

HIGH COURT, CALCUTTA
APPELLATE SIDE

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

No.3488 - RG

Dated, Calcutta, the 9th April, 2010

Applications are invited from the members of the West Bengal Judicial Service belonging to the cadre of Civil Judge (Sr. Divn.) having not less than 5 years qualifying service for filling up some posts of Higher Judicial Service in the rank of District Judge by promotion strictly on the basis of merits through limited competitive examination of such Judicial Officers 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. The panel will be prepared for filling up of 22 vacant posts but the number may vary consequent upon the result of Malik Mazhar Sultan's case (Civil Appeal No. 1867 of 2006), W. P. (C) 46 of 2007 filed by the West Bengal Judicial Service Association and All India Judges' Case (W. P. © 1022 of 1989), now pending before Hon'ble Supreme Court of India and without any prejudice to the rights of any other person. Moreover, by virtue of Judgement of Hon'ble Supreme Court of India in Brij Mohan Lal's case, Fast Track Court judges being in the cadre of Civil Judge (Sr. Divn.) may also apply for the same.

A competitive examination will be held in Kolkata in last week of June, 2010, for selection of the District Judge 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 a two-stage process comprising the total marks -600, consisting of written test on 5 papers of 100 marks each to be answered within 3 hours. Answer-scripts shall be evaluated by adopting evaluation method. The pass mark on each subject will be 40 and in addition to that, the candidates must obtain 50 on aggregate in order to be successful in the written test and further 100 marks are reserved for viva voce and personality test. Total 300 marks in aggregate, i.e. 50% of the total marks (600), will be the qualifying marks for being empanelled in the panel for being appointed to the post of District Judge (Entry Level) through limited competitive examination. However, there will be no bench mark for viva-voce/personality test 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).

Papers for written examination :

Paper -I (English Language) : (1) Translation from Bengali to English; (2) Precis writing; (3) Essay writing.

- Paper-II** : (1) Code of Civil Procedure; (2) Arbitration and Conciliation Act; (3) Limitation Act; (4) Specific Relief Act; (5) Law relating to Intellectual property; (6) Law relating to easement; (7) Law relating to Contract and Sale of Goods; (8) Registration Act.
- Paper –III** : (1) Code of Criminal Procedure; (2) Indian Penal Code; (3) Negotiable Instrument Act (Sections 138 to 147); (4) N.D.P.S. Act; (5) Juvenile Justice (Care and Protection of Children) Act; (6) Arms Act; (7) Forest Act (Sections 52-70).
- Paper – IV** : (1) Evidence Act; (2) Transfer of Property Act; (3) Motor Vehicles Act; (4) Workmen’s Compensation Act; (5) Industrial Disputes Act; (6) Constitution of India (Articles 12-51, 214-237); (7) Indian Trusts Act; (8) Hindu Law relating to Marriage, Succession, Adoption, Maintenance, Minority and Guardianship; (9) Muslim Law relating to Marriage, Succession, Pre-emption, Maintenance, Minority and Guardianship; (10) Indian Succession Act; (11) Guardian And Wards Act.
- Paper – V** : (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) Bengal Money Lenders Act; (6) West Bengal Thika Tenancy (Acquisition and Registration) Act; (7) Kolkata Municipal Corporation Act; (8) West Bengal Municipal Act; (9) West Bengal Panchayat Act.
- Note :** (1) Use of bare Statutes published by the Government Press **without notes/annotation** will be allowed at the written examination.
2. **Viva voce** : The Selection Board shall call such number of successful candidates in the written test 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 but such number in no case should exceed twice the number of vacant posts.

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 and the viva voce/personality tests.

Number of vacancies: 22 (but likely to vary subject to result of Writ Petition (C) No. 46 of 2007 filed by the West Bengal Judicial Service Association, Civil Appeal No. 1867 of 2006 (Malik Mazhar Sultan's case) and All India Judges' Case (W. P. © no. 1022 of 1989), now pending before the Hon'ble Court of India.)

Pay Scale (unrevised) :

(1) Entry Level – Rs. 16750-400-19150-450-20500/-. (Gross Emoluments – Rs. 40,000/- approximately, if posted in A1 City) plus other perks like free Newspapers, Magazine, Medical Reimbursement facilities, entitlement of 75 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 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. 18750-400-19150-450-21850-500-22850/-;

(3) Super Time Scale (available to 10% of the cadre of District Judges and would be given to those having not less than three years continuous service as Selection Grade District Judges) – Rs. 22850-500-24850/-.

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 posts mentioned above shall be made by the High Court.

The last date for submission of application is by 4.30 p.m. of 30-04-2010.

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

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

By Order
Sd/-

(Tarun Kumar Gupta)
Registrar General
&
Secretary, Selection Board.