

THE HIGH COURT OF JUDICATURE AT ALLAHABAD, ALLAHABAD

INSTRUCTIONS FOR THE GUIDANCE OF CANDIDATES FOR RECRUITMENT TO THE UTTAR PRADESH HIGHER JUDICIAL SERVICE-2012 BY LIMITED COMPETITIVE EXAMINATION AMONGST CIVIL JUDGE (SENIOR DIVISION) OF FIVE YEARS' QUALIFYING SERVICE UNDER RULE 21 OF THE UTTAR PRADESH HIGHER JUDICIAL SERVICE RULES, 1975

Number of Vacancies: 25 (Twenty Five)

Eligibility: Qualifying service of 5 years as Civil Judge (Senior Division) on the last date of application.

1. Before filling on-line application please read carefully these instructions and the Uttar Pradesh Higher Judicial Service Rules, 1975 (as amended up to date), as failure to comply with any of the directions contained therein may entail rejection of the application form. The Uttar Pradesh Higher Judicial Service Rules, 1975, are also available on the Web-Site of Allahabad High Court (www.allahabadhighcourt.in).
2. The relevant provisions of the U.P. Higher Judicial Service Rules, 1975 are excerpted as under:

"5. Source of recruitment...The recruitment to the Service shall be made...

- (a).....
- (b) by promotion strictly on the basis of merit through limited competitive examination of Civil Judges (senior Division) having not less than five years qualifying service.
- (c).....

6. Quota... Subject to the provisions of Rule 8, the quota for various source of recruitment shall be

(i) Uttar Pradesh Nyayik Sewa:

- (a).....
- (b) on the basis of merit through limited competitive examination of Civil Judges (Senior Division) having not less than five years qualifying service.....25% (**Now it is reduced to 10% in view of order of Hon'ble the Supreme Court dated 20.04.2010**)

Provided that in case of there being any shortfall in the vacancies to be filled up on the basis of in cadre competitive examination, the shortfall of 25% (**Now it is reduced to 10% in view of order of Hon'ble the Supreme Court dated 20.04.2010**) reserved for such promotion will be made good by corresponding increase in the quota reserved for promotion of Civil Judges (Senior Division) referred to in Clause (i)(a).

(c).....

21. (1) Recruitment by promotion of the members of Nyayik Sewa as referred to in Rule 5(b) shall be made by selection strictly on the basis of merit through a limited competitive examination as prescribed in Appendix 'H'.

(2) Application for recruitment to the service from such sources shall be invited by the Court through District Judge.

(3) The District Judge shall forward to the Court all applications received by him along with his own estimate of each candidate's character and fitness for appointment to the service.

(4) The Selection Committee referred to in Rule 16 shall scrutinize the applications received and shall hold a limited competitive examination as prescribed in Appendix 'H'.

(5) The Selection Committee shall prepare a select list on the basis of the merit of the successful candidates.

(6) The Committee shall make a preliminary selection and submit the record of all candidates to the Chief Justice and recommend the names of the candidates in order of merit who, in its opinion, are suitable for appointment to the service.

The Court shall examine the recommendations of the Selection Committee make a final selection for appointment in HJS cadre and prepare a list in order of merit and forward the same to the Governor. The list shall remain operative only till the next recruitment.”

APPENDIX 'H'
Rule-21, UPHJS Rules, 1975

Syllabus prescribed for the promotion of the officers from amongst the officers of Civil Judge (Senior Division) of 5 years qualifying Service on the basis of limited competitive examination.

The examination will include the following subjects:

Paper No. 1 : Law-I (Substantive Law)

This paper will be of 200 marks and 3 hours duration.

The question set will be restricted to the field covered by-

The Law of Contracts, the Law of Partnership, the Law concerning easements and torts, the Law relating to transfer of property including the principles of equity specifically applicable thereto, the principles of equity with special reference to the law of trust and specific relief, Hindu Law and Mohammedan Law and Constitutional Law.

There shall be questions of 50 marks in relation to Constitutional Law alone.

Paper No. 2 : Law-II (Procedure and evidence)

This paper will be of 200 marks and 3 hours duration.

Questions set will be restricted to the field covered by-

The Laws of evidence, the Criminal Procedure Code and Code of Civil Procedure, including the principles of pleading. The questions set will relate mainly to practical matters such as the framing of charges and issues, the methods of dealing with the evidence of witnesses, the writing of judgment of session trials, appeals, revision and the conduct of cases generally but will not be restricted to them.

Paper No. 3 : Law-III (Penal, Revenue and Local Laws)

This paper will be of 200 marks and 3 hours duration.

Questions set will be restricted to the field covered by-

Indian Penal Code, the Uttar Pradesh Zamindari Abolition and Land Reforms Act 1951, Uttar Pradesh Urban Buildings (Regulation of Letting, Rent and Eviction) Act 1972 U.P. Municipalities Act, U.P. Panchayat Raj Act, U.P. Consolidation of Holdings Act. U.P. Urban Planning and Development Act 1973, together with rules framed under the aforesaid Acts.

Answer to the question of Local Laws will be compulsory.

Questions pertaining to penal Laws will be of 50 marks, whereas, that of Revenue and Local Laws will be of 150 marks.

Clarification-The candidates will have a choice to answer Law papers either in Hindi or in English.

Paper No. 4: Interview

The Interview will be of 75 marks- The suitability of the candidate for employment in the U.P Higher Judicial Service will be tested with reference to his merit giving due regard to his ability, character, personality and physique.

Note:- The cut off marks in the written examination shall be 50 percent in respect of all categories and candidates securing the marks above the cut off marks shall only be called for the interview.

The interview shall be in a thorough and scientific manner and shall take anything between 25 and 30 minutes for each candidate.

The marks obtained in the interview will be added to the marks obtained in the written papers and the candidate's place will depend on the aggregate of both.

3. How to Apply

Candidates must apply on-line only from 10/07/2012 to 31/07/2012 till 23:59 hours and no other mode of application will be accepted.	
Pre-Requisites for Applying On-line	
	Before applying on-line, candidates should
(i)	Have a receipt no./journal no. after depositing requisite fee Rs.500/- in the State Bank of India at any Branch in India on prescribed challan which may be downloaded from the website and submit High Court's copy with the downloaded filled application form.
Filling in the On-line Application	
(i)	Online application process asks first for Id No of the candidate issued by Services Section of the High Court which is available at the Website of the Court. This step is optional and if provided, data is fetched in online application form which may be edited / modified, if required.
(ii)	Please note that all the particulars mentioned in the on-line application including Name of the Candidate, Date of birth, Address, etc. will be considered as final for the purpose of this examination and no modifications will be allowed after submitting the On-line Application. Candidates are hence requested to fill in the on-line application form with the utmost care as no correspondence regarding change of details will be entertained.
(iii)	Candidates should carefully fill in the details in the On-Line Application at the appropriate places very carefully and click on the "SUBMIT" button at the end of the On-Line Application format. Before pressing the "SUBMIT" button, candidates are advised to verify every particular filled in the application. The name of the candidate or his /her father/husband etc. should be spelt correctly in the application as it appears in the certificates/mark sheets. Any change/alteration found may disqualify the candidature.
(iv)	After submitting the application form, a Login Id and Password will be generated. Candidates should note their Login Id and Password for future reference.
(v)	No acknowledgement will be given for on-line application. However, a Login Id and Password will be generated. If a candidate does not get on-line generated Login Id and Password, he/she should go to 'Application Printout / Reprint' link to login and then click on 'Forgot Password' and provide the details as required he/she specified in the application form. If a new Password is generated, he/she should continue. Otherwise, he/she should consider applying again.
(vi)	Admit Card shall be downloaded by the candidates by using same user ID and Password allotted at the time of filling on-line application form, from the website http://www.allahabadhighcourt.in .

4. The candidates must apply online through the website www.allahabadhighcourt.in after submitting the online application, the candidates are required to take printout (hardcopy) of the finally submitted online application and submit the same with signature and copy of the challan of fee before District & Sessions Judge who will forward the same to Registrar (Selection & Appointment) High Court, Allahabad with Seal and signature.

5. **Closing date for submission** of downloaded hard copy of filled on-line application form duly filled up to the District and Sessions Judge /Head of the department concerned is **07.08.2012 by 4.30 p.m.** where after no application shall be received and entertained.

Note: Candidates must apply online from 10.07.2012 to 31.07.2012 till 23:59 Hrs.

6. The District and Sessions Judge /Head of the department concerned shall forward the application forms directly to the Registrar (Selection & Appointment), High Court of Judicature at Allahabad **along with their own assessment of each candidate's character and fitness for appointment to the service (as per Rule 21(3) of the U.P.H.J.S. Rules, 1975) and ensure that the forwarded forms must reach to the office of this Court by 14.08.2012.**
7. FEE: - The fee of Rs.500/- is to be deposited by the candidate through downloaded challan form in '**Power Jyothi**' Account No.**32250288277** of State Bank of India.
8. APPLICATION FORM:- Application form and other instructions are available on the official website of Allahabad High Court (**www.allahabadhighcourt.in**), which can be generated and downloaded and used for submitting the application form along with requisite examination fee.
9. There will be written test comprising of **three papers**. The First Paper shall be of Law-I (Substantive Law), Second Paper of Law-II (Procedure and Evidence) and third Paper of Law-III (Penal, Revenue and Local Laws) carrying 200 marks each. The candidates, who in the opinion of the Selection Committee qualify, after scrutiny of application and written test, shall have to appear for interview. The interview will be of 75 marks. For the syllabus and other details of the written examination, the Appendix-H (Under Rule 21 of the Uttar Pradesh Higher Judicial Service Rules, 1975) may be seen. The result of the successful candidates will be published and put on the website.
10. No book(s), note(s) or chit(s) shall be supplied or permitted to be used during the written test.
11. Candidates called for the written test or the interview will be required to present themselves at the place and time to be intimated to them, at their own expenses. They will have to make their own arrangement of stay.
12. The list of finally selected candidates, which will be double the number of vacancies notified, will be published and uploaded on the website.
13. No certificate need to be submitted in original. The Court will not take any responsibility for returning any of the certificates filed with the applications. In case the candidate is called for an interview he shall bring all the original certificates with him and produce them before the Selection Committee, if required.
14. Canvassing in any form or using unfair means during the examination shall be disqualification and his/her application/candidature shall be rejected.
15. A candidate, who is found to have knowingly furnished any particular, which is false, or to have suppressed any material information, will be liable to be disqualified/ dismissed.
16. No candidate shall be allowed to keep/carry mobile phone, i-pod etc. or any other electronic device during the examination.
17. **It will be the responsibility of the candidate to fill up form properly and complete in all respects, failing which the form shall be rejected and the High Court will not entertain any correspondence in this respect.**

Registrar
(Selection & Appointment)
High Court of Judicature at Allahabad