

# THE HIGH COURT OF KERALA

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No. REC4 - 97821/2011

Dated: 31.01.2012

## **NOTIFICATION** **KERALA JUDICIAL SERVICE EXAMINATION – 2012**

Applications are invited in the prescribed form, from qualified candidates for appointment to the post of Munsiff-Magistrate in the Kerala Judicial Service.

### **Recruitment number : 3/2012**

**1. Scale of pay :** ₹ 27700 – 44770

**2. Number of vacancies:** 60 Nos.

**3. Methods of recruitment:** (i) Direct Recruitment; and (ii) Recruitment by Transfer.

**4. Mode of selection:**

The selection shall be after holding competitive examinations at two successive stages. The first stage is the Kerala Judicial Service Examination (Preliminary). The second stage is the Kerala Judicial Service Examination (Main), consisting of written examination and viva voce. The preliminary examination and main examination will be conducted on the basis of the Scheme given below. The preliminary as well as the main examinations will be common for the candidates who apply in response to this notification for regular vacancies in the post of Munsiff -Magistrate and the notification number REC4 - 98176/2011 dated 31.1.2012 (Recruitment Number 1/2012) or REC4 - 97820/2011 dated 31.1.2012 (Recruitment Number 2/2012). Only those candidates who are declared by the High Court to have qualified in the Preliminary Examination will be eligible for admission to the main written examination, provided they are otherwise found eligible for admission to the Main Examination. Names of candidates shortlisted for the main written examination and the schedule of the main written examination will be published in the Notice Board and website of the High Court and the candidates who are found eligible for admission to the main written examination will also be intimated personally. The Preliminary Examination shall be conducted on **13.05.2012**.

**5. Qualifications:**

**I. Direct Recruitment:**

A candidate for appointment as Munsiff-Magistrate by direct recruitment shall satisfy the following general conditions, namely;

- a) He/She shall be a citizen of India.
- b) He/She shall be holder of a degree in Law recognised by the Bar Council of India for the purpose of enrolment as an Advocate.
- c) He/She shall not have completed 35 years of age on the first day of January, 2012. The upper age limit shall be raised by five years in the case of candidates belonging to any of the Scheduled Castes or adult members of such castes and their children when such adult members are converted to other religions, or Scheduled Tribes, and by three years in the case of candidates belonging to any of the Other Backward Classes, as provided in Rule 10(c) of Kerala State and Subordinate Service Rules, 1958.
- d) He/She shall be of good character.
- e) He/She shall be of sound health having no bodily infirmities, which renders him/her unfit for appointment.

While applying for the post, the candidate should ensure that he/she fulfils the eligibility and other norms mentioned in the notification. The qualification prescribed for the post shall be the one acquired by the candidate on or before the last date fixed for receipt of the applications.

## II. Recruitment by Transfer:

No officer in service shall be eligible for appointment as Munsiff-Magistrate by transfer, unless he is a holder of a degree in law recognised by the Bar Council of India for the purpose of enrolment as an advocate and is an approved probationer in any one or more of the feeder categories enumerated as Sl.Nos. (i) to (viii) below.

A person who is otherwise qualified for appointment by transfer but is not holding any of the posts enumerated below at the time of his application for appointment by transfer, shall be eligible for appointment if he has held any one or more of such posts and is holding a post in a higher scale of pay in any of the offices from which appointment is to be made. There is no age limit for the candidates who opt recruitment by transfer.

Note:- Save as otherwise provided, eligibility to apply shall be determined with reference to the last date fixed for the receipt of applications.

### Feeder categories of officers for Recruitment by Transfer:

- i. Assistant Public Prosecutor Grade I & II
- ii. Assistant Registrars and other officers of the High Court in the same scale of pay of Assistant Registrars, Personal Assistant to the Chief Justice, Additional Personal Assistant to the Chief Justice, Section Officers, Librarian, Reference Librarian, Court Officers, Court Fee Examiners, Accountant, Head Translator, Private Secretary to Judges including Higher Grade, and Selection Grade Shorthand Writers in the High Court of Kerala.
- iii. Under Secretaries, Section Officers and Librarian in the Advocate General's Office.
- iv. Section Officers and Librarian in the Law Department, Government Secretariat.
- v. Sheristadars of District Courts, Additional District Courts, Special Courts, the Office of the Motor Accidents Claims Tribunals, the Office of the State Transport Appellate Tribunal, Family Court and Wakf Tribunals and Sub Courts, Senior Superintendents of the District Courts and Additional District Courts and Selection Grade Confidential Assistants in the Subordinate Civil Courts.
- vi. Sheristadars of Chief Judicial Magistrate's Courts and Selection Grade Confidential Assistants in the Subordinate Criminal Courts.
- vii. Full time Lecturers of Government Law Colleges.
- viii. Officers working in the High Court, Subordinate Courts, Advocate General's Office and Law Department in the Government Secretariat not covered by categories (i) to (vii) and having not less than ten years of total service in any one of the four offices or in the four offices taken together.

## **6. Reservation of appointment:**

- (a) The rules relating to reservation of appointment for candidates belonging to Scheduled Castes, Scheduled Tribes and non-creamy layer of Other Backward Classes contained in Part II of the Kerala State and Subordinate Services Rules, 1958 (Rules 14 to 17) shall apply to appointment by direct recruitment.
- (b) One percent of vacancies shall be reserved for physically handicapped persons with orthopaedic-locomotor disability-moderate subject to the following conditions:
  - i. The disability is moderate and does not render the candidate unfit to perform the duties and responsibilities attached to a post in Kerala Judicial Service.
  - ii. The candidate satisfies the qualifications, including age prescribed and other requirements in the relevant rules for appointment to a post in the service.
  - iii. The candidate secures the minimum marks prescribed for pass in the written and oral examination for the recruitment to the post.

### **7. Scheme of the Preliminary Examination:**

The preliminary examination will consist of one paper of objective type screening test based on the syllabus given below containing 100 multiple choice questions, each question carrying two marks. Maximum marks will be 200 and one mark will be deducted for each incorrect answer. The duration of the preliminary examination will be two hours. The preliminary examination is conducted for the purpose of shortlisting the candidates and the marks obtained in the preliminary examination shall not be counted for determining the final order of merit of the candidates.

For every notified vacancy, 10 candidates from the preliminary examination in the order of merit, shall be selected for the main examination. If more than one candidate obtains the same mark as that of the last candidate in the descending order of merit, all such candidates securing identical mark shall be treated as qualified for the main examination. Only those candidates who are declared by the High Court to have qualified in the preliminary examination will be eligible for admission to the main written examination provided they are otherwise found eligible for admission to the main examination. Short list of candidates selected for the main examination will be published by the High Court in the Notice Board and the website of the High Court.

### **8. Syllabus for the Preliminary Examination:**

Part A	Code of Civil Procedure, Indian Contract Act, Negotiable Instruments Act, Transfer of Property Act, Specific Relief Act, Kerala Building (Lease and Rent Control) Act.
Part B	Code of Criminal Procedure, Indian Penal Code, Indian Evidence Act.
Part C	Constitution of India , Legal G.K., Reasoning & Mental ability.

### **9. Scheme of the Main Examination:**

a) Written Examination: The Kerala Judicial Service Examination (Main) will consist of 4 papers of written examination each carrying 100 marks at a total of 400 marks, based on the syllabus given below and viva voce carrying 50 marks. The prescribed duration for each paper will be three hours. Cut off mark for general candidates in the main written examination is 40% for each paper with an overall minimum of 45% of the total marks in the written examination. For candidates belonging to SC/ST category the cut off mark shall be 35% and 40% respectively. Fraction of half or more than half shall be regarded as full marks and less than half shall be ignored.

b) Viva voce: Only those candidates who score the prescribed percentage of marks or more in the main written examination shall be called for viva voce. The cut off marks in the viva voce is fixed at 40% for general candidates and 35% for candidates belonging to Scheduled Caste and Schedules Tribes. Fraction of half or more than half shall be regarded as full marks and less than half shall be ignored. The marks secured by a candidate in the viva voce shall be added to the total marks secured by him/her at the written examination (Main).

**10. Syllabus for the Written Examination (Main):**

<b>Papers</b>	<b>Subjects</b>
<b>Paper-I</b>	English Grammar, General Essays, Translation of Malayalam Depositions/Documents to English, Precis writing.
<b>Paper-II</b>	Part-A: Indian Contract Act, Transfer of Property Act, Limitation Act, Specific Relief Act, Easements Act, Kerala Building (Lease and Rent Control) Act, Hindu Succession Act, Indian Succession Act - Parts V, VI & X, Dissolution of Muslim Marriage Act. Part-B: Kerala Court Fees and Suits Valuation Act, Kerala Stamp Act, Legal Services Authorities Act, The Kerala Panchayath Raj Act -Ch. X, XI, XXIA & XXIII, Kerala Municipality Act -Ch.IX, X, XXIV & XXV, Negotiable Instruments Act (except Ch. XVII), and Registration Act.
<b>Paper-III</b>	Part-A: Indian Penal Code, Indian Evidence Act, Abkari Act, Prevention of Food Adulteration Act, Negotiable Instruments Act -Ch. XVII, The Protection of Women from Domestic Violence Act. Part-B: Juvenile Justice (Care and Protection of Children) Act, Kerala Police Act, Probation of Offenders Act, Forest Act, N.D.P.S. Act (provisions relating to bail and trial by Magistrates)
<b>Paper-IV</b>	Part-A: Code of Civil Procedure, Civil Rules of Practice, Kerala Civil Courts Act. Part-B: Code of Criminal Procedure and Criminal Rules of Practice.

**11. Training:** Every person selected for appointment shall undergo training for a period of not less than one year extendable upto two years. The training will be conducted by the Kerala Judicial Academy. During the period of training direct recruit appointees will be paid an allowance of ₹ 27,700/- per month and those recruited by transfer, the last pay drawn by them whichever is higher.

**12. Probation:** Every person appointed shall be on probation for a total period of two years on duty within a continuous period of three years from the date on which he joins duty.

**13. Tests:** Every person appointed shall, within the period of probation, pass the Account Test for Executive Officers of the Kerala State or the Account Test (Lower) unless he has already passed either of those tests.

**14. Pre-examination training to Scheduled Caste/Scheduled Tribe candidates:** A pre-examination training of a short duration will be conducted by the Kerala Judicial Academy at Ernakulam for the candidates belonging to Scheduled Caste/Scheduled Tribes, who qualify in the Preliminary Examination. Such training shall be given only if there are sufficient number of candidates in that category who qualify in the Preliminary Examination. No fee will be charged for the training. The candidates will not be eligible for any stipend or allowance for attending the training. The expenses of board and lodging will not be met by the High Court.

**15. How to apply:**

- (a) Application shall be submitted in the prescribed format in good quality A4 size paper, which can be downloaded from the official website **www.hckrecruitment.nic.in**
- (b) Applications shall be accompanied by Demand Draft for ₹1000/- drawn on State Bank of India in favour of Registrar General, High Court of Kerala payable at Ernakulam. However, no fee is payable in the case of candidates belonging to Scheduled Castes & Scheduled Tribes and unemployed physically handicapped candidates. The Demand Draft should not be dated before 31.01.2012 and after 03.03.2012. The candidate who apply for both the NCA vacancies and the General vacancies need to remit only one fee of ₹1000/- by way of demand draft. But they should enter the details of the demand draft in both the applications. The candidates should write their name and address on the reverse of the Demand Draft and send it along with the application. Fee once remitted will not be refunded under any circumstances.
- (c) Application form including the forms of Admission ticket (form 'A'), Attendance slip (form 'B') and Service certificate (form 'C' - applicable only to the candidates who opt Recruitment by Transfer) contains 9 pages.
- (d) The candidate applying to the post by Recruitment by Transfer shall obtain the service certificate from the Head of office/Department, in the prescribed form (form 'C') available in the website before the submission of the application and keep it with them and produce as and when called for by the High Court.
- (e) The candidates who are in the service of the Government of India or any of the State Governments applying to the post by direct recruitment should obtain No Objection Certificate from their Head of Office or Department and keep it with them. If the candidate fails to produce the No Objection Certificate as and when called for, his/her candidature will stand cancelled.
- (f) Candidates should read carefully this Notification and all the columns of the application form, before filling them.
- (g) All the columns should be filled up by the candidate in his / her own hand. Do not fill up any column by dashes or dots or any other marks or leave any column blank. If any column is not applicable, write 'not applicable' against that particular column.
- (h) Full and correct information shall be furnished against every column. Furnishing of false or incorrect information or suppression of material information will disqualify the candidate at any stage of selection. Anything not specifically claimed in the application against the appropriate column will not be considered at a later stage.
- (i) The candidates should affix recently taken (within the last six months) passport size photographs on the application, Admission Ticket and Attendance Slip and sign across them.
- (j) Additional sheets of the same size as the sheets of the application form can be used, if space provided against any column is found to be insufficient. In such cases appropriate indications shall be given both against the relevant column in the application form and in the additional sheets so used.
- (k) No alteration or modification of entries in the application form shall be permitted after the same is submitted to the Registrar and any request in this regard shall render the application invalid.
- (l) Duly filled up Admission Ticket and Attendance Slip in Forms 'A' & 'B' with self attested photographs shall be forwarded along with the applications. At present, the candidates need not send copies of any testimonials/documents to the High Court. They should produce the originals and copies of certificates in proof of their claims in the application as and when called for. Failure to produce the original documents when called for, will result in disqualification of the applicant.
- (m) Applications which do not comply with the instructions shall be rejected.
- (n) Applications duly filled up in all respects shall be submitted to the Registrar General, High Court of Kerala, Kochi-682 031, on or before **03.03.2012.**

- (o) To avoid postal delay, the candidates may send their applications sufficiently early. The High Court will not be responsible for any postal delay or loss in transit.
- (p) Applications received in the High Court after the last date shall, under no circumstances be considered.
- (q) The cover containing the application shall be superscribed "APPLICATION FOR THE POST OF MUNSIF-MAGISTRATE IN THE KERALA JUDICIAL SERVICE - RECRUITMENT NO : 3/2012".
- (r) For removal of doubts, candidates may call 0484-2562235.

(By order)

Venu Karunakaran  
Registrar (Recruitment & Computerisation)