (Entry Level), for the year 2021, 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.

**Number of vacancy : Unspecified vacancy, in view of pendency of I.A. No. 93974 of 2019 before the Hon'ble Supreme Court of India, is 02 (two).**

A Competitive Examination will be held in Kolkata, West Bengal for selection of the District Judge as referred to in clause (a) of sub-rule (1) of rule 24 of 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 03 (three) phases.

In the **first phase**, there will be a preliminary test consisting of objective type questions of 50 (fifty) marks. Each question of such preliminary test shall carry 02 (two) marks. In case of each wrong answer, there will be negative marking of 02 (two) marks. The duration of the preliminary test will be 01 (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** (the **second phase**), is 50% with negative marking in the preliminary test. Successful candidates shall be allowed to appear at the written examination in the Second Phase.

***Note – I : The marks obtained in the preliminary test would not be carried forward in the written test in the second phase.***

The written test in the Second Phase consists of 05 (five) papers (Paper I – V mentioned below). Each paper carries one hundred marks. Time for giving answer is 03 (three) hours for each paper. Total marks for written test in second phase is 500 (five hundred).

The answer scripts shall be evaluated by adopting evaluation method. The qualifying marks on each subject will be 40 (forty) and in addition to that candidates must obtain 50% on aggregate in order to be successful in the written test in the second phase and further 100 (**one hundred**) marks are reserved for **Viva Voce/ Personality Test**. Total 300 (three hundred) marks in aggregate *i.e.* **50% of the total marks six hundred (600) will be the qualifying marks** for being empanelled in the panel for being appointed to the post of District Judge (Entry Level) by way of Direct Recruitment from the Bar 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>
<b><u>Paper-I</u></b>	<ol style="list-style-type: none"> <li>1. Translation from Bengali to English</li> <li>2. Précis Writing.</li> <li>3. Essay Writing on General Awareness Topics</li> </ol>
<b><u>Paper-II</u></b>	<ol style="list-style-type: none"> <li>1. Code of Civil Procedure.</li> <li>2. Arbitration &amp; Conciliation Act.</li> <li>3. Limitation Act.</li> <li>4. Specific Relief Act.</li> <li>5. Law relating to Intellectual Property.</li> <li>6. Law relation to Contract.</li> <li>7. Evidence Act.</li> </ol>
<b><u>Paper-III</u></b>	<ol style="list-style-type: none"> <li>1. Code of Criminal Procedure.</li> <li>2. Indian Penal Code.</li> <li>3. Negotiable Instruments Act (Sections 138 to 147).</li> <li>4. NDPS Act.</li> <li>5. Juvenile Justice (Care &amp; Protection of Children) Act.</li> <li>6. Protection of Children from Sexual Offences Act, 2012.</li> <li>7. Protection of Women from Domestic Violence Act, 2005.</li> </ol>
<b><u>Paper-IV</u></b>	<ol style="list-style-type: none"> <li>1. Transfer of Property Act.</li> <li>2. Constitutional Law.</li> <li>3. Statutes on Hindu Law relating to Marriage, Succession, Adoption, Maintenance, Minority &amp; Guardianship.</li> <li>4. Muslim Law relating to Marriage, Maintenance, Minority &amp; Guardianship.</li> <li>5. Indian Succession Act.</li> <li>6. Guardian and Wards Act.</li> <li>7. Indian Trust Act.</li> </ol>
<b><u>Paper-V</u></b>	<ol style="list-style-type: none"> <li>1. West Bengal Premises Tenancy Act.</li> <li>2. West Bengal Land Reforms Act.</li> <li>3. West Bengal Estate Acquisition Act.</li> <li>4. Bengal Public Demand Recovery Act.</li> <li>5. Industrial Disputes Act.</li> <li>6. Motor Vehicles Act.</li> </ol>

**Note – II :** *Candidates will not be allowed to answer the questions with the assistance of books/ Bare Acts in any of three phases of the entire examination procedure.*

**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 04 (four) vacancies declared in the quota of Direct Recruitment from the Members of the Bar, for the year 2021.

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 test (descriptive) 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 liters 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 selection to the posts mentioned above shall be made by the High Court.

**The last date for submission of application is by 4:30 P.M. on 29<sup>th</sup> November, 2021.**

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 – A :** Any form of solicitation for selection by or on behalf of any candidate will lead to outright rejection of his/her candidature.

**Note – B :** Admission to the examination is purely provisional subject to determination of eligibility in terms of the advertisement.

**Note – C :** Unspecified vacancy, in view of pendency of I.A. No. 93974 of 2019 before the Hon'ble Supreme Court of India, is 02 (two). The selection to the above mentioned posts are subject to the decision of the Hon'ble Supreme Court of India, on the application as mentioned above.

**By Order,  
Sd/-**

**(Md. Shabbar Rashidi)  
Registrar General –cum- Secretary,  
Selection Board-in-Charge,  
High Court, Appellate Side, Calcutta.**