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# TAMIL NADU GOVERNMENT GAZETTE

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### NOTIFICATIONS BY GOVERNMENT

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## NOTIFICATIONS BY GOVERNMENT

### HOME DEPARTMENT

#### Amendment to the Tamil Nadu State Judicial Service (Cadre and Recruitment) Rules, 2007.

[G.O. Ms. No. 222, Home (Courts-I), 5th April 2011.]

No. SRO B-19/2011.—In exercise of the powers conferred by Articles 233, 233-A, 234 and 235 and the proviso to Article 309 of the Constitution of India, the Governor of Tamil Nadu, in consultation with the High Court, Madras and the Tamil Nadu Public Service Commission, hereby makes the following amendment to the Tamil Nadu State Judicial Service (Cadre and Recruitment) Rules, 2007:—

#### AMENDMENT

In the said Rules for Annexure-II, the following Annexure shall be substituted, namely:—

#### ANNEXURE II (Under Rule 5)

##### CIVIL JUDGE BY DIRECT RECRUITMENT

1. The Tamil Nadu Public Service Commission (hereinafter referred to as the 'Commission'), will invite applications for direct recruitment to the post of Civil Judge, with reference to the vacancies reported by the Government through one English daily and one Tamil daily.

2. A candidate who applies for direct recruitment to the said post should send along with his application, copies of all the essential certificates and documents specified in the notification issued by the Commission. Besides the above, he should send the following along with his application:—

(a) In the case of a member of the Bar, the Degree Certificate, Enrollment Certificate issued by the Bar Council of Tamil Nadu, a certificate from the respective Association, in which he is a Member or from a Senior Advocate under whom he is practising, to show that he is a practising Advocate, specifying the number of years of such practice:

Provided that the candidates who have enrolled in the Bar Council of other States, in support of which they have already submitted documents with their application, shall produce a certificate at the time of *viva-voce* with regard to transfer of their names from the rolls of the Bar Council of other State, in which they had enrolled, to the Bar Council of Tamil Nadu, in the event of their admission to *viva-voce*.

(b) In the case of an Assistant Public Prosecutor or a Government Pleader, the appointment order as Assistant Public Prosecutor or Government Pleader and a service certificate from the Head of Department specifying the number of years of qualifying service.

(c) In the case of a fresh Law Graduate, Law Degree Certificate issued by the University concerned.

(d) Birth Certificate or any other authentic Certificate showing the date of birth of the candidate.

3. The minimum marks for a pass in each paper of the written examination shall be 30% for the candidates belonging to Scheduled Caste, Scheduled Caste (A) and Scheduled Tribe; 35% for the candidates belonging to Backward Class (OBCM), Backward Class (M) and Most Backward Class/Denotified Community and 40% for Others.

4. The Syllabi for the examinations shall be as follows:—

#### (a) Written Examination:—

##### (i) Translation Paper (Maximum Marks 100)

Translation of passages in English into Tamil and Tamil into English. The passages will be from (1) Depositions, (2) Judgements and (3) Documents.

##### (ii) Law Paper I (Maximum Marks 100)

The Code of Civil Procedure, 1908, the Code of Criminal Procedure, 1973, the Indian Evidence Act, 1872, Principles of Pleading and the Constitution of India.

##### (iii) Law Paper II (Maximum Marks 100)

Framing of Issues and Writing of Judgements in Civil Cases.

##### (iv) Law Paper III (Maximum Marks 100)

Framing of charges and Writing of Judgements in Criminal Cases.

**(b) Viva - Voce (Maximum Marks 60)**

The candidate's General Knowledge and Knowledge of law, grasp of Procedural Laws and Principles of Law and his suitability for appointment as Civil Judge shall be tested. The minimum marks for a pass in the viva-voce for all categories of candidates shall be 18:

Provided that no candidate who has secured less than the minimum marks specified for the written examination shall be eligible for viva-voce.

(5) The Commission shall conduct the written examination and viva-voce as specified below:—

(a) On receipt of applications from the candidates, scrutiny of applications will be done by the Commission strictly in accordance with the instructions and guidelines prescribed by it for the purpose.

(b) Hall Tickets will be dispatched to the candidates whose applications have been admitted by the Commission, sufficiently in advance to the date of examination.

(c) Sets of question papers for drawal for all the four papers of the written examination together with answer keys will be set by the Hon'ble Judges of the High Court nominated by the Hon'ble Chief Justice for the purpose.

(d) Five sets of question papers in the prescribed syllabi will be set by moderators appointed by the Hon'ble Chief Justice from time to time and these sets would be handed over to the Commission for safe custody.

(e) The Hon'ble Chief Justice would pick up, in the presence of other Hon'ble Judges, a set of question papers containing key answers from a Minimum of three such sets. The picked up set would be signed by the Hon'ble Chief Justice and by other Hon'ble Judges present and handed over to the Controller of Examinations, Tamil Nadu Public Service Commission for printing. The other not picked question papers would be collected back by the Controller of Examinations for safe custody.

(f) The printed question papers will be received at the Commission's office and will be transported to the designated Centres escorted by the officials from the Commission and the High Court. Each packet will contain 20 question papers and they will be bundled into larger parcels of cloth lined covers.

(g) At the point of arrival, the representatives of the High Court and the Commission will receive the sealed bundles containing the question papers and the papers will be kept inside the Treasury Vault under armed security.

(h) Chief Invigilators will be appointed by the Commission as per the usual procedure. On the previous day of examination, the Chief Invigilator appointed, shall verify the adequacy of question papers at the Treasury in the presence of officials of the Commission and the High Court and keep them back in Treasury vault till the morning of the examination day.

(i) On the day of examination, the question papers will be taken from the vault of the Treasury and transported to the examination centre as per the procedure evolved by the Commission, so that it will reach the examination centre at least half-an-hour before the examination. The question paper packet(s) shall be opened by the Invigilators five minutes before the commencement of the examination.

(j) The persons drafted for invigilation work will normally be the teachers of the educational Institution where the examination is conducted.

(k) The Commission's staff as well as the High Court or Judicial Officers may be deputed for inspection of the examination halls. Flying Squads are also appointed by the District Revenue Officer, who is the co-ordinator for the examinations conducted by the Commission.

(l) Hon'ble High Court Judges or District Judges, to be nominated by the Hon'ble Chief Justice, can also make surprise inspection. Members of the Commission will also make surprise inspection.

(m) Immediately on the completion of the examination, all the answer papers of the candidates will be collected by the Invigilators and the same will be counted, packed and sealed by the Chief Invigilator. The same will be signed by him, handed over to the persons nominated by the Commission and deposited in the Treasury for onward transmission to the Commission in chartered vehicles with police bandobust accompanied by the staff of the Commission.

(n) Dummy numbers will be assigned to the answer papers by the persons deputed by the Controller of Examinations in the Commission's office, after all the answer paper are received in the Commission's office, from the respective Centres.

(o) After the dummy numbers are assigned to the answer papers, the same will be sent by the Commission to the Tamil Nadu State Judicial Academy situated at Greenways Road, Raja Annamalaipuram, Chennai-600 028 or any other place designated by the Hon'ble Chief Justice of Madras High Court for evaluation, which will be the centralized evaluation centre.

(p) District Judges (Super-time Scale), District Judges (Selection Grade) and District Judges (Entry Level), who have put in 3 years of service, are eligible to be appointed as Examiners.

(q) The bundle containing the answer keys would be handed over by the Controller of Examinations, to the Chief Examiner and the same would be opened by the Chief Examiner in the presence of other Examiners. Valuation of the answer papers shall be done by the examiners nominated by the Hon'ble Chief Justice for the purpose.

(r) The staff and officers of the Commission will be present at the time of evaluation of the answer sheets and assist the Examiners in the evaluation process.

(s) The Examiners will prepare the mark sheet (one copy only), seal it and hand over the same to the Controller of Examinations, for further processing.

(t) The Controller of Examinations will oversee the conversion of Dummy numbers, to Registration numbers before tabulation, for ascertaining the candidates who are qualified for admission to viva-voce.

(u) Candidates for viva-voce will be short listed in the ratio of 1:2 or 1:3 as specified in the Instructions, etc., issued to the candidates appearing for the examination.

(v) The viva-voce will be conducted in the Commission's office with a minimum of five interview Boards per day, comprising of one Hon'ble Judge of the High Court and such number of Members of the Commission, as are available at the time of conduct of interview.

(w) An Hon'ble Judge of the High Court, to be nominated by the Hon'ble Chief Justice, for each of the interview of Boards constituted will be the Chairperson of the Board and his views in the matter of awarding marks or grades, which is by consensus will normally be accepted, unless there are cogent reasons for not accepting such advice, to be recorded in writing by the Chairman and members of the Commission.

(x) The marks or grade sheets will be sealed and handed over to the Secretary to the Commission for safe custody. After the viva-voce is completed, the marks obtained by the candidates in written as well as viva-voce would be collated and published. The names of the successful candidates will, thereafter, be prepared by the Commission and sent to the Government of Tamil Nadu for appointment after due publication of the results as per Tamil Nadu State Judicial Service (Cadre and Recruitment) Rules, 2007.

(y) The Notification enlisting the successful candidates prepared under these rules shall be published in the *Tamil Nadu Government Gazette* and it shall cease to be operative from the date of publication of the next list of successful candidates prepared under these rules, in the *Tamil Nadu Government Gazette*.

(6) A tentative time schedule for the recruitment would be prepared by the Commission in consultation with Hon'ble High Court and the same would be adhered to, to the maximum possible extent for finalizing the selection process".

K. GNANADESIKAN,  
*Principal Secretary to Government.*

#### REVENUE DEPARTMENT

### **Ad hoc Rules relating to Temporary post of Joint Commissioner of Land Reforms for Tamil Nadu General Service.**

[G.O. Ms. No. 127, Revenue (ser. 5), 15th March 2011.]

No. SRO B-20/2011.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Tamil Nadu hereby makes the following rules:—

The rules hereby made shall be deemed to have come into force on and from the 14th August 2007.

#### RULES

The General and Special Rules Applicable to the holders of the permanent posts in the Tamil Nadu General Service (Class LXVIII) shall apply to the holders of the temporary post of Joint Commissioner (Land Reforms), subject to the modification specified in the following rules:—

**2. Constitution:—**The post shall constitute a temporary addition to the said class in the said service.

**3. Appointment:—**Appointment to the post shall be made by promotion from among the holders of the post of Assistant Commissioner (Land Reforms) in the Tamil Nadu General Service (Class LXVIII) or from among the holders of the posts of Assistant Commissioner (Land Reforms) not included in the cadre of Deputy Collector in the Tamil Nadu Civil Service.

**4. Qualification:—**No person shall be eligible for appointment to the post unless he/she:—

(a) has put in a total service for a period of not less than six years either as Assistant Commissioner (Land Reforms), not included in the cadre of Deputy Collector in the Tamil Nadu Civil Service or as Assistant Commissioner (Land Reforms) in the Tamil Nadu General Service (Class LXVIII) or as both.

(b) has undergone training as Tahsildar for a period of not less than one year:

Provided that the period of six years of service specified in item (a) above shall be reduced to three years in the respect of persons who have served in Land Reforms Department itself for a period of not less than twenty five years.

**5. Pay:—**Monthly pay is calculated in the scale of pay of Rs.15,600-39,100+Grade pay of Rs. 7,600/-.

V.K. JEYAKODI,  
*Principal Secretary to Government.*