

GOVERNMENT OF HARYANA

RULES

RELATING TO THE APPOINTMENT

OF

**CIVIL JUDGES (JUNIOR DIVISION) IN
HARYANA**

(as amended upto 30.6.2005)

HOME GAZETTE
The 26th October, 1951

No. 3010-G-51/1-6094.- In supersession of the rules published with Punjab Government notification No. 24019, dated the 16th October, 1923, as subsequently amended and in exercise of the powers conferred by Article 234 read with the proviso to Article 309 of the Constitution of India, the following rules are made after consultation with the State Public Service Commission and the High Court of Punjab providing for the appointment of persons, as Civil Judges (Junior Division) in the Punjab Civil Service (Judicial Branch) and regulating the recruitment and the conditions of service of persons appointed thereto:"

PART A-QUALIFICATIONS

1. Only such persons shall be eligible for appointment to the post of a Civil Judge (Junior Division) who are citizens of India as defined in the Constitution of India or under any law made by Parliament to regulate the right of citizenship.

1A. ¹[Any reference in these rules to "a Civil Judge (Junior Division)" shall unless the context otherwise requires, be construed as a reference to "a member of the [Haryana] Civil Service (Judicial Branch)" or to "the² [Haryana] Civil Service (Judicial Branch)" as the context may require)³.

2. ⁴(1) No person who is more than (40) years of age or such age as may, from time to time, be fixed by the Government for entry into Government service or less than (21)⁵ years of age on the last date fixed for the submission of the application form to the Haryana Public Service Commission shall be eligible to submit his

¹ Substituted vide Haryana Government, General Administration (General Services) Notification No GSR 36/Const./Arts 234 and 309/Amd.(I)/97, dated 27.05.1997.

² Substituted for the word "Punjab" vide Haryana Government, General Administration (General Services) Notification No. GSR.64/Const/Arts.234 and 309/Amd.71, dated the 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, Part III of the 15th June, 1971.

³ Substituted vide Haryana Government, General Administration (General Services) Notification No GSR 6/Const/Arts 234 and 309/2003, dated 17.04.2003

⁴ Substituted vide Haryana Government, General Administration (General Services) Notification No. GSR. 125/Const/Arts. 234 and 309/Amd.82, dated the 3rd, November, 1982 published in Haryana Government Gazette (Extra) of the 3rd November, 1982.

⁵ Substituted vide Haryana Government, General Administration (General Services) Notification No GSR 25/Const./Arts 234 and 309/2003, dated 29.10.2003.

application form to the Commission for the competitive examination for the Haryana civil Service (Judicial Branch).

Provided that the above maximum age for a candidate belonging to Schedule Caste, Scheduled Tribe and Backward Class shall be³ (45) years or such age as may, from time to time, be fixed by the Government for entry into Government Service:

Provided further that an ex-serviceman shall be entitled to deduct from his age such period as may, from time to time be allowed by the State Government for entry into Government service to such candidates subject to maximum of 5 years.

3. ¹[No person shall be eligible to be appointed a Civil Judge (Junior Division) unless he holds a degree of Bachelor of Laws from a University established by law and approved/recognised by the Bar Council of India.]

4. No person shall be appointed to be a Civil Judge (Junior Division) who cannot give satisfactory evidence of—
(a) good moral character and conduct;
(b) medical fitness.

5. No person who has more than one wife living shall be eligible for appointment as a Civil Judge (Junior Division):

Provided that the State Government may, if satisfied that there are special grounds for doing so, exempt any person from the operation of this rule.

6. Notwithstanding anything to the contrary contained in these rules-

(a) The State Government may, after consultation with the ²[Haryana Public Service Commission] and the High Court, appoint any Assistant Commissioner, Extra Assistant Commissioner, Cantonment Magistrate, Tehsildar or Naib-Tehsildar to be a Sub Judge by virtue of his office although he does not possess any of the qualifications laid down hereinbefore.

¹ Substituted vide Haryana Government, General Administration (General Services) Notification No. GSR. 16/Const./Art.234 and 309/2003, dated 18th July, 2003.

² Substituted for the word "Punjab Public Service Commission" vide Haryana Government, General Administration (General Services) Notification No. GSR.64/Const/Arts.234 and 309/Amd.71, dated the 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, Part III of the 15th June, 1971.

- (b) The State Government may, after consultation with the ¹[Haryana Public Service Commission] and the High Court, appoint any person as a ³Civil Judge (Junior Division), who held the post of a Sub-Judge or any other similar post in an Indian State ²[before the 1st November, ,1956]

Explanation : The appointment under clause (b) above, may be ordered to take effect from the date of the said merger. The seniority of such appointment shall be determined by the High Court, having regard to his qualification, length of service and age.

7. (1) Notwithstanding anything contained in these rules the Governor may, in consultation with the High Court, appoint to the ¹[Haryana] Civil Service (Judicial Branch) any person who is a member of the ¹[Civil] Service (Executive Branch) and who before the first day of May, 1964 has opted or opts for appointment in the ¹[Haryana] Civil Service (Judicial Branch).

(2) A person appointed under Sub-rule (1) shall become a temporary member of the ¹[Haryana] Civil Services (Judicial Branch) and shall be so treated unless and until he is absorbed permanently in that service or is reverted to the ³[Haryana] Civil Services (Executive Branch).

(3) If during one year of the appointment of such a person the High Court recommends that he be reverted to the [Haryana] Civil Service (Executive Branch), the Governor shall, as soon as may be practicable, revert him to the ³[Haryana] Civil Service (Executive Branch).

(4) During the period of one year, referred TO in sub-rule (3), a person so appointed may withdraw his option for appointment to the '[Haryana] Civil Service (Judicial Branch) and thereupon lie shall, as soon as may be practicable, be reversioned to the, ¹[Haryana] Civil Service (Judicial Branch).

(5) Where a person so appointed was a permanent member of the [Haryana] Civil Service (Executive Branch) before his appointment to the [Haryana] Civil Service (Judicial Branch) and

¹ Substituted for the word "Punjab Public Service Commission" vide Haryana Government. General Administration (General Services) Notification No. GSR.64/Const/Arts.234 and 309/Amd.71, dated the 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, Part III of the 15th June, 1971

² Substituted for the words "before its merger with the Punjab" vide Notification ibid.

³ Substituted vide Haryana Government notification No. GSR 36/Court/Art.-234 and 309/Amd. (1), 97 dated 27.5.1997.

the High Court has neither recommended his reversion under sub-rule (3) nor has he withdrawn his option under sub-rule (4), he shall, on the expiry of one year from his appointment under sub-rule (1), be deemed to have become a permanent member of [Haryana] Civil Service (Judicial Branch) and shall cease to be a member of the ¹[Haryana] Civil Service (Judicial Branch):

Provided that where a person so appointed, was on probation in the ¹[Haryana] Civil Service (Executive Branch) before his appointment to the ¹[Haryana] Civil Service (Judicial Branch) he may, subject to the provisions of sub-rules (3) and (4), be confirmed in the ¹[Haryana] Civil Service (Judicial Branch) on the expiry of the period of probation if a permanent vacancy is available and shall thereon become a permanent member of that Service.

¹[7-A. (1) Notwithstanding anything contained in these rules the State Government may, in consultation with the High Court, appoint a member of the Haryana Civil Service who is law graduate, to be a temporary member of the Haryana Civil Service (Judicial Branch) for such period as the High Court may desire and he shall at the expiry of the said period or earlier, if so required by the High Court, revert to the Haryana Civil Service (Executive Branch) and the Government shall re-absorb him on the Executive side within a period of three months from the date on which it is informed of the decision.

(2) Any officer selected under the provision of sub-rule (1) may be permanently absorbed in Haryana Civil Service (Judicial Branch) from such date as the High Court may determine;

Provided that the number of such officers shall not exceed 20 per cent of the number of directly recruited officers.

8. A member of the [Haryana] Civil Service (Judicial Branch) may be required to work as a Subordinate Judge or a Judicial Magistrate or both.

9. (1) For the purpose of this rule:-

(a) "parent service" means:-

(i) in relation to a person appointed to the ²[Haryana] Civil Service (Judicial Branch) under rule 7 of this

¹ Rule 7-A added vide Haryana Substituted vide Haryana Government, Home Department General Services Notification No. GSR.73/Const/Arts.234 and 309/Amd(3)68, dated the 4th September, 1968, published in Haryana Government Gazette (Extra ordinate) 9th September, 1968.

² Substituted for the word "Punjab" vide Haryana Government, General Administration (General Services) Notification No. GSR.64/Const/Arts. 234 and 309/Amd. 71, dated the 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, Part III of the 15th June, 1971.

part, the [Haryana] Civil Service (Judicial Branch);
and

- (ii) in relation to any other member of ²[Haryana] Civil Service (Judicial Branch) the ²[Haryana] Civil Service (Judicial Branch);
- (b) "years of allotment in relation to any person appointed under rule 7 of this part or other members of the [Haryana] Civil Service (Judicial Branch) means the calender year with reference to which such person or member takes his seniority in his parent service irrespective of the date of his admittance to the parent service.

(2) The seniority of persons appointed under rule 7 of this part Jointly with the other member of the ²[Haryana] Civil Service (Judicial Branch) shall be determined by the Government in consultation with the High Court, in accordance with the following principles namely:-

- (a) the *inter se* seniority of the persons so appointed and the other members of the ²[Haryana] Civil Service (Judicial Branch)
- (b) the Joint seniority shall be worked out according to the years of allotment in an ascending order:
- (c) the persons so appointed belonging to one year of allotment shall be interpolated with the other members of the ²[Haryana] Civil Service (Judicial Branch) belonging to the same year of allotment according to their date of admittance or assumed date of admittance .as the case may be, to their parent service in that year:

Provided that --

- (i) if the date of admittance of such person or member to the parent service does not fall in the year of allotment or is earlier than the date of admittance of any person or member senior to him in the parent service in the year of allotment and assumed date of admittance shall be assigned to such person or member within the year of allotment for purposes of determining his joint seniority;
- (ii) Such assumed date-
 - (a) in the case of the senior-most person or member in the parent service in the year of allotment, shall be the date of admittance of the person or member, as the case may be, junior to him in the parent service whose date of admittance falls in that year;

- (b) in the case of person or member whose date of admittance in the parent service falls in any year earlier than the year of allotment, shall be the date of admittance of the person or member next senior to him in the parent service whose date of admittance falls in the year of allotment;
- (c) in the case of a person or member whose date of admittance in the parent service falls in any year later than the year of allotment, shall be the date of admittance of the person or member next junior to him in the parent service whose date of admittance falls in the year of allotment:

Provided that if such person or member has no such junior to him, the assumed date shall be date of admittance of the person or member next senior to him and, where such person or member has to be assigned an assumed date under the forgoing provisions, shall be such assumed date:

- (d) in the case of person or member whose date of admittance falls in the year of allotment, but is earlier than the date of admittance of a person or member, as the case may be, who is senior to him in the parent service, shall be the date of admittance of the person or member senior to him and, where senior person or member has to be assigned an assumed date under the foregoing provisions, shall be such assumed date; and
- (e) where in any year of allotment the date or assumed date, as the case may be, of admittance to the parent service of person so appointed and of the other members of the ¹[Haryana] Civil Service (Judicial Branch) is the same, the older shall rank senior to the younger in age in the joint seniority,

(3) Where it may not be-practicable to determine the joint seniority of any person or member in accordance with the foregoing provisions of the rule or where the application of such provision is likely to cause under hardship or result in any inequity or injustice, the Government, in consultation with the High Court, may determine the joint seniority of such person or member on the adhoc basis.

(4) Any person aggrieved with his position in the joint seniority list may, within a period of sixty days from the date of publication of such list in the official Gazette, submit a

¹ Substituted for the word "Punjab" vide Haryana Government, General Administration (General Services) Notification No. GSR.64/Const/Arts.234 and 309/Amd.71, dated the 11th June; 1971, published in 'Haryana Government Gazette, Legislative Supplement, Part III of the 15th June, 1971.

representation to Government through the High court who shall pass such orders thereon as may be deemed to be just and proper.

¹["PART-B SUBMISSION OF ROLLS"]

1. Qualifications for persons to be appointed Subordinate Judges are contained in Part A.

²(2.) In pursuance of the advertisement issue by the ⁴Haryana Public Service Commission, candidates will submit their applications to the Commission in the forms prescribed by it along with necessary information and documents as may be required,

3. ⁵[Deleted]

4. ⁵[Deleted]

5. ⁵[Deleted]

6. ⁵[Deleted]

PART C -EXAMINATION OF CANDIDATES

The following rules and instructions, which are liable to alteration from year to year, are prescribed for the examination of candidates for admission to the Judicial Branch of the ³[Haryana] Civil Service:-

1. 'An examination will be held at such place the ⁴[Haryana] Public Service Commission may determine, commencing on such date as may from time to time be notified in the Gazette.

1 Substituted vide Haryana Government, General Administration (General Services) Notified, ion No. GSR. 125/Const/Arts.234 and 309/Amd.82, dated the 3rd, November, 1982 published in Haryana Government Gazette (Extra) of the 3rd November, 1982.

2 Substituted vide Haryana Government, General Administration (General Services) Notification No. GSR. 59/Const/Aris.234 and 309/Amd(l),85, dated the ,9th July, 1985, published in Haryana Government Gazette (Extra) of the 9th July, 1985.

3 Substituted for the word (Punjab) by the Haryana Adoption of Laws (State and Concurrent Subjects) October, 1968.

4 Substituted for the word "Punjab" vide Haryana Government, General Administration (General Services) Notification No. GSR.64/Const/Arts.234 and 309/Amd.71, dated the 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, Part III of the 15th June, 1971.

5 Rule 3 to 6 Part B omitted vide notification No. GSR 35/Const./Arts 234 and 309/Amd(i)94, dated04.05.1994

2. A fee of ¹[seventy rupees] shall be paid by every candidate, other than a member of a Scheduled Caste, before admission to the examination. Each Scheduled Caste candidate shall pay a fee of seventeen rupees and fifty paise], A like fee shall be paid on each occasion on which a candidate is admitted to the examination. The fee shall be paid into any Government Treasury.

3. (i) Every candidate whose roll is forwarded to the ²[Haryana] Public Service Commission shall send the treasury receipt for the admission fee to the Commission.

(ii) If the treasury receipt reaches the Commission on or before such date, as may be prescribed by Commission in this behalf, the Commission shall issue an admission certificate to the candidate concerned.

(iii) The candidate shall produce the admission certificate on the first day of the examination and before first paper is given out. The officer superintending the examination shall retain the admission certificate.

4. ³[The examination papers shall be set and marks awarded by the examiners who will be appointed by the Haryana Public Service Commission. There shall also be a test in viva voce which will be conducted by the Haryana Public Service Commission. ⁴(The representative of the High Court shall be one of the members of the Selection Committee and the opinion given by him with regard to the suitability of the candidate shall not be disregarded unless there are strong and cogent reasons for not accepting me opinion, which reasons must be recorded in writing.)

5. The Judges of the High Court may, from time to time, declare what the subject of the examination shall be.

6. The object of the examination is to test the practical ability of the candidates other than the range of their theoretical

1 Substituted for the words "sixty rupees" and "fifteen rupees" vide Haryana Government, General Administration (General Services) Notification No, GSR 118/Const./Arts.234 and 309/Adm(I)/75, dated the 26th September, 1975, published, in Haryana Government Gazette, Legislative Supplement, Part, III of 30th September, 1975.

2 Substituted for the word "Punjab" vide Haryana Government, General Administration (General Services) Notification No. GSR.64/Const/Arts.234 and 309/Amd.71, dated the 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, Part III of the 15th June, 1971.

3 Substituted for the words "sixty rupees" and "fifteen rupees" vide Haryana Government, General Administration (General Services) Notification No. GSR 75/Const./Arts.234 and 309/Adm (1)/74, dated the 5th June, 1974 published in Haryana Government Gazette, Legislative Supplement, Part, III of 11th June, 1974.

4 Inserted vide notification No. GSR 35/Const.Arts. 234 and 309/Amd. (1)94, dated 04.05.1994 and shall be deemed to have been added w.e.f. 24.8.1993.

knowledge. For this purpose, the kind of questions that will be asked will be to give the facts of a typical case and ask the candidate to frame issues, to write a judgement, and to discuss the admissibility of evidence.

7. ⁴[(1) No candidate shall be credited with any marks in any paper unless he obtains at least thirty three per cent marks in it.

(2) No candidate shall be called for the Viva-voce test unless he obtains at least fifty per cent qualifying marks in the aggregate of all the written papers and thirty-three per cent marks in the language paper, Hindi (in Devnagri script)

Provided that the number of candidates to be called for viva-voce in order of the marks, obtained in the written examination shall not exceed three times the number of vacancies", advertised. However, if the last candidate to be called for interview is bracketed with the candidates exceeding three times by obtaining equal marks than all the bracketed candidates shall be called for interview, in spite of the fact that the number of candidates to be called for interview exceeds three times.

Illustration: Suppose 10 vacancies have been advertised, if 8 candidates say serial number 24 to 31 are bracketed than candidates upto Sr.No, 31 will be called for interview.]

8. ¹[(1) No candidates shall be considered to have qualified in the examination unless he obtains atleast 50% marks in the aggregate of all papers including viva-voce test.

(2) The merit of the qualified candidates shall be determined by the Haryana Public Service Commission strictly according to the aggregate marks obtained in the written papers and viva-voce:

Provided that in the case of two or more candidates obtaining equal marks, the candidates older in age shall be placed higher in the order of merit.]

9. ²[The syllabus, unless it is altered or amended, together with the maximum marks for each paper, is given in the following Schedule:-

SCHEDULE

Serial No.	Paper	Description of subjects	Maximum marks
------------	-------	-------------------------	---------------

¹ Substituted vide Haryana Government, General Administration (General Services) Notification No, GSR 75/Const./Arts.234 and 309/Adm(I)/74, dated the 5th June. 1974 published in Haryana Government Gazette, Legislative Supplement, Part, III of 11th June, 1974.

² Substituted vide Haryana Government, General Administration (General Services) GSR 6/Const/Arts 234 and 309/2003, dated 17.04.2003.

1.	I-Civil Law	Code of Civil Procedure, Punjab Courts Act, Indian Contract Act, Indian Sales of Goods Act, Indian Partnership Act, Specific Relief Act and Indian Evidence Act.	200
2.	II-Civil Law	Hindu Law, Mohammedan Law and Customary Law, Law of Registration and Limitation	200
3.	III-Criminal Law	Indian Penal Code, Code of Criminal Procedure and Indian Evidence Act.	200
4.	IV-English Composition	A choice of three essays of general subjects	200
5.	V-Language	Hindi (in Devnagri script). No books prescribed	100
6.	VI-Viva-voce	To judge the personal qualities of the candidate	200
Total			1,100

Notes :-

1. The Viva-voce test will be relating to the matters of general interest and is intended to test the candidate's alertness, intelligence and general outlook. Consideration will also be paid to the bearing of the candidate. It will be conducted in English.
2. Bare copies of the legislative enactments only will be supplied.
3. Each written paper will be of the duration of three hours.
4. The standard of the language paper shall be that of Matriculation Examination of the Board of School Education, Haryana. It shall comprise of the following;
 - (a) Translation of an English passage into Hindi 20 marks
 - (b) Explanation of Hindi passage in prose and poetry in the same language 30 marks
 - (c) Composition (essay, idioms and corrections, etc.) 50 marks

Total 100 Marks

10. (i) The result of the examination will be published in 1(Haryana) Government Gazette.

(ii) Candidates will be selected for appointment strictly in the order in which they have been placed by the ¹(Haryana) Public Service Commissioner in the list of those who have qualified under rule 8:

Provided that in the case of candidates belonging to the Scheduled Castes/ Tribes and other Backward Classes, Government will have a right to select in order of merit a candidate who has merely qualified under rule 8, irrespective of the position obtained by him in the examination:

Provided further that the selection of candidates belonging to the Scheduled Castes/ Tribes and other Backward Classes in the order of merit inter se shall be made against the vacancies reserved for them and in the manner prescribed by Government from time to time.

11. After the examination each selected candidate shall produce a certificate of medical fitness for the Government Service from such standing Medical Board as may be arranged by the Director of Health Services ¹(Haryana). The date on which candidate should present themselves before the Board for examination will be communicated to them. If the Standing Medical Board reports that any such person is suffering from physical defect which renders him unfit for the service, the Governor of ¹(Haryana) shall decide in consultation with the High Court, whether the name of such person may nevertheless be entered in the register of accepted candidates- or whether he should be required to appear again at a future date before the standing Medical Board, or whether his name shall not be entered in the register of candidates.

The standard of Medical fitness required of the candidates is given in Appendix "C" to these rules.

PART D" APPOINTMENT

1. ³[The names of candidates selected by Government for appointment as Civil Judges (Junior Division), under rules 10 and 11 of the Part C shall be entered in the High Court Register in the

¹ Submitted for the word "Punjab" Vide Haryana Government, General Administration, (General Services) Notification No- GSR/64/Const./Arts. 234 and 309/Amd 71, dated 71, dated the 11th June 1971 published in Haryana Government Gazette, Legislative supplement. Part III of the 15 the June, 1971.

² Deleted vide Haryana Government, General Administration (General Services) Notification No. GSR 125/Const./Arts. 234 and 309/Amd. (1) 82, dated the 3rd November, 1982, published in Haryana Government Gazette (Extra) of the 3rd November, 1982

³ Substituted vide notification No. GSR 6/Const./Arts.234 and 309/2003, dated 17.04.2003

order of selection to the extent of 30% more than the advertised vacancies, so as to meet any contingency for the advertised post remaining unfilled for any reason.]

²(2) Deleted

²(3) Deleted

4. The Government may, on a motion from the Judges, for any reason which may seem fit to them remove from the High Court Register the name of any candidate borne *on* it.

5. Every candidate shall, within a period of *two* years from the date of his selection, pass by the Higher Standard the Departmental Examination prescribed in Part 'E' irrespective of the fact whether he has been appointed as a ⁵[Civil Judges (Junior Division)] in the mean time. In case he fails to pass the said examination within the said period of two years, his name shall be removed from the register of candidates and if he has been appointed as ⁵[Civil Judges (Junior Division)], he shall be removed from service:

Provided that that Governor of ¹(Haryana) may, on the recommendation of the High Court, exempt any candidate or ⁵[Civil Judges (Junior Division)], from passing the whole or any portion of the Departmental Examination or may extend the period within which a candidate or a Subordinate Judge shall pass the said examination.

6. ⁴[Every Civil Judge (Junior Division) shall undergo training for a minimum period of one year.]

7-(1) Whenever it shall appear to the Judges that a vacancy or vacancies in the cadre of the Judicial Branch of the ²(Haryana) Civil Service, whether permanent, temporary or officiating, should be filled, they will make a selection from the High Court Register in the order in which the names have been entered in the register under rule 1 of this Part. The name or names of the selected candidate or candidates will be forwarded to Government for a appointment as ⁵[Civil Judges (Junior Division)] under Article 234 of the Constitution of India, 'Every Subordinate Judge shall, in the first instance, be appointed on probation for two years but this period may be extended from time to time expressly or impliedly so that

1 Substituted for the word "Punjab" by the Haryana Adaptation of Laws (State and concurrent Subjects) Order, 1968.

2 Substituted for the word " Punjab" vide Haryana Government, General Administration (General Services) Notification No. GSR 64/Const./Arts,234 and 309/Amd.71, dated 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, Part III of the 15th June, 1971.

the total period of probation, including extension, if any, does not exceed three years.

Explanation- The period of probation shall be deemed to have been extended impliedly if a ⁵[Civil Judges (Junior Division)] is not confirmed on the expiry of his period of probation.

(2) The Governor of ²(Haryana) may, on the recommendation of the High Court, remove from Service, without assigning any cause, any ⁵[Civil Judges (Junior Division)], or revert him to his substantive post, if any, during the period of probation.

(3) On the completion of the period of probation of any member of the Service the Governor of ¹(Haryana) may, on the recommendation of the High Court, confirm him in his appointment, if he is working against a permanent vacancy or if his work or conduct is reported by the High Court to be unsatisfactory, dispense with his services or revert him to his former substantive post, if any, or extend his period of probation and thereafter pass such orders as he could have passed on the expiry of the first period of probation.

Provided that the completion of the maximum period of three years' probation would not confer on him the right to be confirmed till there is a permanent vacancy in the cadre.

8.(i) 1. The names of candidates selected by Government for appointment as Civil Judges (Junior Division), under rule 10 and 11 of the part C shall be entered in the High Court Register in the order of selection to the extent of 30% more than the advertised vacancies, so as to met any contingency for the advertised post remaining unfilled for any reason.

(ii) ³omitted.

3 Substituted vide notification No.GSR 6/Const./Arts.234 and 309/2003, dated) 7.04.2003

4 Substituted vide notification No. GSR 16/Const/Arts.234 and 309/2003, dated 18.07.2003.

5 Substituted vide Haryana Government General Administration (General Service) Notification No. JSR 36/Const./ Art.234 and 309 Amd. (i) 97 dated 27.5.97.

¹(9(l) On appointment, every ⁵[Civil Judges (Junior Division)] shall get the minimum pay in the time scale of Rs. ²[9000-250-10750-300-13150-350-14550]; Provided that the pay of the ⁵[Civil Judges (Junior Division)], who at the time of his appointment as such, holds any post under the Government, shall be regulated in accordance with the provisions of the Punjab Civil Services Rules, Volume I, Part I.

(2) The increments of the members of the Service shall be regulated as under:-

- (i) in case a member of the Service passes the departmental examination within a period of two years from the date of his selection he shall be entitled to get two increments, including that already earned by him, if any, with effect from the date following the last day on which the departmental examination is completed or from the date on which he joins service whichever is later. However, he shall be entitled to get third increment after the completion of three years service;
- (ii) In case a member of the service is allowed extension in the period within which the said examination is required to be passed under proviso to rule 5, his next increment (s) for the period subsequent to that, within which the departmental examination was to be passed, shall be released from the date following the last day on which the examination is completed;
- (iii) if a member of the Service fails to pass the departmental examination, or any part thereof, and is subsequently exempted by the Governor of Haryana, on the recommendation of the Punjab & Haryana High Court, from passing the departmental examination or any part thereof, as the case may be, his increment(s) for the period subsequent to that, within which the departmental examination was to be passed, shall be released from the date he is given such exemption;
- (iv) the increment(s) under clause (ii) or clause (iii) shall be released with retrospective effect from the date it was

1 Substituted vide Haryana Government, General Administration Notification No.GSR.248/Const./Arts.234 and 309/Amd.(2)/ 76, dated the 16th November, 1976, published in Haryana Government Gazette, Legislative Supplement dated the 23rd November, 1976.

2 Substituted vide Haryana Government, General Administration Notification No.GSR.1 I/Const./Art. 309/2003 dated 7.5.2003.

otherwise due but no arrears shall be paid for the past period;

- (v) future increments will normally be admissible on the dates on which they would have become otherwise due.

10(a) Members of the Service shall be eligible for promotion, permanently or provisionally to a post in the selection grade in the scale rising from ³(One thousand and five hundred rupees to one thousand and eight hundred rupees a month with annual increment of sixty rupees.)

(b) Promotion to selection grade shall be made strictly by selection and no member of the Service shall be entitled to such promotion as of right.

(c) The number of posts in the selection grade shall be ¹[20% of the cadre on completion of 2 years of regular and satisfactory service].

PART E- DEPARTMENTAL EXAMINATION

1. ³[The Departmental Examination of Subordinate Judges shall be held twice in a year i.e. in the months of April and November, the exact dates being notified before hand in the Haryana Government Gazette.]

2. The papers will be set, answers examined, and marks awarded by Examiners appointed by Government from time to time.

3. The Examiners will submit their awards of marks to the Secretary to the Central Committee of the Examinations. The Committee will consist of:-

- (i) the Chief Justice of the Punjab ²(and Haryana) High Court;³
- (ii) the Senior Financial Commissioner; and

³ Substituted for the words "one thousand and five hundred rupees to one thousand and eight hundred rupees a month with annual increment of fifty rupees" vide Haryana Government Notification No. GSR 41/Const./Art./234 and 309/Amd.(6) /78 dated 3.4.1978.

¹ Substituted vide Haryana Government, General Administration Notification No.GSR.248/Const./Arts.234 and 309/Amd.(2)/76, dated the 16th November, 1976, published in Haryana Government Gazette, Legislative Supplement dated the 23rd November, 1976.

² Added vide Haryana Government, General Administration (General Services) Notification No. GSR 64/Const./Arts.234 and 309/Amd.-71, dated the 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, Part III of the 15th June, 1971.

³ Substituted vide Haryana Government General Administration notification No.GSR.16/Const./Arts.234 and 309/Amd(1)S6, dated 07.03.1986

(iii) the Chief Secretary to Government;
and with them rests the final decision as to the passing candidates.

4. (1) The Secretary to the Central Committee will be appointed by Government.

(2) Under the orders of the Central Committee the Secretary shall receive the question papers from the Examiners and:-

- (a) cause them to be printed;
- (b) superintend the examination;
- (c) transmit the answer papers to the Examiners concerned;
- (d) receive and compile the marks awarded;
- (e) report the result to the Central Committee; and
- (f) generally conduct the whole correspondence and business of the examination not expressly allotted to any other authority.

(3) The examiners shall send their award of marks to the Secretary to the Central Committee within two weeks from the date on which the examination closed and the Secretary shall submit his report on the examination to the Chief Secretary, Government

¹[Haryana] within one week from the date of receipt of the last statement of award of marks.

5. There shall be ²[five subjects] for examination which are classified in groups as follows:-

- | | |
|--|------------|
| (1) Criminal Law | Group A-I |
| (2) Civil Law | Group A-II |
| (3) Revenue Law (two parts) | Group-B |
| (4) Accounts (including Indian Accounts and
and Income Tax) | Group-C |
| (5) Constitutional Law of India (Two parts). | Group-D |

[6. Papers shall be set and marks assigned in each subject as follows:-

Subject	Maximum Marks
(1) Criminal Law	120
(2) Civil Law	120

¹ Substituted for the word "Punjab" vide Haryana Government, General Administration (General Services) Notification No. GSR. 64/Consts. Arts. 234 and 309/Amd.-71, dated the 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, Part III of the 15th June, 1971

² Substituted vide Haryana Government, General Administration (General Services) Notification No. GSR. 156 Const. Arts. 234 and 309 Amd. (I)-76. dated the 24th June, 1976, published in the Haryana Government Gazette, Legislative Supplement, dated the 29th June, 1976

(3)	Revenue Law, 1st Paper	120
(4)	Revenue Law, 2 nd Paper	120
(5)	Accounts (Including Indian Accounts and Income Tax)	160
(6)	Constitutional law of India as follows:-	100
	(i) Theory of Constitutional Law	30
	(ii) Constitutional Law of India	70

Note-- The books, etc. from which questions will be set in each subject are enumerated in the schedule which is published separately and will be modified and republished as occasion requires.

7. The paper in Accounts and the first paper in Revenue Law will be answered with the aid of books which will be provided by Government in the Examination Hall for use by candidates. The question in the papers with books shall not be such as can be answered by copying a passage from a book, but shall be designed to test the practical knowledge of the candidates, and shall be confined, as much as possible, to cases arising in ordinary practice, facts of probable occurrence being stated, and the candidates being required to find and apply the law or rules bearing on them. The papers in Criminal Law, Civil Law, the second paper in Revenue Law, paper on the Constitutional Law ¹will be answered without reference to books. The maximum time allotted for each written paper will be three hours.

8. ²[(1) All candidates are required to 'pass each group by the Higher Standard.

- (2) A candidate who obtains at least -
 - (a) 2/3rd of the maximum marks in a group, will be held to have passed it by the Higher standard;
 - (b) half of the maximum marks in a group, will be held to have passed it by the lower standard.
- (3) Candidates will be held to have passed "with credit" if they obtain at least 3/4th of the maximum marks allotted to the group or groups, taken together as mentioned below, at one examination:- .
 - (a) Group A-I and A-II

¹ Deleted vide Haryana Government General Administration (General Services) Notification No. GRS. 156/Const./Arts. 234 and 309/Amd. (i)-76, dated the 24th June, 1976, published in the Haryana Government Gazette, Legislative Supplement, dated the 29th June, 1976.

² Substituted vide Haryana Government Notification *ibid*.

- (b) Group B and C
- (c) Group D.

9. A candidate shall have the option of appearing in one or more groups at one examination.

10. After each examination the names of those candidates who have passed by either standard or with credit will be communicated as soon as possible to the Registrar, Punjab ³[and Haryana] High Court, and also published in the Gazette.

11. When in accordance with rule 1 of this part, the date of the departmental examination is fixed and notified-in the ⁴[Haryana] Government Gazette, every candidate intending to appear in the examination in any or all the subjects must give notice direct to the Secretary to the Central Committee of Examinations, care of the ⁴[Haryana] Civil Secretariat, Chandigarh, in the form below at least a fortnight before the date of examination.

Name of the examination	Subjects or groups already passed with number and date of Gazette notification in each case	Subjects in which the candidate will appear

12. Should a candidate be unable to appear after having intimated his intention to appear under the foregoing rule he should give notice to the Secretary to the Central Committee of Examinations of his inability to appear before the commencement of the examination and should sickness be the cause of his absence, he should also furnish a medical certificate to the Secretary to the Central Committee of Examinations.

13. Every candidate will, at the time of examination, present to the Secretary to the Central Committee of Examinations, a certificate from the District and Sessions Judge of his district to me effect that he is an accepted Sub -Judge candidate.

14. (1) A person who is appointed under rule 7 of part "A" shall not be required to pass the departmental examination prescribed

³ Added Haryana Government, General Administration (General Services) Notification No. GSR. 64/Const/Art., and 234 & 309/Amd. 71, dated the 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, Part 111 of the 15th June, 1971.

⁴ Substituted for the word "Punjab" vide Notification ibid.

for members of the ¹[Haryana] Civil Service (Judicial Branch) if, before being so appointed, he had² already passed by the higher standard the departmental examination prescribed for members of the ¹[Haryana] Civil Service (Executive Branch).

(2) Where such a person has passed, by the higher standard only some of the papers of the departmental examination prescribed for members of the ¹[Haryana] Civil Service (Executive Branch), he shall not be required to pass the corresponding papers of the departmental examination prescribed for members of the ²[Haryana] Civil Service (Judicial Branch), but shall have to pass, by the higher standard, such other papers and within such period as the High Court may direct:

Provided that such period shall not be less than the period within which he would have been entitled to complete the departmental examination prescribed for members of the ²[Haryana] Civil Service (Executive Branch) if he had not been appointed to the ¹[Haryana] Civil Service (Judicial Branch).

(3) Where such a person has not passed, by the higher standard, any paper of *the* departmental examination prescribed for the members of the ¹[Haryana] Civil Service (Executive Branch) before his appointment to the ¹[Haryana] Civil Service (Judicial Branch) he shall pass the departmental examination prescribed for members of the ¹[Haryana] Civil Service (Judicial Branch), by the higher standard, within a period in which he would have been entitled to pass the former departmental examination if he had not been appointed to the ¹[Haryana] Civil Service (Judicial Branch).

PART F - DISCIPLINE, PENALTIES AND APPEALS

In matters relating to discipline, penalties and appeals including orders specified in Appendix B, members of the Service shall be governed by "The Punjab Civil Services (Punishment and Appeal) Rules, 1952" as amended from time to time.

Provided that the nature of penalties which may be inflicted, the authority empowered to impose such penalties or pass such orders and the appellate authority shall be as specified in Appendices "A" and "B" below:-

Nature of penalty	Punishing Authority	Appellate Authority
-------------------	---------------------	---------------------

¹ Substituted for the words "Punjab" vide Haryana Government, General Administration (General Services) Notification No. GSR. 64/Const./Arts. 234 and 309/ Amd.-71, dated the 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, part III of the 15th June, 1971.

(a) Censure	Judge of the ¹ High Court	Division Bench of the High Court
(b) Withholding of increments or promotion, including stoppage at an efficiency bar.	Ditto	Ditto
(c) Reduction to a lower post or time scale or to a lower stage in the time scale.	Government	...
(d) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligency or breach or order.	Judge of the High Court	-----Bench of the High Court
(e) Suspension	Government	...
(f) Removal from the service which does not disqualify from future employment,	Ditto	
(g) Dismissal from the service which ordinarily disqualifies from future employment.	Ditto	

¹ The word "Punjab" omitted vide Haryana Government, General Administration (General Services) Notification No. GSR. 64/Const./Arts. 234 and 309/Amd.-71, dated the 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, Part III of the 15th June, 1971.

APPENDIX 'B' – OTHER ORDERS

Nature of order	Authority competent to pass an order	Appellate Authority
(a) Reducing the maximum pension admissible under the rules	Government	...
(b) Terminating the appointment of a member of the Service otherwise than upon his reaching the age fixed for superannuation.	Ditto	...

²[PART G - POWER TO RELAX

Where the Government, in consultation with the High Court, is of the opinion that it is necessary or expedient to do so, it may 'be order, for reasons to be recorded in writing relax any of the provisions of these rules with respect to any class or category of persons.]

² Added vide Haryana Government, General Administrative Notification No. GSR. 111/Const/Arts. 234 and 309/Amd.-71, dated the 24th September, 1971, published in Haryana Government Gazette, Legislative Supplement, Part III of the 28th September, 1971.

¹[SCHEDULE]

Deleted	¹ [Form "A"]
Deleted	¹ [Form "B"]

APPENDIX 'C'

(see rule 11 in part C)

Regulation for the medical examination of candidates for admission to the ¹[Haryana] Civil Service (Judicial Branch)

These regulations are intended merely for the guidance of Medical Examiners and are not meant to restrict their discretion in any way.

1. To be passed as medically fit for admission to the ¹[Haryana] Civil Service (Judicial Branch) a candidate must be in good mental and bodily health, and free from any physical defect likely to interfere with the efficient performance, of the duties of his appointment.

2. The candidate's height will be measured as follows :-

He will remove his shoes and be placed against the standard with his feet together and the weight thrown on; the heels and not on the toes or outer sides of the feet. He will stand erect without rigidity and with the heel calves, buttocks, and shoulders touching the standard ; the chin will be depressed to bring the vertex of the head level under the horizontal bar, and the height will be recorded in inches and parts of an inch to quarters. :

3. The candidate's chest will be measured as follows :-

He will be made to stand erect with his feet together and to raise his arms over his head. The tape will be so adjusted round the chest that its upper edge touches the inferior angles of the shoulder blades behind, and its lower edge the upper part of the nipples in front. The arms will then be lowered to hang loosely by the side, and care will be taken that the shoulders are not thrown upwards and backwards so as to displace the tape. The candidate will then be directed take a deep aspiration several times, and the maximum expansion of the chest will be carefully noted.

¹ Deleted vide Haryana Government, General Administration (General Services) Notification No. GSR/125/const./Arts. 234 and 309/Amd.(I) 82, dated the 3rd November, 1982, published in Haryana Government Gazette (Extra) of November 3, 1982.

¹ Substituted for the word "Punjab" vide Haryana Government, General Administration, (General Services) Notification No. GSR. 64/ Cost./ Arts/ 234 and 309/ Amd.-71, dated the 11th June, 1971, published in Haryana Government Gazette, legislative Supplement, Part III of the 15th June, 1971.

The range of expansion should not be less than 2".

The minimum and maximum will then be recorded in inches, 33-35, 34-36, etc.

In recording the measurements, fractions of less than $\frac{1}{2}$ inch should not be noted.

4. The candidate will also be weighted and his weight recorded in pounds, Fractions of a pound should not be noted.

5. The following candidates should be observed in connection with acuteness of vision :-Vision of Candidates :-

a) No candidate will accepted whose vision is less than :-

Better eye

Worse eye

V-6/6 and reads 0.6

V-6/12 reads 1.

Spectacles will be allowed for either eye upto +5.0D, or -5.0D provided that there are no morbid changes in the fundus.

(b) In myopia if there is a posterior at phyloma the spectacles must not exceed- 2.5D in either eye.

(c) In cases of astigmatism the combined lenses must not exceed 5 Dioptres and there should be do fundus changes.

(d) Squint or any other morbid condition of the eyes or of the lids of either eye liable to the risk of aggregation or recurrence will cause the rejection of the candidate,

(e) Each eye must have a full field of vision as tested by hand movements.

(f) Any defect in colour vision will be noted, but will not cause rejection of the candidate.

(g) In cases of doubt or of serious abnormality the opinion of the Ophthalmic Specialist will be obtained.

(h) No candidate will be accepted whose standard of vision (Joes-net come up to the specified requirements without the use of contact glasses.

6. The urine passed in the presence of the Examiner should be examined and the result recorded.

7. The following additional points should be observed:-

(a) that the candidate's hearing in each ear, is good and that there is no sign of the disease of the ear;

(b) that his speech is without impediment;

(c) that his teeth are in good order and that he is provided with dentures where necessary for effective mastication (well-filled teeth will be considered as sound);

(d) that his chest is well formed and his chest expansion sufficient, and that his heart and lungs are sound;

(e) that there is no evidence of an abdominal disease;

- (f) that he is not ruptured;
- (g) that he does not suffer from hydrocele, a severe degree of varicose, varicose veins or piles;
- (h) that his limbs, hands and feet are well formed and developed and that there is free and perfect motion of all his joints;
- (i) that he does not suffer from any inveterate skin disease;
- (j) that there is no congenital malformation or defect;
- (k) that he does not bear traces of any acute or chronic disease pointing to an impaired constitution;
- (l) that he bears marks of efficient vaccination and evidence of revaccination within the last 12 months.

When any defect is found it must be notified in the certificate and the Medical Examiner should state his opinion whether or not it is likely to interfere with the efficient performance of the duties which will be required of the candidate. If the condition is remediable by operation it should be so stated.

8. The following intimation is made for the guidance of the Medical Examiner:-

- (1) In the medical examination of candidates Medical Officers are especially required to use fact and judgment and to take proper precaution to secure privacy, with the object of removing any objection which may be made by individuals to stripping.
- (2) Should a candidate object to the exposure of his person for the detection of hemorrhoids, venereal disease, hernia and disease of the testicle, scrotum and rectum, the candidate must, if this examination in his case is in the opinion of the Board necessary, be rejected.
- (3) the opinion of the Board accepting or rejecting a candidate is final and cannot be questioned on any ground. The Board is debarred from disclosing to any candidate, permanently unfit, the reasons for his rejection. In these cases their opinion and report is to be treated as strictly confidential and for the information of Government only. Where, however, the Board detects a temporary defect amenable to treatment the candidate may be so informed in order that he may have the defect remedied and present himself for re-examination.

- (4) No person will be deemed qualified for the admission to the Public Service who shall not satisfy the ¹[Haryana] Government that he has no disease, constitutional affection or bodily infirmity unfitting him, or likely to unfit him, for that service.
- (5) It should be understood that the question of fitness involves the future as well as the present, and that the main object of medical examination is to secure continuous effective service, and in the case of candidates for permanent appointment to prevent early pension or payments in case of premature death. It is at the same time to be noted that the question is one of the likelihood of continuous effective service and that the rejection of a candidate need to be advised on account of the presence of a defect which in only a small proportion of cases is found to interfere with continuous effective service.
- (6) The candidate must take the statement required below prior to his medical examination and must sign the declaration appended thereto. His attention is specially directed to the warning contained in the note below:-
- (i) State your name in full _____
- (ii) State your age and birth place _____
- (iii) (a) Have you ever had smallpox, intermittent or any other fever enlargement or suppuration or glands, spitting or blood, asthma, inflammation of lungs, heart disease, fainting attacks, rheumatism or appendicitis?
- Or
- (b) Any other disease or accident requiring confinement to bed and medical or surgical treatment?
- Or
- (c) Suffered from any illness, wound or injuries sustained while on active service with His Majesty's Forces during the last Great Wars?
- (d) Have you ever been rejected by a Medical Board or duly constituted Medical authority?
- (iv) When were you last vaccinated?

¹ Substituted for the word "Punjab vide Haryana Government General Administration (General Services) Notification No.GSR.64/Const./ Arts, 234 and 309/Amd-71, dated the 11th June, 1971, published in Haryana Government Gazette, Legislative Supplement, Part-III of the 15th June, 1971.

- (v) Have you or any of your near relation been afflicted with consumption, scrofula, gout, asthma, fits epilepsy, or insanity?
- (vi) Have you suffered from any form of nervousness due to over work or any other cause?
- (vi) Have you suffered from any form of nervousness due to over work or any other cause?
- (vii) Furnish the following particulars concerning your family:-

Father's age, if living, and state of health	Father's age at death and cause of death	Names of brothers living, their ages and state of health	Number of brothers dead, their ages and cause of death
(1)	(2)	(3)	(4)

Mother's age, if living, and state of health	Mother's age of death and cause death	Names at sister living, their ages and state of health	Number of sisters dead, their ages and cause of death
(5)	(6)	(7)	(8)

I declare all the above answers to be, to the best of my belief true and, correct and accept the finding of the Board as final.

Candidate's Signature _____

Note : - The candidate will be held responsible for accuracy of the above statement. By willfully suppressing an information he will incur the risk of losing the appointment and if appointed, or forfeiting all claims to superannuation allowances or gratuity.

MEDICAL EXAMINER'S REPORT

Sr. no.	Question	Answers	Remarks
1.	Has the declaration above been signed by the candidate?		
2.	Are there any evidence of malformation congenital or acquired?		
3.	Is he free from scars and has he the full use of all limbs?		
4.	Are there any indications of decided cachetic or diathetic state of constitution		
5.	Has the candidate been vaccinated within the last twelve months?		
6.	Are there any signs of disease of the nervous system?		
7.	Is the hearing good? Is there any sign of disease of the ear?		
8.	What is the candidate's vision ?		REV-With glasses – Reads spectacles if any R.E. – L.E.
9.	Is the candidate free from stammer or other serious defect of Speech?		
10.	Are there any signs of disease of the bones joints or parts connected therewith?		
11.	Is there any important affection of the skin?		
12.	Are the heart and arteries healthy?		
13.	Has the candidate haemorrhoids, varocele, or		

	other affections of veins?		
14.	Is there any evidence of disease of the respiratory organs?		
15.	Are there any signs of disease of the digestive organs?		
16.	Is the candidate free from rupture?		
17.	Is there any indication of disease of the genital organs?		
18.	Is the urine free from (1) albumen, (2) sugar? Is the urine otherwise normal?		1. _____ 2. _____
19.	Is there any thing in the health of the candidate likely to render him unfit for the efficient discharge of his duties in the service for which he is a candidate?		
20.	Do you consider the candidate in all respects qualified for the efficient and continuous discharge of his duties in the service for which he is a candidate? Height (without shoes)		