

THE HIGH COURT OF KERALA

No. B1-91556/2010

Kochi – 682 031,
Dated – 14-01-2011.

NOTIFICATION

Direct recruitment to the post of Munsiff-Magistrate on N.C.A. vacancies

Applications are invited in the prescribed form, from qualified candidates belonging to the Ezhavas, Thiyyas & Billavas, Muslims, SIUC Nadar, OBC (8th item in Rule 17(1), Part II, KS&SSR) and Scheduled Tribe communities in the State of Kerala, for appointment to the post of Munsiff-Magistrate in the Kerala Judicial Service. As per notification No.B1-54379/2009-B4 dated 24-08-2009, High Court had notified 23 vacancies of Munsiff-Magistrates for appointment in the Kerala Judicial Service. But, three reservation turns to be filled up by candidates from the Ezhavas, Thiyyas & Billavas, two reservation turns of Muslims, one reservation turn each of SIUC Nadar, OBC (8th item in Rule 17(1), Part II, KS&SSR) and Scheduled Tribe have been kept unfilled for want of suitable candidates from the said communities. As per Rule 15(a) of the Kerala State and Subordinate Services Rules, 1958 these posts are to be filled up by direct recruitment exclusively from members of respective communities.

1. Scale of pay of the post: ₹ 27,700 - 44,770

2. Number of vacancies: Ezhavas, Thiyyas & Billavas – 3
Muslims – 2
SIUC Nadar – 1
OBC (8th item in Rule 17(1), Part II,KS & SSR) – 1
Sheduled Tribes – 1

3. Method of recruitment:

Direct recruitment from candidates belonging to the Ezhavas, Thiyyas & Billavas, Muslims, SIUC Nadar, OBC (8th item in Rule 17(1), Part II,KS & SSR) & Sheduled Tribe communities. Rule 15 (a) of Part II of the Kerala State and Subordinate Services Rules, 1958 shall be applicable for this recruitment.

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) (N.C.A. vacancies). The second stage is the Kerala Judicial Service Examination (Main) (N.C.A. vacancies), consisting of a written examination and a viva voce. The preliminary examination and main examination will be conducted on the basis of the Scheme given below. 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. The Preliminary examination shall be conducted on 29-05-2011.

5. Qualifications:

A candidate for appointment as Munsiff-Magistrate by direct recruitment (N.C.A. vacancies) shall satisfy the following general conditions, namely;

- a) He shall be a citizen of India.
- b) He 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 shall not have completed 38 years of age on the first day of January, 2011 and 40 years in the case of candidates belonging to any of the Scheduled Tribe.
- d) He shall be of good character.
- e) He shall be of sound health having no bodily infirmities, which renders him unfit for appointment.

6. 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.

Cut-off mark prescribed in the preliminary examination for qualifying for the main written examination is 40 % for the candidates belong to the Sheduled Tribe and 50 % for others. 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 examinaition 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.

7. 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

8. Scheme of the Main Examination:

a) Written Examination:

The Kerala Judicial Service Examination (Main) (N.C.A. vacancies) 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 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 Scheduled Tribes 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 (N.C.A. vacancies) shall be called for viva voce. The cut-off marks in the viva voce is fixed as 35% for candidates belonging to Scheduled Tribes and 40% for others. 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 at the written examination (Main) (N.C.A. vacancies).

9. Syllabus for the Written Examination (Main):

Papers	Subjects
Paper-I	English Grammar, General Essays, Translation of Malayalam Depositions / Documents to English, Precis writing

Papers	Subjects
Paper-II	<p>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.</p> <p>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.</p>
Paper-III	<p>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.</p> <p>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)</p>
Paper-IV	<p>Part-A: Code of Civil Procedure, Civil Rules of Practice, Kerala Civil Courts Act.</p> <p>Part-B: Code of Criminal Procedure and Criminal Rules of Practice.</p>

10. Training:

Every person selected for appointment shall undergo training for a period of not less than one year extendable up to two years. The training will be conducted by the Kerala Judicial Academy. During the period of training, appointees will be paid an allowance of ₹ 9,000/- per month.

11. 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.

12. 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.

13 Pre-examination training to 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 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.

14. How to apply:

- (a) Application shall be submitted in the prescribed format, which can be downloaded from the official website www.highcourtofkerala.nic.in.
- (b) Applications shall be accompanied by Demand Draft for ₹ 1,000/- 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 belong to the community of Scheduled Tribes and unemployed physically handicapped candidates. Fee once remitted will not be refunded under any circumstances.
- (c) Application form including the forms of certificates (forms 'A' to 'D') contains 8 pages.
- (d) Candidates should read carefully this Notification and all the columns of the application form, before filling them.
- (e) 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.
- (f) Full and correct information shall be furnished against every column. Furnishing of false or incorrect information / document 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.
- (g) A passport size photograph of the candidate recently taken and duly attested by a Gazetted Officer shall be affixed on the application at the place indicated, on the Admission Ticket and Attendance Slip.
- (h) 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.
- (i) 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.

- (j) The following shall be forwarded along with the application:
- (i) Certificates (as applicable) in Forms 'A' & 'B' duly filled up and certified.
 - (ii) Admission Ticket and Attendance Slip in Forms 'C' & 'D' duly filled up with the photographs attested by a Gazetted Officer.
 - (iii) Copies of the following documents attested by a Gazetted Officer:
 - (1) Degree certificates/provisional degree certificates to prove qualification.
 - (2) Relevant page of school record to prove date of birth.
 - (3) Caste Certificate in the case of Scheduled Tribe candidates and non-creamy layer certificate in the case of other candidates. The non-creamy layer certificate should have been obtained within one year of the last date fixed for the receipt of filled in applications.

The originals of certificates referred to at (iii)(1) to (3) above shall be produced when called for. Failure to produce the original documents when called for, will result in disqualification of the applicant.

- (k) Applications which do not comply with the instructions shall be rejected.
- (l) Applications duly filled up in all respects shall be submitted to the Registrar, High Court of Kerala, Kochi-682 031, on or before 19-02-2011.
- (m) To avoid postal delay, the candidates may send their applications sufficiently early.
- (n) Applications received in the High Court after the last date shall, under no circumstances, be considered.
- (o) The cover containing the application shall be superscribed "**APPLICATION FOR THE POST OF MUNSIFF-MAGISTRATE IN THE KERALA JUDICIAL SERVICE (N.C.A. VACANCIES)**".
- (p) For removal of doubts, candidates may contact the Secretary to the Recruitment Committee (Ph: 0484-2562311).

(By order)

Sd/-

A.Hariprasad,
Registrar (Subordinate Judiciary)