

# **HIGH COURT OF UTTARAKHAND, NAINITAL**

## **UTTARAKHAND HIGHER JUDICIAL SERVICE – 2021** **DIRECT RECRUITMENT (FROM BAR), EXAMINATION – 2021**

### **ADVERTISEMENT**

No. 239/XIII-b-2/UHC/Admin.A (Recruitment Cell)/Examination/HJS (DIR) 2021; Dated: 23 June, 2021.

1. Applications are invited from the eligible practicing Advocates for filling-up 02 (Two) vacant posts of **ADDITIONAL DISTRICT AND SESSIONS JUDGES**, by direct recruitment, in the Uttarakhand Higher Judicial Service, in the pay scale of ₹51,550-1,230-58,930-1,380-63,070, in accordance with the provisions of the Uttarakhand Higher Judicial Service Rules - 2004 (as amended).

2. **The existing vacancies category-wise** are as under: -

Category	Vacant posts	Reservation
General	02	01 General (Uttarakhand Female) 01 (General EWS)

3. **Note:-**

(i) The reservation for the post of Economically Weaker Section (EWS) and Women will be admissible, only for the bonafide residents of the State of Uttarakhand. For claiming reservation in EWS category, an applicant has to furnish the certificate, confirming his category, duly issued by the competent authority, authorized by the Government of Uttarakhand, as provisioned in G.O. No.123/XXX(2)/2019-30(1)/2019, issued on dated 29.04.2019.

(ii) Applicants are advised to claim reservation under EWS category only after ascertaining that they are covered under the EWS category in accordance with the Notification **No.29/XXXVI (3)/2019/03(1)/2019**, issued by the Government of Uttarakhand, on dated **05.02.2019**.

4. **Age of Applicant:**

Applicants to the direct recruitment must have attained the age of 35 years and must not have attained the age of 45 years, on the 1<sup>st</sup> day of January 2021. In other words, applicants should have been born on or after **02.01.1976** and not later than **01.01.1986**. Applicants claiming reservation in EWS category are not eligible for any relaxation in upper age limit.

5. **Eligibility/ Qualifications for the Applicants: -**

[A] No person shall be eligible for appointment to the post of Additional District & Sessions Judge in Uttarakhand Higher Judicial Service by direct recruitment from Bar, unless:-

- (i) He/ She is a Citizen of India.
- (ii) He/ She has practiced as an Advocate for not less than seven years **\*continuous standing** at bar, as on the first day of January 2021. (Certificate of competent authority is required.)
- (iii) Prosecuting Officer/ Assistant Prosecuting Officers are also treated to be an Advocate and are eligible as per the Judgment of Hon'ble Supreme Court in Civil Appeal No.561 of 2013; Deepak Agarwal Vs. Keshav Kaushik & Others.

**\* An advocate/ pleader should be in practice in the immediate past for 7 years and must be in practice while applying on the cut-off**

date mentioned in the advertisement and should be in practice as an advocate on the date of appointment i.e. the advocate has to be continuing in practice for not less than 7 years as on the cut-off date and at the time of appointment to the post. (Practice during different time periods alongwith breaks shall not be considered as fulfilling the eligibility condition as mentioned in sub-clause (ii) of clause 5. above.)

[B] The Character of the applicant must be such as to render him/her suitable in the opinion of the Hon'ble the Governor of Uttarakhand, in all respects for appointment to the service. The applicants must enclose a certificate of experience and Character from the District Judge of the respective District in which the applicant is practicing as an Advocate or in case, the applicant is practicing before Hon'ble the Supreme Court/ any Hon'ble High Court /, he must encloses the certificate of experience and character by the Registrar (competent authority) of the said court along with the application form. The certificate, in original, must disclose the entire experience claimed, clearly mentioning the duration of continuous practice (i.e. date, month & year). The certificate having a confusing period of standing or if original certificate issued by a competent authority is not submitted, such application forms will be summarily rejected. The period of standing as an Advocate shall be counted on continuous basis only.

[C] The applicant for recruitment to the Service must possess thorough knowledge of Hindi in Devnagari Script and English. The question papers shall be in English only, but the candidates will have a choice to answer either in Hindi or English.

[D] Any person dismissed from service by the Central or State Government or convicted by any court for an offence involving moral turpitude shall not be eligible for appointment.

[E] No applicant shall be eligible for recruitment, unless he/ she is in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of duties as a member of the service. The Selected candidates will have to undergo the prescribed Medical Tests and Character verifications, as applicable to Gazetted Government Servants of State of Uttarakhand.

**6. Examination Fees:-**

Examination Fees to be paid is ₹750/- for the post of Uttarakhand Female & for the E.W.S. category is ₹500/-. However, if any candidate belonging to Scheduled Caste, Scheduled Tribe and Other Backward Classes, desires to apply against the vacant General Category posts, (in case a bonafide domicile of the State of Uttarakhand & fulfilling the eligibility & conditions laid down in concerned G.O.s issued by Uttarakhand Government, for determining reservation for reserved category), he/ she shall pay a fees of ₹500/- . There is no reserved post for Scheduled Caste, Scheduled Tribe and OBC category, hence, the candidature of such applicant shall be treated as a General Category candidate, meaning **thereby, no relaxation of reserved category will be admissible to him/her, except the examination fees, payable to the High Court.** The aforementioned fees shall be payable in favour of '**Registrar General, High Court of Uttarakhand, Nainital**' by way of account payee Demand Draft of any Bank payable at Nainital. The applications without the prescribed fee would not be considered. Fee once paid shall not be refunded, in any case.

**7. Documents to be attached with the Application:-**

[A] Applications will be entertained only on prescribed form given at the end of this advertisement, which can also be downloaded from the official website of Hon'ble the High Court of Uttarakhand, Nainital [www.highcourtofuttarakhand.gov.in](http://www.highcourtofuttarakhand.gov.in).

[B] The account payee demand draft of requisite fees, as described in the aforementioned clause 6.

[C] The applicants are also required to enclose two self-addressed envelopes (size 25cm. X 11cm.) containing postage stamp of ₹25/- on each, along with the application form.

[D] Self-attested copies of certificates of academic qualifications / testimonials and the demand draft of requisite fee must be enclosed along with the application.

8. **Disqualifications:-**

**The candidature of any applicant/ candidate would liable to be cancelled at any stage of the recruitment process, if any of the following facts is found, at the level of scrutinizing the application form or thereafter:-**

[A] If he/she has more than one spouse living at a time;

[B] If already working in the service of Union Government or of the State Government, or any department working under a statute or act passed by the Government, as such;

[C] In case dismissed or removed from the service by any competent Court, Government, or any Authority;

[D] In case convicted of an offence involving moral turpitude or has been debarred permanently or disqualified by any Court or Public Service Commission or Selection Board, constituted under the statutory provisions by the Government.

[E] If found to be involved in any such case (Civil or criminal), which in the opinion of the Appointing Authority, is not suitable to discharge the functions as a Judicial officer;

[F] If found guilty of professional misconduct under the provisions of the Advocates Act, 1961 or any other law for the time being in force;

[G] If he or she does not fulfill any of the provisions of Uttarakhand Higher Judicial Service Rules, 2004 (amended) regulating the procedure of selection & appointment of Judicial Officers (H.J.S.) through direct recruitment, including the rules, regulations and orders generally applicable to the Government servants serving in connection with the affairs of the Uttarakhand State.

[H] In case of impersonation by or for the candidate;

[I] In case of submitting any forged or fabricated document in support of his or her candidature;

[J] If any material information is concealed or any false information is provided, at any stage of selection or appointment;

[K] If an attempt is made for improper or illegal means to seek permission to appear in examination or in the conducting of exam;

[L] If any attempt is made to harass or passing threat or causing physical injury, or doing misbehavior or passing abuse/ insult to any officer or employees of the Court or other staff on duty at any stage of the examination;

[M] If he/ she disobeys any directions, issued by the Invigilator or Observer or any other staff on duty, during the entire session of examination;

[N] If he/she uses or attempts to use unfair means or brings any item, which is not allowed generally in the examination centre or rooms/ hall or causes harm to any belongings of the said centre or rooms/ hall or talks with any other candidate or any person or disturbs the fellow candidates in any manner, during the complete session of examination;

[O] Mobile phones, laptops, tablets or any electronic & communication devices including calculators or programmable devices are completely banned and will not be allowed inside the main entry of the examination centre.

[P] Canvassing in any form, at any stage of selection & appointment, will be a disqualification.

Any violation of these instructions shall entail legitimate action including cancellation of candidature and expulsion from examination, including a ban from future examination of the Court.

**Note:-**

- (i) Candidates are advised to take due care in furnishing each & every particulars, and cautioned that they should not furnish any particulars that are false or misleading or suppress any material information while filling up the application form.
- (ii) Candidates are advised not to bring any valuables to the examination centre, as there may be no arrangement for providing safe custody for the same. The High Court or the employees on duty at the examination centre will not be responsible for any loss in this regard. Further, no such grievances shall be entertained by the Invigilator or Officer or staff of the Court on duty there.
- (iii) **The admission of candidate at any stage of examination is purely provisional, subject to the satisfaction of the prescribed eligibility conditions & conditions for disqualification. At any stage, if it is found that any infringement of any kind, pertaining to the aforementioned conditions has been made by the candidate, his /her candidature will be rejected outrightly, without assigning any reason.**

9. The last date for submission of duly completed application form before the office of “Registrar General, High Court of Uttarakhand, Nainital” is **19.07.2021 by 5.00 P.M.** The envelope containing the Application Form must clearly mention on its top **“Application for the Examination H.J.S. (DIR) - 2021”**. The High Court will not be responsible for any delay whatsoever, in timely receiving of application complete in all aspects. Application received after the last date shall not be entertained. The list of candidates eligible to appear in the preliminary examination shall be uploaded on the High Court website on or before 20.08.2021.

10. **Selection/ Recruitment Process:-**

The examination for H.J.S. (Direct recruitment) shall be conducted in three parts: -

- (i) (a) Preliminary examination,  
(b) Main examination,  
(c) Viva-voce.
- (ii) The Preliminary examination shall be based on objective type multi choice questions (100 questions) (on OMR sheet) of the duration of 90 minutes to test the overall knowledge of the candidates with respect to the followings : -
  - (a) English Language
  - (b) General Knowledge
  - (c) Current Affairs
  - (d) History and Geography
  - (e) Science and Technology
  - (f) Sports
  - (g) Law and the Constitution of India
- (iii) The Syllabus for Main examination is given at the bottom of this notification.
- (iv) The basic knowledge of computer operation mentioned in Part I of Paper I of Main examination shall be qualifying in nature that the candidate should be able to operate Microsoft Windows Operating System & MS Office.
- (v) Date and venue of preliminary examination will be communicated to the applicants in due course, subject to the prevailing conditions of

Covid-19 pandemic. Candidates are required to continuously visit the website of the High Court of Uttarakhand for further information.

- (vi) The result of Preliminary Examination shall be uploaded on the website of the High Court. The candidates, successful in Preliminary examination shall be called for Main written examination with the same Admit Card, which was issued for Preliminary examination.
- (vii) The result of Main written examination shall also be uploaded on the website of the High Court.
- (viii) Candidates who will secure minimum 50% or more marks, in preliminary examination, shall only be called to appear in the Main Written Examination provided, candidates not more than 15 times of number of vacancies category-wise (for both the categories) shall be admitted to the Main Written Examination.
- (ix) The candidates, who will secure minimum 40% marks in each paper and minimum 50% marks in aggregate in the Main written examination, shall only be eligible to be called for the Viva-Voce.
- (x) The candidates must have to bring all the original documents as claimed by them, at the time of Viva-voce.

**11. Check List:**

- i. **Application form must be filled completely in all respect. Incomplete application (inclusive of the desired enclosures) will liable to be rejected summarily.**
- ii. **Further, a copy of 'Self – attested' document pertaining to each and every educational qualification, as claimed by a candidate in the appropriate column(s) of the said form should be attached.**
- iii. **The candidates have to produce the original copies of all the documents pertaining to the educational qualifications or any professional degree/ diploma/ course at the time of Viva-voce.**
- iv. **Besides the above, following documents should be attached, alongwith the application form:-**
  - ❑ Application Form (in original), duly filled up, signed & dated.
  - ❑ Matriculation / 10<sup>th</sup> Standard or equivalent certificate indicating date of birth, and mark sheet issued by Central / State Board indicating Date of Birth in support of their claim of age and 12<sup>th</sup> standard or equivalent examination certificate (Self attested copy be attached)
  - ❑ Copies of Degree / Diploma certificate along with marks statements pertaining to all the academic years as proof of educational qualification claimed. In the absence of Degree / Diploma certificate, provisional certificate along with mark sheets pertaining to all the academic years will be accepted. (Self attested copy be attached)
  - ❑ Certificate of registration in Bar Council. (Self attested copy be attached)

- ❑ Copy of experience as an Advocate from the District & Sessions Judge of the district or Registrar General / Registrar (competent authority) of the High Courts or Secretary General of Hon'ble the Supreme Court as the case may be, for the entire experience claimed, clearly mentioning the duration of practice (date, month, and year). (Original copy be attached)
- ❑ Caste certificate of candidate seeking relaxation in fees, issued by the competent authority indicating clearly the candidate's Caste, village/town, the place of which candidate is ordinarily a resident of. (Bonafide resident of State of Uttarakhand) (Self attested copy be attached)
- ❑ Certificate of 'Economically Weaker Section', from the candidates seeking reservation in the said category, issued by the competent authority notified by the State Government. (Bonafide resident of State of Uttarakhand) (Self attested copy be attached)
- ❑ Certificate of character from the District & Sessions Judge of the district or Register General / Registrar (Competent Authority) of the High Courts or Secretary General of Hon'ble the Supreme Court as the case may be. (Original copy be attached)
- ❑ Valid photo identity card i.e. ADHAAR Card / Voter I.D. Card / Driving License / Passport. (Self attested copy be attached)
- ❑ Examination Fee in the form of Account Payee demand draft. (in original)
- ❑ Two self-addressed envelopes (size 25 cm. X 11 cm.) containing postage stamp of 25/- on each.

**HIGH COURT OF UTTARAKHAND, NAINITAL**  
**UTTARAKHAND HIGHER JUDICIAL SERVICE EXAMINATION – 2021**  
**(DIRECT RECRUITMENT (FROM BAR))**

Roll No.....  
(To be filled in, by the office)

Affix Passport size  
recent photograph of  
the applicant  
(Also to be signed  
by the applicant)

**APPLICATION FORM**

- Note:** (1) The application should be filled in the applicant's own handwriting in English.
- (2) Applicant must affix passport size photograph on:  
(i) the application form; (ii) the Admit Card

1. Name of the applicant in Full (in Block letters)

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2. (i) Place of Birth

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(ii) Permanent Address,  
including PIN

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(ii) Present Address for  
Correspondence,  
including PIN

.....

.....

.....

(iii) Telephone No.  
including Mobile No. &  
E-mail address (if any)

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3. Date of Birth  
(in Christian era)

4. Are you a Citizen of India?

5. Do you claim reservation?  
(only for Uttarakhand Female & EWS Category (both General)  
(if Yes, mention category and enclose relevant certificate(s))

6. (a) Are you married ?  
(b) If married, state whether you have more  
than one spouse living/you are married to  
a person having already a spouse living.

7. Father’s / Husband’s name and  
Place of his domicile.

8. Give particulars of all examinations passed (commencing with the matriculation or equivalent examination)

Examination or Degree	Percentage of marks obtained	Division	Year	Subjects	Name of Board / University

9. Place where you are practicing as an Advocate & since when (Please mention entire experience claimed, clearly mentioning the duration of practice:- (Date, month, year)

10. No. and the Year of Enrollment and Name of the Bar Council:-  
(Enclose the certificate or its copy)

11. Knowledge of Languages other than English & Hindi (if any):-

- |       |           |     |     |     |
|-------|-----------|-----|-----|-----|
| (i)   | Can speak | (1) | (2) | (3) |
| (ii)  | Can read  | (1) | (2) | (3) |
| (iii) | Can write | (1) | (2) | (3) |



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<b>No:</b>	<b>Date:</b>
<b>Amount:</b>	<b>Bank:</b>

[illegible]

**SIGNATURE OF CANDIDATE**

.....

**HIGH COURT OF UTTARAKHAND, NAINITAL**  
**HIGHER JUDICIAL SERVICE EXAMINATION – 2021**  
**(DIRECT RECRUITMENT (FROM BAR))**

**ADMIT CARD**



**ROLL NO.:-**  
**(To be filled by the office)**

**NAME:-**  
**(To be filled by Applicant)**

**ADDRESS:-**  
**(To be filled by Applicant)**

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**SIGNATURE OF CANDIDATE**

**SIGNATURE OF ISSUING AUTHORITY**

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## **SYLLABUS FOR MAIN EXAMINATION**

### **Paper No.1**

**(100 Marks)**

[A] It will be divided into two parts: -

#### **Part- I**

**(50 Marks)**

Current Affairs, Indian Legal History, Legal Maxims, Medical Jurisprudence, Basic knowledge of Computer Operation, Legal Phraseology.

#### **Part-II (Language)**

**(50 Marks)**

- (a) Essay in English
- (b) Precis writing in English
- (c) Translation of Hindi to English and English to Hindi specially containing the legal phrases.

### **Paper No. 2**

**(100 Marks)**

[B] The questions will be restricted to the field concerning:-

- (1) Civil Law 40 Marks.
- (2) Criminal Law 40 Marks.
- (3) Constitutional Law 20 Marks.

[C]

### **Paper No. 3**

**(100 Marks)**

- (1) Indian Evidence Act, 1872 30 Marks.
- (2) Code of Civil Procedure, 1908 30 Marks.
- (3) Code of Criminal Procedure, 1973 30 Marks.
- (4) Legal Drafting i.e. framing of Charges, issues and Judgment writing, etc. 10 Marks.

Each paper will be of 2 hours duration.

[D]

### **Viva-Voce**

**(100 Marks)**

Sd/-  
(Dhananjay Chaturvedi)  
Registrar General  
High Court of Uttarakhand  
Nainital.

Copy forwarded for information and necessary action to:

1. Secretary General, Hon'ble Supreme Court of India, New Delhi.
2. All the Registrar Generals of Hon'ble the High Court of their respective judicature, with a request to circulate it, among the members of the Bar.
3. Principal Secretary Law-cum-L.R., Government of Uttarakhand, Dehradun.
4. All the Ld. District & Sessions Judges of Uttarakhand, with a request, for circulating it among the members of Bar and to paste a copy of it on Notice Board of the Court.
5. All the State Tribunals, with a request for circulation among the members of Bar and to paste a copy of it on the Notice Board of their respective Tribunals.
6. The President / Secretary, High Court Bar Association, Nainital, with a request, for circulating it among the members of the Bar.
7. A.R. (I.T.) High Court of Uttarakhand with a request to upload it on the website of the High Court of Uttarakhand, immediately.
8. Notice Board of the High Court of Uttarakhand, Nainital.
9. Guard File / Assistant concerned.

Sd/-  
**Registrar (Inspection)**