

THE HIGH COURT OF JUDICATURE AT ALLAHABAD

INSTRUCTIONS / INFORMATIONS FOR THE GUIDANCE OF CANDIDATES FOR DIRECT RECRUITMENT TO THE UTTAR PRADESH HIGHER JUDICIAL SERVICE - 2016.

1 (i). 72 POST OF U.P HIGHER JUDICIAL SERVICE:

Out of which **15** posts are reserved for Scheduled Castes candidates, **01** post is reserved for Scheduled Tribes candidates, **19** posts are reserved for Other Backward Classes candidates and the remaining **37** posts are Unreserved. There shall be 20% horizontal reservation for women.

(ii). 12 POST OF RESERVED CATEGORY OF U.P HIGHER JUDICIAL SERVICE RECRUITMENT YEAR 2009 (in pursuance of the order dated 17.02.2015 of Hon'ble Supreme Court in Nawal Kishore Mishra's case):

Out of which **07** posts are reserved for Scheduled Castes candidates, **01** post is reserved for Scheduled Tribes candidates, **04** posts are reserved for Other Backward Classes candidates.

Note: Reservation for SC/ST/OBC categories and women will be applicable for the candidates belonging to State of U.P. Only (as per Rule)

2. MINIMUM ESSENTIAL QUALIFICATIONS: A candidate must be an Advocate of not less than seven years standing as on **last date fixed for the submission of application forms**. The applicants must fulfil the essential requirements of the post and the other conditions stipulated in the Uttar Pradesh Higher Judicial Service Rules, 1975.

Note-1: Prosecuting Officers/Assistant Prosecuting Officers are treated to be an Advocate and eligible as per the Judgement of Hon'ble Supreme Court in Civil Appeal No.561 of 2013-Deepak Agarwal Vs. Keshav Kaushik & Others.

Note-2: The amendment in Rule 5(c) of UPHJS Rules, 1975 has been approved by the Hon'ble Full Court of Allahabad High Court.

IMPORTANT	
On Line Submission of Application Form	Sending of Hard Copy of Application Form.
OPENING DATE - 19th May, 2016. CLOSING DATE - 18th June, 23:59HRS of 2016. Note: On-line submitted applications form may be downloaded/printed upto 23rd June, 2016 till 23:59 hrs.	LAST DATE FOR RECEIPT OF PRINTOUT (HARD COPY) OF ONLINE APPLICATIONS ALONGWITH COPY OF SPECIFIED DOCUMENTS / CERTIFICATES IS 3rd July, 2016
Date of Preliminary Examination: 31st July, 2016 (Sunday)	

3. NOTES:

a) Candidates are required to apply On-line against this advertisement through On Line Recruitment Application (ORA) available on the website <http://www.allahabadhighcourt.in> and **NOT** write to the High Court for Application forms. They are also requested to go through carefully the details of posts and instructions as below as well as on the website <http://www.allahabadhighcourt.in>

b) **NATURE OF POST: Permanent.**

- c) **PAY SCALE** : Rs. 51550 – 1230-58930-1380-63070 Plus admissible allowances.
- d) **AGE LIMIT** : A candidate for direct recruitment must have attained the age of 35 years and must not have attained the age of 45 years on the first day of January 2017; in other words, he must have been born on or after 02.01.1972 and not later than 01.01.1982.
- e) The age limit shown is the normal age limit and the age is relaxable for SC/ST and OBC candidates belonging to State of U.P. only up to 3 years in respect of vacancies reserved for them. SC/ST/OBC Candidates have to produce a **Caste Certificate and Domicile Certificate of U.P.**
- f) Syllabus is given in **Appendix-G** of the U.P. Higher Judicial Service Rules, 1975 (as amended). (See **Appendix-G** as attached)
- (g) **PROBATION**: The persons selected will be appointed on probation as per rule.
- (h) The recruitment will be based on a preliminary examination (objective type), consisting of 100 marks of **two hours** from syllabus on **OMR Sheet** to be held on above date at Allahabad & only those candidates shall be called to appear in the main written examination who secure 45% or more marks in the preliminary examination provided candidates not more than 20 times of number of vacancy category wise i.e. separately for General, SC, ST & OBC shall be admitted to the main written examination. The candidates securing 45% or above in the main written examination shall be called to appear in the interview subject to maximum thrice the number of vacancies category-wise.

**INSTRUCTIONS AND ADDITIONAL INFORMATION TO CANDIDATES FOR
RECRUITMENT BY SELECTION**

1. CITIZENSHIP: A candidate for recruitment to the service must be:

- (a) A citizen of India, or
- (b) A subject of Sikkim, or
- (c) A Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (d) A person of Indian origin who has migrated from Pakistan, Burma, Ceylon or any of the East African Countries of Kenya, Uganda and the United Republic of Tanzania (Formerly Tanganyika and Zanzibar) with the intention of permanently settling in India;

Provided that a candidate belonging to category (c) or (d) above shall be a person in whose favour a certificate of eligibility has been issued by the State Government;

Provided further that a candidate belonging to category (c) will also be required to obtain a certificate of eligibility granted by the Intelligence Department, (Head Quarters), Lucknow, Uttar Pradesh.

Provided also that if a candidate belongs to Category (d) above, no certificate of eligibility will be issued for a period of more than one year, and such a candidate may be retained in service after a period of one year, only if he/she has acquired Indian Citizenship.

NOTE:- A candidate in whose case a certificate of eligibility is necessary but the same has neither been issued nor refused, may be admitted to the examination or interview and he may also be provisionally appointed subject to the necessary

certificate being obtained by him/her or issued in his/ her favour subsequently.

2. **APPLICATION FEE:** (A) General/OBC Category – Rs.1000/-
 (B) SC/ ST – Rs.750/- (for the SC/ST candidates belonging to the State of U.P. only)
 (C) For all candidates belonging to other states - Rs.1000/-

- (a) Candidates are required to pay a fee only by depositing the money in any branch of the SBI :
 (i) Take print out of **Payment Challan** from the website <http://www.allahabadhighcourt.in>
 (ii) **Fill the particulars viz. name, branch name, city etc.**
 (iii) **Submit the fee Payment Challan and amount in any Branch of S.B.I.**
 (iv) **Collect the applicant's copy and High Court's Copy of fee Payment Challan from the branch.**
- (b) Applications without the prescribed fee would not be considered.

3. **Fee once paid shall not be refunded.**

4. **HOW TO APPLY:**

a) **Candidates must apply on-line through the website <http://www.allahabadhighcourt.in>**
Applications received through any other mode would not be accepted.

b) After submitting the On line Recruitment Application (ORA), the candidates are required to take a print out (Hard Copy) of the finally submitted On line Recruitment Application.

c) The candidates are directed to paste their recent coloured photograph on the hard copy of online application form (ORA).

NOTE-I:

In addition to submission of on-line application, the downloaded hard copy/print out of the On line submitted Application Form along with required documents as mentioned in the instructions are to be submitted as follows :

(i) **Advocates practising within the State of U.P.-** before the District & Sessions Judge of the district or the Registrar General, High Court Allahabad, Senior Registrar, Lucknow Bench, Lucknow, as the case may be after obtaining requisite forwarding on or before **3rd July, 2016**.

(ii) **Advocates practising outside the State of U.P.:** The candidates shall obtain requisite forwarding by the District and Sessions Judge of the District/Registrar General/Registrar of the High Court/Secretary General of the Supreme Court as the case may be. Duly filled up and forwarded application form will be sent directly by the candidate by Registered/Speed Post to the Registrar (Selection & Appointment) High Court of Judicature at Allahabad so as to reach on or before **3rd July, 2016**.

NOTE-II: In case, the Printout (Hard-Copy) of the On line Recruitment Application along with specified documents/certificates **is not received or received after the prescribed last date, the candidature would not be considered.**

NOTE-III: Candidates are required to write the words "**RECRUITMENT of U.P.H.J.S – 2016**" on the top of the Envelope while submitting the Printout (Hard Copy) of the On line Recruitment Application along with copies of specified self attested documents/ certificates.

NOTE-IV: After scrutiny of the Application Form with attachments received at Selection & Appointment Cell of High Court, Allahabad, list of eligible candidates and non-eligible candidates with respective deficiencies will be published on the website <http://www.allahabadhighcourt.in>.

NOTE-V: Admit Card shall be downloaded by the candidates by using same User-Id and Password allotted at the time of filling on-line application form, from the website

<http://www.allahabadhighcourt.in> w.e.f. **18th July, 2016**. After taking printout of Admit Card, the candidates are required to paste his/her same coloured photograph attested by a Gazetted Officer on the space provided for it, which has already been pasted on the Hard Copy/print out of Application Form submitted earlier. **Admit Cards of the eligible candidates will be available on the official website of this Court from 18th July, 2016.**

NOTE-VI: In case candidate fails to download their Admit Card from the website, they can obtain Duplicate Admit Card from the Selection & Appointment Cell of High Court, Allahabad from **28th July, 2016** onwards after proper verification.

5. DOCUMENTS/ CERTIFICATES:

Following Documents/ Certificates are to be submitted along with the downloaded application form of the On line Recruitment Application (ORA) failing which the candidature would not be considered:

- (a) Matriculation/10th Standard or equivalent certificate indicating date of birth, or mark sheet issued by Central/State Board indicating Date of Birth in support of their claim of age. (Self attested copy be attached)
- (b) 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)
- (c) Copy of registration in Bar Council. (Self attested copy be attached)
- (d) Copy of experience as an Advocate in the prescribed proforma from the District & Session Judge of the district or Registrar General/Registrar of the High Courts or Secretary General of Supreme Court as the case may be, for the entire experience claimed, clearly mentioning the duration of continuous practice (date, month, year). (Original copy be attached)
- (e) Caste certificate of candidate seeking reservation as SC/ ST/ OBC, in the prescribed proforma issued by the competent authority indicating clearly the candidate's Caste, village/ town, the candidate is ordinarily a resident of. (Self attested copy be attached)
- (f) Certificate of character from the District & Session Judge of the district or Registrar General/Registrar of the High Courts or Secretary General of Supreme Court as the case may be and two certificates of Character from two responsible persons of status, well acquainted with the candidate in private life and unconnected with their school/college/University. The certificates must not be of a date preceding six months from the date of application. (Original copy be attached)
- (g) Photo identity card i.e ADHAAR Card /Voter I.D. Card / Driving Licence / Passport / PAN Card / Bar Council Identity Card/Bank's Passbook copy with photograph. (Self attested copy be attached).
- (h) Copy of counterfoil (High Court's Copy) of Bank Challan evidencing deposit of requisite fee. (Original copy be attached).

NOTE – I: The period of standing as an Advocate shall be counted on continuous basis only.

NOTE –II: The candidates shall be required to submit such information and documents as may be required by the High Court, Allahabad from time to time.

NOTE- III: No application regarding inspection of answer scripts of Preliminary and Main Written Examination shall be entertained after **one year** from the date of declaration of final result of that recruitment year.

6. ACTION AGAINST CANDIDATES FOUND GUILTY OF MISCONDUCT:

Candidates are warned that they should not furnish any particulars that are false or suppress any material information while filling up the application form. Candidates are also warned that they should in no case correct or alter or otherwise tamper with any entry in a document or its attested/certified copy submitted by them nor should they submit a tampered/fabricated document. If there is any inaccuracy or any discrepancy between two or more such documents or their attested/certified copies, an explanation regarding this discrepancy should be submitted. A candidate who is or has been declared to be guilty of:

- a) obtaining support of his/her candidature by any means, or
- b) impersonating, or
- c) procuring impersonation by any person , or
- d) submitting fabricated documents or documents which have been tampered with, or
- e) making statements which are incorrect or false or suppressing material information, or
- f) resorting to any other irregular or improper means in connection with his/her candidature for the selection, or
- g) using unfair means during the test, or
- h) writing irrelevant matter including obscene language or pornographic matter, in the script(s), or
- i) misbehaving in any other manner in the examination hall, or
- j) harassing or doing bodily harm to the staff employed for the conduct of the test, or
- k) bringing mobile phone/Communication device in the examination Hall/Interview room
- l) attempting to commit or, as the case may be, abetting the commission of all or any of the acts specified in the foregoing clauses may, in addition to rendering himself/herself liable to criminal prosecution, be liable:
 - i) to be disqualified from selection for which he/she is a candidate, and/or
 - ii) to be debarred either permanently or for a specified period:-
- (m) Canvassing in any form will disqualify a candidate.

7. CHECK LIST

VERIFY THE FOLLOWING BEFORE SUBMITTING THE ON LINE RECRUITMENT APPLICATION OR DOCUMENTS/ CERTIFICATES

- a) That no column is wrongly filled or kept blank as the information furnished therein would be used to determine the eligibility of candidates.
- b) That after submitting the On line Recruitment Application (ORA), a print out of the finally submitted Application is to be submitted along with specified documents/ certificates.
- c) That all the qualifications and experiences in the relevant field (over and above the minimum qualifications and experiences prescribed) are mentioned in the On line Recruitment Application.

- d) Following Documents/ Certificates are to be submitted along with the downloaded application form of the On line Recruitment Application (ORA) failing which the candidature would not be considered:
- (i) Matriculation/10th Standard or equivalent certificate indicating date of birth, or mark sheet issued by Central/State Board indicating Date of Birth in support of their claim of age. (Self attested copy be attached)
 - (ii) 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)
 - (iii) Copy of registration in Bar Council. (Self attested copy be attached)
 - (iv) Copy of experience as an Advocate in the prescribed proforma from the District & Session Judge of the district or Registrar General/Registrar of the High Courts or Secretary General of Supreme Court as the case may be, for the entire experience claimed, clearly mentioning the duration of practice (date, month, year). (Original copy be attached)
 - (v) Caste certificate of candidate seeking reservation as SC/ ST/ OBC, in the prescribed proforma issued by the competent authority indicating clearly the candidate's Caste, village/ town, the candidate is ordinarily a resident of.(Self attested copy be attached)
 - (vi) Certificate of character from the District & Session Judge of the district or Registrar General/Registrar of the High Courts or Secretary General of Supreme Court as the case may be and two certificates of Character from two responsible persons of status, well acquainted with the candidate in private life and unconnected with their school/college/University. The certificates must not be of a date preceding six months from the date of application. (Original copy be attached)
 - (vii) Photo identity card i.e ADHAAR Card/Voter I.D. Card / Driving Licence / Passport / PAN Card / Bar Council Identity Card/Bank's Passbook copy with photograph. (Self attested copy be attached)
 - (viii) Copy of counterfoil (High Court's Copy) of Bank Challan evidencing deposit of requisite fee. (Original copy be attached).
- (e) Any information contained in the attached documents/certificates shall not be considered unless it is claimed in the On line Recruitment Application.
- (f) That the printout of the On line Recruitment Application along with specified documents/ certificates be sent well in advance so as to reach the Office on or before the prescribed last date.
- (g) The Experience Certificate in prescribed proforma as an Advocate must contain forwarding of District and Sessions Judge of the District/Registrar General/Registrar of the High Court/Secretary General of the Supreme Court as the case may be within whose jurisdiction the candidate has been practising along with signature & seal of competent authority.
- (h) That the candidates are requested to write the words **“Recruitment of U.P. HJS-2016”** on the top of the envelope while sending the Hard Copy of On line Recruitment Application Form along with specified documents/ certificates.

PRESCRIBED PROFORMA
Proforma-I

The format of certificate to be produced by Scheduled Castes and Scheduled Tribes candidates applying for appointment to the post under the U.P HJS Rules.

This is to certify that Shri/Shrimati/Kumari*.....son/daughter* ofof village/town* in District/Division* of the State of Uttar Pradesh belongs to the..... caste/tribe* which is recognised as a Scheduled Caste/Scheduled Tribe* under existing Government Order:—

This certificate is issued on the basis of the Scheduled Castes/Scheduled Tribes certificate issued to Shri/Shrimati*..... Father/Mother of Shri/Shrimati/Kumariof village/town*.....in District/Division*..... of the State of Uttar Pradesh who belongs to the caste/tribe* which is recognised as a Scheduled Caste/Scheduled Tribe in the State of U.P. issued by the District Magistrate dated..... Shri/Shrimati/ Kumari*..... and/or* his/her* family ordinarily resides in village/town*..... of..... District/Division* of the State of Uttar Pradesh.

Signature.....

Full Name

**Designation.....

(With Seal of Office) (District Magistrate / Additional District Magistrate / City Magistrate / Sub-Divisional Magistrate / Tehsildar.

State

Place:

Date:

The certificate must be issued by the authority empowered to issue.

The format of certificate to be produced by Other Backward Classes candidates applying for appointment to the post under U.P. HJS Rules.

Proforma-II

This is to certify that Shri/Shrimati/Kumari*.....son/daughter* of Shri..... of village/town*in District/Division*..... of the State of U.P. belongs to theCommunity which is recognised as a backward class under existing Government Orders.

Shri/Shrimati/Kumari*.....and/or* his/her* family ordinarily resides in village/town*..... of..... District/Division* of the State of U.P

This is also to certify that he/she* does not belong to the persons/sections* (Creamy Layer)

Place.....

Date.....

Signature.....

Full Name.....

**Designation.....

(With Seal of Office) (District Magistrate /

Additional District Magistrate / City
Magistrate / Sub-Divisional Magistrate /
Tehsildar.
(With seal of Office)

Note 1: Candidates claiming to belong to OBCs should note that the name of their caste (including its spellings) as indicated in their certificates, should be exactly the same as published in the lists notified by the Government from time to time. A certificate containing any variation in the caste name will not be accepted.

Proforma-III

Form of declaration to be submitted by the OBC candidate (in addition to the community certificate)

I Son/daughter of Shri.....resident of village/town/city.....district.....state.....hereby declare that I belong to the.....community which is recognized as a backward class by the Government of U.P for the purpose of reservation in services as per orders. It is also declared that I do not belong to persons/sections/sections (Creamy Layer) mentioned in Govt. order

Signature:.....
Full Name:.....
Address:.....

FORM-IV
Experience Certificate

(For experience at Bar for Advocates)

Letter Head of the Institution/Issuing Authority

Telephone No.....
Fax No.....

Name of Organization _____

Address of the Organization _____

Dated: _____

This is to certify that Shri/Ms..... (Registration No.....) S/o D/o W/o Shri.....has been practising /practised as an Advocate dealing with criminal/civil cases from..... to.....in the CAT/Sessions Court/High Court/Supreme Court at.....

It is certified that above facts and figures are true and based on records available in our organization/Bar Council of District _____.

Signature

Name of competent authority
Stamp of competent authority

NOTE: The concerned District Judge/Registrar General/Registrar etc. may furnish the certificate of experience and forward the applications of Prosecuting Officers/Assistant Prosecuting Officers on the basis of appropriate certificate submitted by them from the Concerned District Magistrate/ Senior Prosecuting Officer.

APPENDIX-'G'
See Rule-18 of the Uttar Pradesh Higher Judicial Service Rules, 1975 (as amended)
SYLLABUS PRESCRIBED FOR THE RECRUITMENT OF THE OFFICERS
IN UTTAR PRADESH HIGHER JUDICIAL SERVICE

The examination for U.P. Higher Judicial Service will include the following subjects:

Paper No.1: General Knowledge

This paper will be of 100 marks and 3 hours duration.

There will be a paper of "General Knowledge". The paper may include questions based on topics relating to History of India and Indian Culture, Geography of India, Indian Polity, current national issues and topics of social relevance, India and the World, Indian Economy, International Affairs and institutions and development in the field of Science & Technology, communication and space.

The nature and standards of questions in these papers will be *such that a well educated person will be* able to answer them without any specialised study.

Paper No.2: Language:

This paper will be of 100 marks and 3 hours duration. It shall comprise four questions as specified below:-

- (i) Essay to be written in English -30 marks
- (ii) English Précis writing -30 marks
- (iii) Translation of passage from Hindi to English -20 marks
- (iv) Translation of passage from English to Hindi -20 marks

Paper No.3: Law-I (Substantive Law):

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

The question set will be restricted to the field covered by-
 The Law of Contracts, the Law of Partnership, the Law concerning easements and torts, the Law relating to transfer of property including the principles of equity specifically applicable thereto, the Principle of equity with special reference to the law of trust and specific relief, Hindu Law and Mohammedan Law and Constitutional Law.

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

Paper No.4: Law II (Procedure and evidence):

This paper will be of 200 marks and 3 hours duration.
Questions set will be restricted to the field covered by-

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

Paper No.5: Law III (Penal, Revenue and Local Laws):

This paper will be of 200 marks and 3 hours duration.
Questions set will be restricted to the field covered by-

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

Answer to the questions of Local Laws will be compulsory. Question pertaining to penal Laws will be of 50 marks, whereas that of Revenue and Local Laws will be of 150 marks.

Clarification—The candidates will have a choice to answer General Knowledge and Law Papers either in Hindi or in English.

Paper No.6: Interview:

The interview will be of 200 marks—The suitability of the candidate for employment in the U.P. Higher Judicial Service will be tested with reference to his merit giving due regard to his ability, character, personality and physique.

Notes:

(i) The candidates securing minimum aggregate 45% marks in the written examination shall be called to appear in the interview subject to maximum thrice the number of vacancies category-wise.

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

(ii) The candidate securing minimum 40% marks in the interview shall only be eligible to be included in the select list. The marks obtained in the interview will be added to the marks obtained in the written papers and candidate's place in the select list will depend on the aggregate of both.