

THE HIGH COURT OF KERALA

No. B1-54379/2009

Kochi – 682 031.

Dated – 24-08-2009.

NOTIFICATION

KERALA JUDICIAL SERVICE EXAMINATION – 2009

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

1. Scale of pay of the post: Rs.9000–14550 (pre-revised)

2. Probable number of vacancies:

23 vacancies in the cadre of Munsiffs / Magistrates / Munsiff-Magistrates. Out of this, 17 candidates are to be selected by direct recruitment and 6 candidates by recruitment by transfer. In the event of establishment of Gram Nyayalayas in the State, there is a likelihood of more vacancies arising and the candidates from the same merit list are likely to be selected for being considered for appointment as Nyayadhikaries in the Gram Nyayalayas that may arise till the end of 2010 if the State Government agree to the proposal of the High Court to appoint persons included in the rank list of Munsiff-Magistrates as Nyayadhikaries of such Gram Nyayalayas.

3. Methods of recruitment:

- (i) Direct recruitment
- (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 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 and the candidates who are found eligible for admission to the main written exam will also be intimated personally. The Preliminary examination shall be conducted on 27-12-2009.

4. Qualifications:

I. Direct Recruitment:

A candidate for appointment as Munsiff-Magistrate by direct recruitment 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 35 years of age on the first day of January, 2009.

Note: (1) 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 and physically handicapped candidates.

(2) For further relaxation of age limit for other categories of persons, provision in rule 10 of the Kerala State and Subordinate Services Rules, 1958 may be seen. Anyone coming within the description in the rule and who satisfies the other conditions can also apply.

- d) He shall be of good character.
- e) He shall be of sound health having no bodily infirmities, which renders him unfit for appointment.

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 in Sl.No.I to VII below or has put in 10 years of total service in the feeder category enumerated as Sl.No.VIII below, excluding the period of service, if any, not counting for probation.

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 at any time for the prescribed number of years 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 Prosecutors Grade I & II.
- II) Assistant Registrars and other officers in the High Court in the same scale of pay of Assistant Registrars, Personal Assistant to the Chief Justice, Addl. Personal Assistant to the Chief Justice, Sections Officers / Court Officers / Court Fee Examiners, Librarian and Reference Librarian, Accountant, Head Translator, Private Secretary to the 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 of the Government Secretariat.
- V) Sheristadars of District Courts, Addl. District Courts, Special Courts, Motor Accidents Claims Tribunals, State Transport Appellate Tribunal, Family Courts and Wakf Tribunals and Sub Courts, Senior Superintendents of District Courts and Addl. District Courts and Selection Grade Confidential Assistants in the Subordinate Civil Courts.
- VI) Sheristadars of Chief Judicial Magistrates' 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 non-creamy layer of Backward Classes, Scheduled Castes and Scheduled Tribes 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) Proposal for reservation of 1% of vacancies for physically handicapped person with locomotor disability is pending consideration of the Government. If the proposal is approved before the selection process is over, 1% of vacancies shall be reserved for physically handicapped persons with locomotor disability 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 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 or merit of the candidates.

Cut off mark prescribed in the preliminary examination for qualifying for the main written examination is 50% for general candidates and 40% for candidates belonging to SC/ST category. 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 over all 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 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).

10. Syllabus for the Written Examination (Main):

Papers	Subjects
Paper-I	English Grammar, General Essays, Translation of Malayalam Depositions / Documents to English, Precis writing
Paper-II	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, Kerala State Legal Services Authorities Act, The Kerala Panchayath Raj Act - Ch.X, XI, XXIA & XXIII of Kerala Municipality Act - Ch.IX, X, XXIV & XXV of Negotiable Instruments Act (except Ch. XVII), and Registration Act.

Papers	Subjects
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>

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 Rs.9,000/- 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 boarding and lodging will not be met by the High Court.

15. 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 Rs.500/- (Rupees Five Hundred only) drawn on State Bank of India in favour of Registrar General, High Court of Kerala and payable at Ernakulam. However, no fee is payable by candidates belonging to Scheduled Castes & 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 and the format of admission ticket (*forms 'A' to 'D'*) contains 11 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, and also on the Admission Ticket form for the preliminary examination.
- (h) Additional sheets of the same size as the sheets of this 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' to 'C' duly filled up and certified.
 - (ii) *Admission ticket format in form-'D' duly filled up with photograph attested.*
 - (iii) Copies of the following documents attested by a Gazetted Officer:
 - (1) Degree certificates to prove qualification.
 - (2) Relevant page of school record to prove date of birth.
 - (3) Certificate to prove community in the case of SC/ST and non-creamy layer certificate in the case of Other Backward Classes.
 - (4) Certificate from the competent Medical Board stating the nature and percentage of disability satisfying the requirement of para 6(b)(i) of the Notification if the applicant is claiming reservation on account of locomotor disability.

The originals of certificates referred to at (iii)(1) to (4) above shall be produced when called for.

- (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 30-09-2009.
- (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**".
- (p) For removal of doubts, candidate may contact the Secretary to the Recruitment Committee (Ph: 0484-2394589).

(By order)

Sd/-

A.V.Ramakrishna Pillai,
Registrar (Subordinate Judiciary).