

CONSOLIDATED

THE ORISSA SUPERIOR JUDICIAL SERVICE (OSJS)
AND ORISSA JUDICIAL SERVICE (OJS) RULES, 2007

(Consolidated till 2nd Amendment, 2023)

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The Orissa Superior Judicial Service and Orissa Judicial Service Rules, 2007

LAW DEPARTMENT

NOTIFICATION

The 17th August 2007

[Published in the Odisha Gazette (EO) No.1483, 23rd August, 2007]

S.R.O.No.447/2007 – In exercise of the powers conferred by the proviso to article 309 read with article 233, 234 and 235 of the Constitution of India, the Governor of Orissa after consultation with the Orissa Public Service Commission and the High Court of Orissa hereby makes the following rules regulating the recruitment and conditions of service of the persons appointed to the posts in the Orissa Superior Judicial Service and Orissa Judicial Service, namely:-

1. **Short title and commencement –**

- (1) These rules may be called the Orissa Superior Judicial Service and Orissa Judicial Service Rules, 2007.
- (2) They shall come into force on the date of their publication in the official Gazette.

PART – 1

2. **Definitions –**

- (1) In these rules, unless the context requires otherwise,
 - (a) 'Appendix' means an Appendix appended to these rules;
 - (b) 'Commission' means the Orissa Public Service Commission;
 - ¹(ba) 'Departmental Examination' means Examination conducted by the Odisha Judicial Academy at such intervals for the Civil Judges and District Judges appointed by direct recruitment;
 - ²(bb) 'Ex-serviceman' means a person as defined in the Odisha Ex-servicemen(Recruitment to the State Civil Service and Posts) Rules, 1985;
 - (c) 'Government' means the Government of Orissa;

¹ Inserted vide Gazette Notification No.1605 Dtd.20.08.2013

² Inserted vide Gazette Notification No.151 Dtd.24.01.2020

- (d) 'Governor' means the Governor of Orissa;
 - (e) 'High Court' means the High Court of Orissa;
 - (f) 'Official Gazette' means the Orissa Gazette;
 - ¹(fa) 'Odisha Judicial Academy' means an institution established at Cuttack in the name of the Odisha Judicial Academy;
 - (g) 'Recruiting Authority' means the Orissa High Court or the Orissa Public Service Commission, as the case may be;
 - (h) 'Scheduled Castes and Scheduled Tribes' shall have reference to the Scheduled Castes specified in the Constitution (Scheduled Castes) order, 1950 and (Scheduled Tribes) Order 1950, made under articles 341 and 342, respectively, of the constitution of India and as amended from time to time.
 - (i) 'S.E.B.C.' means socially and Educationally Backward Classes of the citizen other than the Scheduled Castes and Scheduled Tribes as may be specified by the Government from time to time;
 - (j) 'Service' means the Orissa Superior Judicial Service and Orissa Judicial Service;
 - (k) 'State' means the State of Orissa; and
 - (l) 'Year' means the calendar year.
- (2) All other words and expressions used herein but not specifically defined in these rules, unless the context otherwise requires, shall have the same meaning as respectively assigned to them in the Orissa Service Code.

PART – II

3. ²Constitution of Service –

- (1) The service shall consist of three cadres namely:-
 - (a) District Judge,
 - (b) Civil Judge (Senior Division); and
 - (c) Civil Judge (Junior Division).

¹ Inserted vide Gazette No.1605 Dtd.20.08.2013

² Substituted vide Gazette No.2013 Dtd.22.08.2023

- (2) The cadre of District Judge belonging to Odisha Superior Judicial Service shall comprise of the (i) District Judges (ii) Selection Grade District Judges (iii) Super Time Scale District Judges and shall include Session Judges, Additional District Judges, Additional Session Judges and all other posts in the erstwhile cadre of the Odisha Superior Judicial Service (Senior Branch) in the Registry of the High Court and on deputation to the Government and also any other post as shall be decided by the High Court from time to time.
- (3) The cadre of Civil Judge (Senior Division) belonging to Odisha Judicial Service shall comprise of –
 - (i) Civil Judge (Senior Division) - (Entry Grade);
 - (ii) Civil Judge (Senior Division) - (Grade-II);
 - (iii) Civil Judge (Senior Division) - (Grade-I); and
 shall include Chief Judicial Magistrates, Additional Chief Judicial Magistrates, Civil Judges (Senior Division), Additional Civil Judges (Senior Division), Registrar of Civil Courts and all other posts in the erstwhile cadre of Odisha Superior Judicial Service (Junior Branch) and in the cadre of Odisha Judicial Service Class-I (Senior) in the Registry of High Court and on deputation to the Government and shall also include any other posts as shall be decided by the High Court from time to time.
- (4) The cadre of Civil Judge (Junior Division) belonging to Odisha Judicial Service shall comprise of :—
 - (i) Civil Judge (Junior Division) - (Entry Grade);
 - (ii) Civil Judge (Junior Division) - (Grade-II);
 - (iii) Civil Judge (Junior Division) - (Grade-I); and
 shall include Civil Judges (Junior Division), Additional Civil Judges (Junior Division), Sub-Divisional Judicial Magistrates, Judicial Magistrates and all other posts in the erstwhile cadres of Odisha Judicial Service, Class-I (Junior) and Class II and shall include all officers in the Registry of High Court and on deputation to the Government and shall also include any other posts as shall be

decided by the High Court from time to time.

Explanation - For the purpose of sub-rule (3) and (4), the entry grade refers to the normal scales of pay and Grade-II and Grade-I refer to the Assured Career progression scales of pay at the First stage and second stage, respectively, as prescribed in the Resolution No-11636/L., dated the 26th October, 2022 of the Law Department of the Government and as may be modified from time to time.

- (5) (a) The grant of First Assured Career Progression (ACP) to the Civil Judge (Junior Division) shall be based on the relaxed norm limited to ascertaining whether there is anything positively adverse such as consistently poor or unsatisfactory performance or adverse report of serious nature leading to the inference that the officer is unfit to have the benefit of ACP. However, the Committee constituted by the Chief Justice of the High Court for the purpose shall devise the norms for grant of ACP-I and ACP-II scales of pay to the Civil Judge (Senior Division) and ACP-II scale of pay to the Civil Judge (Junior Division).
- (b) If for any reason, delay in grant of ACP goes beyond one year, one additional increment for every year's delay shall be granted subject to adjustment while drawing the arrears on grant of ACP.
- (c) In order to avoid delay, the process of grant of ACP should be initiated 3 months in advance from the date on which the judicial officers will be completing 5/10 years and the financial benefits should be paid to the judicial officer within a period of 6 months after the judicial officer steps into the 6th/ 11th year of Service.

4. Selection Grade District Judges –

¹[Thirty-five per centum] of the posts in the cadre of District Judges who have put in five years of service in the cadre shall be granted selection grade pay and they shall be selected on the basis of merit-cum-seniority from the cadre of District Judges by the High Court.

²Note: The increase of percentage of the Selection Grade District Judges for the purpose of this Rule shall be effective from 1st January, 2020.

5. Super time scale District Judges –

³[Fifteen per centum] of the posts in the cadre of District Judges who have put in three years of service as Selection Grade District Judges in the cadre shall be granted Super Time Scale of Pay and they shall be selected on the basis of merit-cum-seniority from amongst the Selection Grade District Judges.

Provided that High Court may in appropriate case relax the requirement of three years of service as Selection Grade District Judge for selection of Super Time Scale District Judge.

⁴Note: The increase of percentage of the Super Time Scale District Judges for the purpose of this Rule shall be effective from 1st January, 2020.

Explanation- For the purpose of the rules 4 and 5, the expressions of 'Selection Grade Pay' and 'Super Time Scale of Pay' shall, respectively, mean the scale of pay as prescribed in the First Schedule of the Resolution No-11636/L., dated the 26th October, 2022 of the Law Department of the Government and as may be modified from time to time.

5-A. ⁵Recording of Annual CCR of Judicial Officers—

The CCRs of the Judicial Officers of all the cadres of the State shall be recorded in the manner and format as specified in Form (S)-33 of the G.R & C.O (Civil), Volume-II. The date line specified therein shall be strictly

¹ Substituted vide Gazette No.2013 Dtd.22.08.2023

² Substituted vide Gazette No.2013 Dtd.22.08.2023

³ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁴ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁵ Substituted vide Gazette No.2013 Dtd.22.08.2023

adhered to by all concerned, as far as practicable. In case of non-recording of the CCRs of the Officers within the prescribed date line either by the 1st reporting authority or the 2nd Reporting Authority for any reason whatsoever, the CCRs of the concerned officers shall be placed before the Chief Justice who shall pass appropriate orders for consideration of the CCRs of such Officers directly by the Full Court or Standing Committee as the case may be. The CCRs shall be submitted by the Judicial Officers online and observations shall be recorded by the Reporting Authority, Full Court or Standing Committee online as and when such facility will be made available."

PART – III

6. Recruitment of District Judges –

- (1) Recruitment to the cadre of District Judges shall be made by (a) usual promotion, (b) limited competitive examination and (c) direct recruitment.
- (2) ¹[Sixty-five] per centum of the posts in the cadre of District Judges shall be filled up by promotion from the cadre of ²[Civil Judge (Senior Division)] having not less than ³[five years] of qualifying service as ⁴[Civil Judge (Senior Division)] ⁵[as on 1st April of the Recruitment Year] on the basis of merit-cum-seniority and passing of suitability test to be decided by the High Court.
- (3) ⁶[Ten] per centum of the posts in the cadre of District Judges shall be filled up by promotion strictly on the basis of merit through limited competitive examination of ⁷[Civil Judge (Senior Division)] having not less than five years of qualifying services as ⁸[Civil Judge (Senior Division)] ⁹[as on 1st April of the Recruitment Year.]

¹ Substituted vide Gazette Notification No.171 Dtd.20.01.2011

² Substituted vide Gazette No.2013 Dtd.22.08.2023

³ Substituted vide Gazette Notification No.727 Dtd.26.04.2016

⁴ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁵ Inserted vide Gazette Notification No.689 Dtd.27.04.2021

⁶ Substituted vide Gazette Notification No.171 Dtd.20.01.2011

⁷ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁸ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁹ Inserted vide Gazette Notification No.689 Dtd.27.04.2021

Provided that if sufficient number of officers are not available to be promoted through limited competitive examination, the vacancies shall be filled up by promotion as per provisions of sub-rule (2).

- (4) Twenty-five per centum of the posts in the cadre of District Judges shall be filled up by direct recruitment made from the Bar on the basis of aggregate marks obtained in the competitive examination conducted by the High Court.

7. Promotion –

The appointment to the vacancies in the cadre of District Judge proposed to be filled up under sub-rules (2) and (3) of rule 6 shall be made by the Governor in consultation with the High Court of Orissa.

¹[Provided that in case of exigencies the vacancies may be filled up by officiating promotion for a period not exceeding one year subject to the condition that they shall have no right to continue in the post and shall stand automatically reverted on expiry of one year, if not reverted earlier.]

Provided further that period of service rendered in officiating promotion shall not be counted towards service in the cadre of District Judge for the purpose of seniority or any other incidental purpose.

8. Limited competitive examination –

The limited competitive examination under sub-rule (3) of rule 6 shall consist of written examination, interview and evaluation of C.C.Rs/P.A.Rs to be conducted by the High Court in the manner provided in these rules and as per the syllabus contained in **Appendix 'A'**.

9. Eligibility for direct recruitment –

A candidate in order to be eligible for direct recruitment to the post of District Judge must:-

- (a) be a graduate in Law of a recognized University or an institution recognized by the Government;

¹ Provisos inserted vide Gazette Notification No.3 Dtd.02.01.2009

- (b) be having at least seven years of practices as an advocate ¹[on 1st April of the recruitment year] ²[for which vacancy has been determined]; and
- (c) not be below thirty-five years of age and above forty-five years of age as ³[on 1st April of the recruitment year] ⁴[for which vacancy has been determined].

⁵[Provided that, the maximum age limit shall be relaxed by five years in case of candidates belonging to Scheduled Caste, Scheduled Tribe, SEBC and Women and subject to the notification issued under sub-section (3) of Section 34 of the Rights of the Persons with Disabilities Act, 2016 by ten years in case of Persons with Disabilities as referred to in Sub-rule (5) of Rule 9-A.]

⁶["Explanation.- The aforesaid cut-off date shall also apply to any special recruitment drive made in respect of direct recruitment for any reasons whatsoever, in a particular recruitment year."]

9-A. ⁷Reservation:-

- (1) The percentage of vacancies to be reserved in favour of the following reserved categories in the post of District Judges which are to be filled up under sub-rule (4) of Rule 6, shall be as follows-
- | | | | | |
|----------------------|----|----|----|--------|
| (a) Scheduled Tribes | .. | .. | .. | 22.50% |
| (b) Scheduled Castes | .. | .. | .. | 16.25% |
| (c) SEBC | .. | .. | .. | 11.25% |
- (2) From out of the vacancies reserved for the categories mentioned in Sub-Rule (1) and for the unreserved categories, as nearly as 33.33 per centum of the vacancies may be reserved for women belonging to each of such category and in the event of non-availability or availability of insufficient number of eligible women belonging to any

¹ Substituted vide Gazette Notification No.689 Dtd.27.04.2021

² Substituted vide Law Deptt. Notification No.11325 Dtd.12.10.2022

³ Substituted vide Gazette Notification No.689 Dtd.27.04.2021

⁴ Substituted vide Law Deptt. Notification No.11325 Dtd.12.10.2022

⁵ Substituted vide Law Deptt. Notification No.11325 Dtd.12.10.2022

⁶ Inserted vide Gazette Notification No.689 Dtd.27.04.2021

⁷ Inserted vide Law Deptt. Notification No.11325 Dtd.12.10.2022

particular category, the vacancies or, as the case may be, the remaining vacancies shall be filled up by male candidates of that category.

- (3) In case of non-availability or availability, of insufficient number of candidates of any reserved category of S.C., S.T. and S.E.B.C., the vacancy shall be filled up by the candidates of the un-reserved category.
- (4) Appointment in respect of vacancies reserved under Sub-Rules (1) and (2) shall be made in the order in which the names appear in the merit list.
- (5) To the extent of four per centum of the vacancies in the cadre of District Judge which are required to be filled under sub-rule (4) of Rule 6 shall be reserved for persons with benchmark disabilities having physical disability as specified in the Schedule to the Rights of Persons with Disabilities Act, 2016 (49 of 2016) excluding cerebral palsy:

Provided that in case of non-availability of suitable persons with benchmark disability or for any other sufficient reasons, such vacancy shall be carried forward to the subsequent recruitment year and if in the subsequent recruitment year also suitable person with benchmark disability is not available, such vacancy shall be filled by appointing person other than a person with disability in accordance with merit list.

- (6) The candidates belonging to the category of Scheduled Caste or Scheduled Tribe or SEBC shall furnish the certificate from the competent authority indicating their respective category.
- (7) The candidates with benchmark disabilities having physical disability shall furnish medical certificate or disability certificate from the competent Medical Board or Authority indicating their benchmark disability,

10. Method of direct recruitment :-

Direct recruitment to the post of District Judge shall be made by the High

Court through a competitive examination which shall consist of two parts viz; - written test and interview conducted in the manner provided in these rules and in accordance with the syllabus as specified in **Appendix 'B'**.

11. List of candidates :-

- (1) The High Court shall having regard to the number of direct recruits to be appointed, to the post of District Judge, furnish to the Governor a list of selected candidates in order of merit and the Governor shall appoint required number of candidates as per the vacancies.
- (2) The selected candidates must be physically fit and shall be required to appear before the State Medical Board before final appointment.

12. Seniority of direct recruits: -

The inter-se-seniority of the direct recruits to the cadre of District Judge in a particular year and in the same batch shall be determined in accordance with their position in the merit list prepared under rule 11.

13. ¹Inter-se-seniority: -

The Inter-se-Seniority of Officers recruited under Rule-6 shall be determined on the basis of date when he / she has borne in the service / post i.e date of issue of formal appointment order and seniority by roster points as per the forty-point roster as specified in **Appendix-'C'** shall be fixed only when the date of appointment of Officers of two / three streams i.e Usual Promotion, Limited Competitive Examination and Direct Recruitment is same.

Provided that in case of non-availability of sufficient number of candidates for promotion through Limited Competitive Examination in a year in which direct recruitment is made under Rule-12, their quota in respect of unfilled posts shall lapse and such unfilled posts shall be filled up by usual promotion from the cadre of ²[Civil Judge (Senior Division)] in accordance with Rule-6(2):

¹ Substituted vide Gazette Notification No.2009 Dtd.03.12.2021

² Substituted vide Gazette No.2013 Dtd.22.08.2023

Provided further that the Inter-se-Seniority of the Officers so promoted against the unfilled posts shall remain the same amongst them as it was in the cadre of ¹[Civil Judge (Senior Division)].

Explanation:-A person cannot be said to have been recruited to the service only on the basis of initiation of process of recruitment, but he is borne in the post only when, formal appointment order is issued and he is disentitled to claim seniority from a date, he was not borne in service.

PART - IV

14. Appointment of officers in the rank of [²Civil Judge (Senior Division)] –

Vacancies in the cadre of ³[Civil Judge (Senior Division)] shall be filled up by promotion of the officers in the cadre of ⁴[Civil Judge (Junior Division)] on the basis of merit-cum-seniority by the High Court.

Provided that no officer shall be considered for promotion to the cadre of ⁵[Civil Judge (Senior Division)] unless he or she has been in the cadre of ⁶[Civil Judge (Junior Division)] for a period of five years.

PART – V

15. Recruitment of [⁷Civil Judge (Junior Division)] –

Direct recruitment to the cadre of ⁸[Civil Judge (Junior Division)] shall be made by the Commission through a competitive examination which shall consist of ⁹[three] parts viz –¹⁰[preliminary written examination, main] and interview conducted in the manner provided in these rules/ and in accordance with the syllabus as specified in **Appendix 'D'**.

¹ Substituted vide Gazette No.2013 Dtd.22.08.2023

² Substituted vide Gazette No.2013 Dtd.22.08.2023

³ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁴ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁵ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁶ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁷ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁸ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁹ Substituted vide Gazette Notification No.913 Dtd.09.05.2008

¹⁰ Substituted vide Gazette Notification No.913 Dtd.09.05.2008

16. Determination of vacancies –

- (1) The number of vacancies required to be filled up in the cadre of ¹[Civil Judge (Junior Division)] from time to time shall be decided by the Government in consultation with the High Court and requisition shall be sent to the Commission accordingly.
- (2) The Commission shall, after receipt of requisition from the Government, notify the number of vacancies required to be filled up and invite applications from eligible candidates for recruitment, under rule 15.
- (3) The process of recruitment shall be completed by the Commission, as far as possible, within a period of ten months from the date of issuance of advertisement.

17. Reservation –

- (1) The percentage of vacancies to be reserved in favour of the following reserved categories in the post of ²[Civil Judge (Junior Division)] which are to be filled up under rule 15, shall be as follows –

(a) Scheduled Tribes	... 22.50%
(b) Scheduled Castes	... 16.25%
(c) SEBC	... 11.25%
- (2) From out of the vacancies reserved for the categories mentioned in sub-rule(1) and for the unreserved categories, as nearly as 33.33 of the vacancies may be reserved for women belonging to each of such category and in the event of non-availability or availability of insufficient number of eligible women belonging to any particular category, the vacancies or, as the case may be, the remaining vacancies shall be filled up by male candidates of that category.
- (3) In case of non-availability or availability, of insufficient number of candidates of any reserved category of S.C, S.T. and S.E.B.C the vacancy shall be filled up by the candidates of the un-reserved category.

¹ Substituted vide Gazette No.2013 Dtd.22.08.2023

² Substituted vide Gazette No.2013 Dtd.22.08.2023

- (4) Appointment in respect of vacancies reserved under rub-rules (1) and (2) shall be made in the order in which the names appear in the merit list.
- (5) ¹To the extent of four per centum of the vacancies in the cadre of Civil Judge which are required to be filled under rule 15 shall be reserved for persons with benchmark disabilities having physical disability as specified in the Schedule to the Rights of Persons with Disabilities Act, 2016 (49 of 2016) excluding cerebral palsy:

Provided that in case of non-availability of suitable persons with benchmark disability or for any other sufficient reasons, such vacancy shall be carried forward to the subsequent recruitment year and if in the subsequent recruitment year also suitable person with benchmark disability is not available, such vacancy shall be filled by appointing person other than a person with disability.

18. Eligibility of Candidates for the post of [²Civil Judge (Junior Division)]–

- (1) In order to be eligible for recruitment to the service as ³[Civil Judge (Junior Division)] a candidate must be -
- (a) a graduate in law of a recognized University or institutions recognized by the Government.
- (b) not below ⁴[twenty three] years of age and not above ⁵[thirty five] years of age on the 1st day of the month of the August of the year ⁶[for which the vacancy has been determined].

⁷Provided that, the maximum age limit shall be relaxed by five years in case of candidates belonging to Scheduled Caste, Scheduled Tribe, SEBC, Women, Ex-servicemen or Commissioned and SSC Officers of defense service and by ten

¹ Substituted vide Gazette Notification No.258 Dtd.22.02.2018

² Substituted vide Gazette No.2013 Dtd.22.08.2023

³ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁴ Substituted vide Gazette Notification No.171 Dtd.20.01.2011

⁵ Substituted vide Gazette Notification No.171 Dtd.20.01.2011

⁶ Substituted vide Law Deptt. Notification No.11325 Dtd.12.10.2022

⁷ Substituted vide Gazette Notification No.151 Dtd.24.01.2020 (As Inserted vide Gazette Notification No.258 Dtd.22.02.2018)

years in case of Persons with Disabilities as referred to in sub-rule (5) of rule 17 over and 'above the normal relaxation admissible to the Scheduled Caste, Scheduled Tribe and SEBC category candidates."

- (c) able to speak, read and write Oriya fluently and must have passed an examination in Oriya Language equivalent to that of Middle English School standard;
- (d) of good character;
- (e) of sound health and free from any organic defects and physical infirmity;

¹*NOTE:— clause (e) is not applicable in case of candidates with physical disability as referred to in sub-rule (5) of rule 17.*

- (2) Notwithstanding anything contained in clause (b) of sub-rule (1) but subject to other provisions of said sub-rule a person who is –
 - (i) a Superintendent or a Ministerial Officer in the High Court or any Civil or Criminal Court sub-ordinate to the High Court, or
 - (ii) an Assistant Law Officer or Translator of the Law Department of Government, shall be eligible for appearing at the competitive examination under rule 15 for appointment as ²[Civil Judge (Junior Division)] if he –
 - (a) has approved service in the High Court or in any Civil or Criminal Court sub ordinate to High Court or in the law Department of not less than seven years on the last date fixed for receipt of application for the said competitive examination;
 - (b) has been recommended by the respective appointing authority; and
 - (c) is not more than thirty nine years of age on the 1st day of the month of August of the year in which applications

¹ Inserted vide Gazette Notification No.258 Dtd.22.02.2018

² Substituted vide Gazette No.2013 Dtd.22.08.2023

are invited.

Explanation: -Approved service for the purpose of these rules means qualifying service as defined in the Orissa Civil Service (Pension) Rules,1992.

19. Manner of submitting applications. –

- (1) Every candidate shall submit the application in his or her own handwriting in the form prescribed by the Commission along with certificates and other documents as indicated in the advertisement notified by the Commission for particular year of recruitment to the Secretary to the Commission so as to reach him by such date as may be notified by the Commission in this behalf;

Provided that in case of a person already in Government service, the application shall be submitted through the appointing authority.

- (2) Every candidate shall submit two copies of his or her recent passport size photographs with his or her signature and one of which shall be affixed on the first page of the application form at the space provided thereof.
- (3) Every application shall be accompanied with the following documents:-
 - (i) Certificate showing the proof of age, which shall ordinarily be the High school Certificate or a certificate of passing an equivalent examination.
 - (ii) Certificate from the Board of Secondary Education of Orissa or in any other Board or Council of Secondary Education approved by Government in support of Passing of Oriya language test equivalent to M.E. School standard;

¹[Explanation- If a candidate produces a certificate from the recognized School showing that he/she had taken Odia as a subject in Class-VII or Standard-VII and has passed the said examination, it shall be treated as compliance of Rule-

¹ Inserted Vide Law Deptt. Notification No.11948 Dtd.22.12.2011

19(3)(ii) of the Rules.]

- (iii) Certificate of Degree of Law from the concerned University or the institution from which the candidate has obtained the same.
 - (iv) Certificate of good character from the institution last attended.
 - (v) Certificate from the competent authority indicating the category of the caste or the Tribe or the class of the candidate in case he or she belongs to Scheduled Caste or Scheduled Tribe or SEBC;
 - (vi) Medical certificate or disability certificate from the competent Medical Board or Authority indicating orthopedic disability in case of candidates belonging to orthopedically handicapped category.
- (4) No application shall be considered unless it is accompanied by a crossed Indian Postal Order payable to the Secretary, Orissa Public Service Commission or a Treasury Challan showing payment of such amount into a Government Treasury under the head of account "0051-Public Service Commission-105-State PSC, Examination Fees" as examination fee as may be determined by the Commission, from time to time :
- Provided that candidates belonging to Scheduled Castes or Scheduled Tribes shall be exempted from payment of such examination fee.
- (5) No claim for return of fee so paid shall in any circumstances be entertained.

Note – (I) Copies of documents, duly attested by officer competent to attest shall be submitted with the application but the original shall be produced at the time of interview.

Note.-(II) The Commission may at their discretion require such additional proof on any of the above matters as they may think fit.

Note.--(III) The application of a candidate may be rejected at the discretion of the Commission if it is not complete in all respect as

specified by the Commission.

20. Consultation with the High Court—

The Commission shall consult the Chief Justice of the High Court confidentially in the matter of appointment of examiners for law papers prescribed for the ¹[main] written examination.

21. Penalty for misconduct in the examination-

A Candidate who is or has been declared guilty of impersonation or of submitting fabricated document or documents specified in sub-rule(3) of rule 19 which has been tampered with or of making statements which are incorrect or false or of suppressing material information or of using or attempting support for his candidature may. In addition to the liability for criminal prosecution, be debarred either permanently or for a specified period’—

- (a) by the Commission from appearing at any ²[Preliminary written examination] or main or interview held by it for selection of candidates; and
- (b) by the Government, from employment under them as may be directed by the Commission or the Government, as the case may be.

22. Consideration of application by the Commission –

The Commission shall scrutinize the applications received by it and after considering the eligibility of the applicant for admission to the examination to be held by it for the purpose of recruitment under rule 15 shall issue well in advance a certificate of admission to each eligible candidate to appear at ³[the Preliminary written examination or main] or interview, as the case may be.

23. ⁴Intimation for appearing at the Preliminary written examination or main written examination or interview-

The certificate of admission issued by the Commission under rule 22 shall

¹ Substituted vide Gazette Notification No.913 Dtd.09.05.2008

² Substituted vide Gazette Notification No.913 Dtd.09.05.2008

³ Substituted vide Gazette Notification No.913 Dtd.09.05.2008

⁴ Rule-23 Substituted vide Gazette Notification No.913 Dtd.09.05.2008

specify the date, time and venue of the preliminary written examination or the main written examination or the interview, as the case may be, and the candidates so intimated shall present themselves on the appointed date and at the time and place at their own expenses.

23-A ¹Determination of number of candidates for Main Written Examination-

The Commission shall call the candidates for main written examination who have secured not less than thirty five per centum of marks in case of Scheduled Caste and Scheduled Tribe candidates and forty per centum of marks in case of others in the Preliminary Written Examination.

24. ²Determination of number of candidates for interview-

The Commission shall call the candidates, from amongst those who have secured not less than forty-five per centum of marks in aggregate and a minimum of thirty three per centum of marks in each paper in the Main Written Examination, for interview which shall not more than three times the number of advertised vacancy under each category in order of merit.

25. Representation of the High Court in the interview—

- (1) A sitting Judge of the High Court being nominated by the Chief Justice shall represent the High Court and be present at the interview referred to in rule 24 along with the Chairman and another member of the Commission.
- (2) The opinion given by the representative of the High Court with regard to the suitability of candidates shall not be disregarded unless there are strong and cogent reasons to be recorded in writing for not accepting the opinion.

26. Preparation of the lists by the commission-

- (1) For the purpose of recruitment under rule 15, the marks secured by the candidates in the interview shall be added to the marks obtained

¹Rule-23-A Inserted vide Gazette Notification No.913 Dtd.09.05.2008

² Substituted vide Gazette No. 285 Dtd. 30.01.2023

by him in the ¹[Main Written Examination] so as to arrive at the total marks secured by him and the names of the candidates shall be arranged in order of merit on the basis of such total marks.

Provided that the name of the candidates shall not be included in the merit list unless such candidates secure a minimum of forty per centum marks in the interview.

- (2) If two or more candidates secure equal marks in the aggregate the order shall be determined in accordance with the marks secured at the [main written examination] and if the marks secured at the [main written examination] of the candidates concerned be also equal, then the order shall be decided in accordance with the total marks obtained by them in the LLB Examination and if the marks obtained in the LLB Examination are also equal the candidate who is older in age shall be placed above the other.

Explanation :-- There shall be prepared a composite merit list of unreserved as well as reserved categories of Scheduled Caste and Scheduled Tribe and SEBC candidates, by the Commission which shall also prepare separate merit list for each category of such reserved candidate and appointment shall be made to the vacancies reserved for them if they can not be otherwise appointed on the basis of their position in the composite merit list.

27. Forwarding of the list to Government :-

The commission shall then forward to the Government in the Law Department the list of candidates prepared by them under rule 26 which shall contain names of candidates found suitable, equal to the number of vacancies advertised by the commission along with the applications and attestation forms of the concerned candidates indicating therein whether any candidates belongs to Scheduled Caste or Scheduled Tribe or SEBC.

28. Formation of the select lists:-

- (1) The list so received from the Commission shall then be placed before

¹ The word 'main written examination' wherever occurred in Rule-26 Substituted vide Gazette Notification No.913 Dtd.09.05.2008

the Government in Law Department for approval and after receiving the approval the same shall from the select list.

- (2) Appointment to the cadre of Civil Judge (Junior Division) shall be made from the select list in the order, the names appear therein.
- (3) The select list, unless the Governor in consultation with the High Court otherwise decides, shall remain ordinarily in force for one year from the date of its approval by the Government under sub-rule(1).
- (4) Mere inclusion of names in the select list shall confer no right of appointment unless the Governor is satisfied after making such inquiry as may be deemed necessary that the candidate is suitable in all respects for being appointed to the service.

29. Inter-se-seniority of [¹Civil Judge (Junior Division)]:-

The inter-se-seniority of the candidates appointed as ²[Civil Judge (Junior Division)] in a particular year and in the same batch shall be determined in accordance with the general merit list prepared by the Commission under Rule -26.

PART-VI

30. Training of [³Civil Judge (Junior Division)]:-

- (1) ⁴Every candidate recruited as a ⁵[Civil Judge (Junior Division)] shall be required to undergo a course of training as specified in Appendix-E, which may be altered from time to time, by the Government in consultation with the High Court and the Commission and the period of such training shall ordinarily be one year, which may be extended up to a maximum period of six months on the recommendation of the Odisha Judicial Academy to the High Court:

Provided that the Judicial work done by such officers who remain in direct charge of Courts during the course of training shall

¹ Substituted vide Gazette No.2013 Dtd.22.08.2023

² Substituted vide Gazette No.2013 Dtd.22.08.2023

³ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁴ Substituted Vide Gazette Notification No.1047 Dtd.28.06.2018 (as amended vide Gazette No.1605 Dtd.20.08.2013)

⁵ Substituted vide Gazette No.2013 Dtd.22.08.2023

be treated as work done in course of their training.”

- (2) Every person appointed to the service of ¹[Civil Judge (Junior Division)] shall be given such periodical training as High Court may from time to time, prescribe.

30-A ²Training of District Judges-

- (1) Every candidate recruited as District Judge by direct recruitment shall be required to undergo a course of training as specified in **Appendix – G** and period of such training shall ordinarily be one year:

Provided that the High Court in any special case, may reduce the period of training.

Provided further that the judicial work done by such trainee officers who remain in direct charge of courts during the course of training shall be treated as work done by them in due discharge of the official duty attached to the post they hold.

- (2) For the purpose of working in the post of different cadres by direct recruit District Judges during training, Government shall create such numbers of additional posts for such period at such places as may be recommended by the High Court.
- (3) ³Every Candidate recruited as District Judge,—
 - (a) by direct recruitment shall have to undergo training as specified in paragraph-2 of **Appendix-G**,
 - (b) by usual promotion or by limited competitive examination, shall have to undergo training as specified in **Appendix-H**”.
- (4) Every person appointed to the service of District Judge shall be given such periodical training as the High Court may, from time to time, prescribe.
- (5) The High Court may scrutinize the judgments delivered by the trainee District Judges appointed by Direct Recruitment periodically

¹ Substituted vide Gazette No.2013 Dtd.22.08.2023

²Inserted vide Gazette Notification No.1605 Dtd.20.08.2013

³ substituted vide gazette Notification No.41 dtd.05.01.2017

during their training and probation.

31. ¹Departmental examination.—

- (1) Every person appointed as a District Judge by direct recruitment, while on probation, shall appear the Departmental Examination conducted by the Odisha Judicial Academy on such subjects as may be decided by the High Court.
- (2) Every person appointed as a ²[Civil Judge (Junior Division)] shall, subject to such exemption, if any, as may be granted by the Government, in consultation with the High Court, have to pass the Departmental Examination conducted by the Odisha Judicial Academy in accordance with the rules as specified in **Appendix F**, subject to such alternations as may be made therein by the Odisha Judicial Academy in consultation with the High Court.”.

PART-VII

32. Disqualification for appointment-

No person shall be eligible for appointment to the service-

- (a) Unless he or she is a citizen of India;
- (b) If he or she is dismissed form service by any High Court; Government or Statutory or Local Authority ;
- (c) if he or she has been convicted of an offence involving moral turpitude or has been (permanently debarred or disqualified by the High Court or the Union Public Service Commission or any State Public Service Commission from appearing in any examination or selection conducted by it);
- (d) if he or she directly or indirectly influences the recruiting authority by any means for his or her candidature ;
- (e) if he is a man and has more than one wife living and if a women has more than one husband living or has married a man who has already another wife living;

¹Substituted vide Gazette Notification No.1605 Dtd.20.08.2013

² Substituted vide Gazette No.2013 Dtd.22.08.2023

- (f) unless he or she is able to speak , read and write Oriya; and
- (g) unless he or she has passed a test in Oriya equivalent to Middle School standard.

33. Probation—

- (1) All appointments to the service by direct recruitment , promotion and promotion by limited competitive examination, shall be on probation for a period of two years.
- (2) The period of probation may be extended by the appointing authority on the recommendation of the High Court by such period not exceeding a further period of ¹[six months],
- (3) At the end of the period of probation or the extended period of probation, the appointing authority shall, in consultation with the High Court, consider the suitability of the person appointed or promoted to hold the post to which he or she was appointed or promoted and-
 - (i) if it decides that he or she is suitable to hold the post to which he or she was appointed it shall, as soon as possible , issue an order declaring him or her to have satisfactorily completed the period of probation and such an order shall have effect from the date of extension of period of probation including the extended period, if any; or
 - (ii) if it considers that the person is not suitable to hold the post to which he or she was appointed or promoted as the case may be, it shall, by order,-
 - (a) if he or she is a promotee revert him or her to the post which he or she had held prior to his or her promotion, and
 - (b) if he or she is a direct recruit, discharge him or her from service.
- (4) A person shall not be considered to have satisfactorily completed the period of probation, unless a specific order to that effect is passed

¹ Substituted vide Gazette Notification No.1605 Dtd.20.08.2013

and any delay in passing such an order shall not entitle the person to be deemed to have satisfactorily completed the period of probation.

- (5) After satisfactory completion of period of probation a person shall be confirmed, by an order in writing, against available substantive vacancy.

Explanation:-Declaration of satisfactory completion of probation would not automatically entitle a person for confirmation

34. Discharge or reversion during the period of probation-

- (1) Notwithstanding anything contained in the preceding rules the appointing authority may, in consultation with the High Court, at any time during the period of probation, discharge a direct recruit or revert a promotee probationer from service on account of his or her unsuitability for the service.
- (2) No disciplinary inquiry shall be necessary for discharge or reversion of a probationer under sub-rule(1).

35. Appeal-

No appeal shall lie against an under rule 33 and 34 discharging a direct recruit probationer or reverting a promote probationer to the post held him or her prior to his or her promotion.

PART-VIII

36. Conduct-

- (1) Conduct of a Judge should uphold the integrity and independence of Judiciary.
- (2) An independent and impartial judiciary is indispensable for imparting justice in our society. A judge should ensure in establishing, maintaining, and enforcing justice and should personally observe, high standards of conduct so that the integrity and independence of the judiciary may be preserved. A judge shall always be aware that the judicial system is for the benefit of the litigant and the public, the provisions of this part shall-be construed and applied in

furtherance of these objectives.

- (3) Public confidence in the judiciary is eroded by irresponsible or improper conduct by judges. A Judge must avoid all impropriety and appearance of impropriety. A judge must expect to be the subject of constant public scrutiny. A Judge must therefore accept restrictions on conduct that might be viewed as burdensome by the ordinary citizen and should do so freely and willingly.
- (4) A Judge shall respect and observe the law. At all time, the conduct and manner of a Judge should promote public confidence in the integrity and impartiality of the judiciary. Without regard to a person's race, gender, or other protected personal characteristic, a Judge should treat every person fairly, with courtesy and respect.
- (5) A Judge shall not allow family, social or other relationship to influence his judicial conduct or Judgment. A Judge shall not lend the prestige of judicial office to advance his private interests or those of others. A Judge shall not convey or permit others to convey the impression that they are in a special position to influence the Judge. A Judge shall not appear as a character witness in a Court proceeding unless summoned.
- (6) A Judge shall not allow his or her activity as a member of an organization to cast doubt on the Judge's ability to perform the function of the office in a manner consistent with the code of judicial conduct and the laws of the state. A Judge shall not hold membership of an organization activities of which discriminate or appear to discriminate on the basis of race, gender, or other protected personal characteristic. Nothing in this paragraph should be interpreted to diminish a Judge's right to the free exercise of religion.

37. Duty-

- (1) A Judge shall be faithful to the law and maintain professional competence in it. A Judge should be unswayed by partisan interest , public clamour or fear of criticism.

- (2) A Judge may require lawyers, court personnel and litigants to be appropriately attired for court and should enforce reasonable rules of conduct, order and decorum in the Court room.
- (3) A Judge shall be patient, dignified, and courteous to litigants, witnesses, lawyers, and others with whom the Judge deals in an official capacity and would require similar conduct of lawyers and of staff, court officials, and others subject to the Judge's direction and control.
- (4) A Judge shall not initiate, permit, or consider ex parte communications, or consider other communication made to the Judge outside the presence of the parties concerning a pending or impending proceedings.
- (5) A Judge shall hear and decide matters assigned to the Judge except those which he is disqualified to appear under rule 40 of these rules.
- (6) A Judge shall perform judicial duties without bias or prejudice. A Judge shall not in the performance of judicial duties, by words or conduct manifest bias or prejudice, including but not limited to bias or prejudice based upon race , sex, religion, national origin, disability, age, sexual orientation or socio economic status, and shall not permit staff, court officials and others subject to the Judge's direction and control to do so.
- (7) A Judge shall dispose of all judicial matters speedily, effectively and fairly.
- (8) A Judge shall not, while a proceeding is pending or impending in any court, make any public comment that might reasonably be expected to affect its outcome or impair its fairness or make any private comment that might substantially interfere with a fair trial or hearing. The Judge shall require similar abstention on the part of court personnel subject to the Judge direction and control. This clause does not prohibit Judges from making public statements the course of their official duties or from explaining for public information the procedures of the court. This clause does not apply to proceedings in which the

Judge is a litigant in personal capacity.

- (9) A Judge should prohibit broadcasting , televising ,recording or taking of photograph of the court room during session of court or recesses between sessions except as authorize by the High Court.

38. Obligation:-

- (1) A judge may properly intervene in a trial of a case to promote expedition and prevent unnecessary waste of time, or to clear up some obscurity, but the Judge should bear in mind that undue interference, impatience, or participation in the examination of witness, or a severe attitude on the Judges part towards witness, or especially those who are excited or terrified by the unusual circumstance of trial, may tend to prevent the proper presentation of the cause, or the ascertainment of truth in respect thereto.
- (2) Conversation between the judge and counsel in court is often necessary, but the judge should be studious to avoid controversies that are apt to obscure the merits of the dispute between litigants and lead to its unjust disposition. In addressing counsel, litigants, or witness, the Judge should avoid a controversial manner or tone.
- (3) A Judge shall avoid interruptions of counsel in their arguments except to clarify their positions, and should not be tempted to the unnecessary display of learning or a premature judgment.
- (4) A Judge shall adopt the usual and accepted methods of doing justice, avoid the imposition of humiliating acts of discipline, not authorized by law in sentencing and endeavour to conform to a reasonable standard of punishment and not seek popularity or publicity either by exceptional severity or undue leniency.
- (5) A Judge shall be punctual in attending court and do judicial work during court hours. He shall ensure punctuality of the staff and court officials.
- (6) A Judge should diligently discharge administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of

other Judges and court officials.

- (7) A Judge should take or initiate appropriate measures as admissible under law against a Judge or lawyers for unprofessional conduct of which the Judge may become aware.

39. Extra-Judicial and quasi-Judicial activities-

- (1) (a) As a Judicial Officer and person specially learned in the law, a Judge is in a unique position to contribute to the improvement of the law, the legal system , and the administration for Justice, including revision of substantive and procedural law and improvement of criminal and juvenile justice. To the extent time permits, and without affecting his judicial work, a Judge is encouraged to do so, either independently or through a Bar Association, Judicial Conference, or other organization dedicated to the improvement of the law.
- (b) A Judge, subject the proper performance of Judicial duties and to the extent time permits, may engage in the following quasi-Judicial activities, namely:-
- (i) A Judge may speak, write, lecture, teach and participate in activities concerning the law, the legal system, and the administration of Justice; and
 - (ii) A Judge may appear at a public hearing on matters concerning the law, the legal system, and the administration of justice.

Explanation :-A Judge may participate or involve himself in a literary, educational, cultural and scientific activities without compromising the dignity of the service.

- (2) A Judge should refrain from financial and business dealings that tend to reflect adversely on the Judge's impartiality or Judicial office, interfere with the proper performance of Judicial duties, exploit the Judicial position, demean the Judicial office or involve the judge in transactions with lawyers or persons likely to come before the court on which the Judge serves.

- (3) A Judge should not serve as an executor, administrator, testamentary trustee or guardian.
- (4) A Judge should not act as an arbitrator or mediator, except in the performance of judicial duties.
- (5) A judge should not practice law for remuneration.
- (6) A Judge should not accept appointment to a Governmental Committee, Commission or other position except in performance of his duties with the permission of the High Court in writing.
- (7)
 - (i) A Judge or a candidate for judicial office should not be a member of or hold any office in a political party.
 - (ii) A Judge shall not make speeches on behalf of a political party or endorse a candidate for a political office.
- (8) A Judge shall keep himself informed about his personal and fiduciary interests, and makes a reasonable effort to keep informed about the personal and economic interests of his spouse and children residing in his house hold .
- (9) A Judge shall conduct all of the Judge's extra-judicial activities in such a way that they do not:-
 - (i) caste reasonable doubt on the Judge's capacity to act impartially as a Judge
 - (ii) demean the Judicial officer as a Judge ;
 - (iii) interfere with the proper performance of judicial duties.
- (10) A Judge shall not serve as an officer, director, trustee or legal advisor of any organization except with prior permission of High Court.
- (11) A Judge and members of the Judge's family residing in the Judge's household shall not accept, a gift, bequest, favour or loan from anyone except-
 - (a) A gift incident to a public testimonial, books, tapes and other resource material supplied by publishers on a complementary basis for official use or an invitation to the Judge and the Judges' spouse or guest to attend a bar-related function or an

activity devoted to the improvement of the law, the legal system or the administration of Justice;

- (b) a gift, award or benefit incident to the business, profession or other separate activity of a spouse or other family members of a Judge residing in the Judge's household including gifts, awards and benefits for the use of both the spouse or other family members and the Judge (as spouse or family member), provided the gift, award or benefit could not reasonably be perceived as intended to influence the Judge in the performance of judicial duties;
- (c) Ordinary social hospitality;
- (d) a gift from a relative or friend, for a special occasion, such as a wedding , anniversary or birthday, if the gift is fairly commensurate with the occasion and the relationship;
- (e) a gift, bequest, favour or loan from a relative or close personal friend whose appearance or interest in a case would in any event require disqualification under rule 40;
- (f) a loan from a lending institution in its regular course of business on the same terms generally available to persons who are not Judges;
- (g) a scholarship or fellowship awarded on the same terms and based on the same criteria applied to other applicants; or
- (h) any other gift, bequest, favour or loan, only if the donor is not a party or other person who has come or is likely to come or whose interests have come or are likely to come before the Judge.

40. Disqualification:-

A Judge shall disqualify himself or herself in a proceeding in which the Judge's impartiality might reasonably be questioned, including but not limited to instances where:-

- (a) the Judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge or disputed evidentiary facts

concerning the proceeding;

- (b) the Judge served as a lawyer in the matter in controversy, or a lawyer with whom the judge previously practiced law served during such association as lawyer concerning the matter, or the Judge has been a material witness concerning to it;
- (c) the Judge knows that he or she, individually or fiducially or the Judge's spouse parent or child wherever residing , or any other member of the Judge's family residing in the judges' house, has an economic interest in the subject matter in controversy or in a party to the proceeding or has any other interest that could be substantially affected by the proceeding ;
- (d) the Judge or the Judge's spouse, or a person within the third degree or relationship to either of them , or the spouse of such a person-
 - (i) is a party to the proceeding , or an officer, director or trustee or a party; or
 - (ii) is acting as a lawyer in the proceeding ; or
 - (iii) is known by the Judge to have interest that could be substantially affected by the proceeding .

41. Applicability of Orissa Civil Service (C.C.A) Rules 1962 and the Orissa Service Code-

The Provisions of rules 12,13, 14,15,16,17,18,19& 20 of the Orissa Civil Services (Classification, control & Appeal) Rules 1962 and the Provisions of the Orissa Service Code shall mutatis and mutandis be applicable to members of the service and the powers under the said rules may be exercised by the High Court except the powers of dismissal, removal, reduction in rank or termination of service of officer of the service which may be exercised by the Governor on the recommendation of the High Court.

PART-IX

42. Age of superannuation:-

The age of superannuation of an office of the service shall be sixty years.

43. Re-employment:-

An officer of the service who has retired at the age of 60 years on superannuation may be reemployed on the recommendation the High Court for any period till the age of sixty two years if there is vacancy in the cadre of district Judge on such terms and conditions as would be decided by the Government in consultation with the High Court.

44. Retirement in public interest:-

(1) Notwithstanding anything contained in these rules the Governor shall, in consultation with the High Court, if he is of the opinion that it is in the public interest so to do , have absolute right to retire any member of the service who has attained the age of fifty years , by giving him /her notice of not less than three months in writing or three months pay and allowances in lieu of such notice.

(2) Whether any officer of the service should be retired in public interest under sub-rule(1) shall be considered at least three times, that is ,when he is about to attain the age of fifty years, fifty five years ,and fifty eight years:

Provided that nothing in sub-rule(2) shall be construed in public interest as preventing the Governor to retire a member of the service at any time after he/she attains the age of fifty years on the recommendation of High Court under sub-rule(1)

45. Seniority list:-

Every year in the month of January seniority lists of officers in all cadres shall be prepared and published by the High Court and the lists so published shall be used for the purpose of making promotions to the next higher cadre.

46. Residuary Provision:-

The conditions of service of the members of the service to which no express provision is made in these rules shall be determined by the rules and order for the time being applicable to officers of Indian Administrative Service in the State.

47. Relaxation:-

Where the Government in consultation with the High Court is satisfied that it is necessary or expedient so to do. It may by order, for reasons to be recorded, writing, relax any of the provisions of these rules with respect to any class or category persons or posts in the service.

48. Repeal and Savings:-

- (1) The Orissa Superior Judicial Service Rules, 1963 as the Orissa Judicial Service Rules, 1994 are hereby repealed:

Provided that any order passed, appointment made, action taken or things done under the above rules so repealed shall be deemed to have been passed, made, taken or done under the corresponding provisions of these rules.

- (2) Provision of other Rules framed under Article 309 of the Constitution by the Government from time to time, if not inconsistent with these Rules, shall have application to the officer of the service.

APPENDIX-A**[See Rule 8]**

(Promotion to the post of District Judge through
Limited of Competitive Examination)

A. Written Examination:

The written examination shall be on the following two papers each carrying 75 marks with a duration of 2 hours for each papers as follows:-

Paper-1

- | | | |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| (1) | Code of civil procedure | ...25 Marks |
| (2) | Personal law | ...25 Marks |
| (3) | Transfer of Property Act, Specific Relief Act, Limitation Act, Law of Contract, Orissa Consolidation of Holding and Prevention of Fragmentation of Land Act., Orissa Estate Abolition Act, Orissa Land Reforms Act, Law of Motor Accident Claim. | ... 25 Marks |

TOTAL ...75 Marks

Paper-2

- | | | |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| (1) | Code of Criminal Procedure | ...20 Marks |
| (2) | Indian Penal Code | ...20 Marks |
| (3) | Indian Evidence Act | ...20 Marks |
| (4) | Narcotics Drugs and Psychotropic Substance Act,
¹ [The Food Safety and Standard Act, 2006],
Prevention of Corruption Act, Essential Commodities Act,
Environment Protection Act,
Water (Prevention and Control of Pollution) Act., ² [The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the Protection of Women from Domestic Violence Act, 2005 and any other relevant topics in Law(s), as the High Court of Orissa, may specify from time to time.] | ...15 Marks |

TOTAL ...75 Marks

¹ Substituted vide Gazette Notification No.9 Dtd.04.01.2022

² Substituted vide Gazette Notification No.9 Dtd.04.01.2022

Notes:- In the event of repeal of any of the above Acts, it shall be deemed to have been omitted from the syllabus. In the event of substitution of any of the above Acts, the syllabus shall be deemed to include the corresponding change.

B. Interview

Interview shall carry 20 marks.

Candidates securing minimum of ¹[50 per centum of marks] in aggregate in both the written papers but not ²[less than 45 per centum of marks] in individual written paper shall be called for interview.

C. Evaluation of CCR/PAR

Candidates' CCRs/PARs for five years immediately preceding the year of examination shall be evaluated, which shall carry 30 marks in the following order:-

<u>CCRs/PARs</u>	<u>Marks</u>
<u>Grading</u>	
Outstanding	... 06
Very Good	... 05
Good	... 04
Average	... 03
Poor	... 00

The final selection shall be made on the basis of total marks obtained in the written test, interview and evaluation of CCRs/PARs.

Provided that a candidate shall not be selected unless he secures 40% of marks in interview.

¹ Substituted vide Gazette Notification No.913 Dtd.09.05.2008

² Substituted vide Gazette Notification No.913 Dtd.09.05.2008

¹APPENDIX-B

(See Rule 10)

(Direct recruitment to the post of District Judges)

A. Written Examination:

The written examination shall be on the following three papers each carrying 100 marks with a duration of 2 hours for each paper as follows:-

Paper-1		
(1)	The Code of Civil Procedure30 marks
(2)	Personal law30 marks
(3)	The Transfer of Property Act., the Specific Relief Act, the Limitation Act, the Law of Contract, the Odisha Consolidation of Holding and Prevention of Fragmentation of Land Act, the Odisha Estate Abolition Act, the Odisha Land Reforms Act and Law of Motor Accident Claim.40 marks
	Total	100 marks
Paper-2		
(1)	The Code of Criminal Procedure30 marks
(2)	The Indian Penal Code30 marks
(3)	The Indian Evidence Act30 marks
(4)	The Narcotic Drugs and Psychotropic Substance Act, The Food Safety and Standard Act, 2006, The Prevention of Corruption Act, the Essential Commodities Act, the Environmental Protection Act, Water (Prevention and Control of Pollution) Act, 1974, the Scheduled Castes and Scheduled Tribes (prevention of Atrocities) Act, 1989 and the Protection of Women from Domestic Violence Act, 2005, and any other relevant law(s), as the High Court may specify from time to time.10 marks
	Total	100 marks

	Note: In the event of the repeal of any of the above Acts, it shall be deemed to have been omitted from the syllabus. In the event of substitution of any of the above Acts, the syllabus shall be deemed to include the corresponding change.	
Paper-3		
General English:-		
(1)	Translation from Odia to English (ten lines)10 marks
(2)	Re-translation from English to Odia (ten lines)10 marks
(3)	A short Essay of about 150 words30 marks
(4)	Precis writing consisting of 300 words30 marks
(5)	1 (one) passage of maximum 500 words with 5 questions20 marks
	Total	100 marks

B. Interview

- (1) Interview shall carry 30 marks
- (2) Candidates shall be called for interview in the proportion of 1:10 provided that such candidates have obtained at least forty five percent of marks in each of the written papers and fifty percent of marks in aggregate.

C. Merit List:-

The final merit list shall be prepared on the basis of marks obtained in the Written Test and Interview:

Provided that a candidate shall not be included in the merit list unless such candidate secures a minimum of forty per cent of marks in interview.

¹**APPENDIX-C**
(See Rule 13)

(40 Point Roster Governing inter-se seniority of District Judges)

- | | |
|-------------------------------------------------------|-------------------------------------------------------|
| 1. Promotion | 21. Promotion |
| 2. Promotion | 22. Promotion |
| 3. Promotion | 23. Promotion |
| 4. Promotion | 24. Promotion |
| 5. Promotion | 25. Promotion |
| 6. Promotion | 26. Promotion |
| 7. Promotion | 27. Promotion |
| 8. Direct Recruit | 28. Direct Recruit |
| 9. Direct Recruit | 29. Direct Recruit |
| 10. promotion through limited competitive examination | 30. promotion through limited competitive examination |
| 11. Promotion | 31. Promotion |
| 12. Promotion | 32. Promotion |
| 13. Promotion | 33. Promotion |
| 14. Promotion | 34. Promotion |
| 15. Promotion | 35. Promotion |
| 16. Promotion | 36. Promotion |
| 17. Direct Recruit | 37. Direct Recruit |
| 18. Direct Recruit | 38. Direct Recruit |
| 19. Direct Recruit | 39. Direct Recruit |
| 20. promotion through limited competitive examination | 40. promotion through limited competitive examination |

¹ Substituted vide Gazette Notification No.171 Dtd.20.01.2011

APPENDIX-D
(See Rule 15)

(Recruitment of ¹Civil Judge (Junior Division))

I ²Preliminary Written Examination.

The preliminary written examination shall be of one paper carrying 100 marks with duration of one and half hours of examinations with objective type questions of multiple choice ³[100 questions of one mark each with negative marks of twenty-five percent for every wrong answer allotted to that particular question] on the following subjects and the answer sheets may be scrutinized by Computer, if possible.

- (a) Constitution of India
- (b) Code of Civil Procedure
- (c) Code of Criminal Procedure
- (d) Evidence Act
- (e) Indian Penal Code
- (f) Limitation Act
- (g) Transfer of Property Act
- (h) Contract Act
- (i) Law of Succession (Indian Succession Act & Hindu Succession Act)
- (j) Specific Relief Act
- ⁴(k) The Protection of Women from Domestic Violence Act, 2005, and any other relevant law(s), as the High Court may specify from time to time.

II. ⁵Main Written Examination

The ⁶[Main Written Examination] shall be on the following two compulsory papers and three optional papers. Each of the compulsory subjects shall carry 150 marks with a duration of two and half hours of examination and each of the optional subjects shall carry 150 marks with duration of three hours.

¹ Substituted vide Gazette No.2013 Dtd.22.08.2023

² Para-I Inserted vide Gazette Notification No.913 Dtd.09.05.2008

³ Substituted vide Gazette Notification No.1574 Dtd.05.08.2012

⁴ Inserted vide Gazette Notification No.9 Dtd.04.01.2022

⁵ Existing Para renumbered as Para-II vide Gazette Notification No.913 Dtd.09.05.2008

⁶ Substituted vide Gazette Notification No.913 Dtd.09.05.2008

1. Compulsory Papers.

Paper-1- General English

...150 marks

- (a) Translation and retranslation of ten lines each
- (b) A short Essay of about 150 words
- (c) Précis writing consisting of 300 words.
- (d) 1(one) passage of about 500 words with 5 questions.

Paper-2 Procedural Laws:-

... 150 marks

- (a) The Code of Criminal Procedure ,1973
- (b) The Code of Civil Procedure , 1908
- (c) The Indian Evidence Act, 1872

2. Optional Papers

A Candidate may choose any of the three subjects among the following:

- (1) **Law of Crime & Law of Torts** ... **150 marks**
- (2) **Personal Law:** ... **150 marks**
 - (a) Hindu Law
 - (b) Mohammedan Law
- (3) **Law of Property:** ... **150 marks**
 - (a) Transfer of property Act, 1882
 - (b) Specific Relief Act, 1963
 - (c) Indian Limitation Act, 1963
- (4) **Law of Contract:** ... **150 marks**
 - (a) Indian Contract Act, 1872
 - (b) Sales of Goods Act, 1930
 - (c) Partnership Act,1932
 - (d) Negotiable Instrument Act, 1881
- (5) Jurisprudence and Constitution of India ... **150 marks**

¹Notes:

- (a) A candidate shall answer the papers in English unless otherwise directed;
- (b) The standard of papers shall be that of L.L.B.

Course and in respect of compulsory paper-1 it shall be of a degree course;

- (c) In the event of the repeal of any of the above Acts, it shall be deemed to have been omitted from the syllabus.

In the event of substitution of any of the above Acts, the syllabus shall be deemed to include the corresponding change.

III. Interview

Interview shall carry 100 (one hundred) marks. Questions to be asked in the interview may not ordinarily be outside the syllabus prescribed for the main written examination. In the interview question covering broad national and International issues and matters of common interest in the field of Arts and Science may also be asked.

APPENDIX-E (See Rule-30)

[Training for ¹Civil Judge (Junior Division)]

1. A [²Civil Judge (Junior Division)] should be given as much experience as possible of Judicial (civil and criminal) and Revenue work and also of the management and control of an office. They should also master the books which are prescribed for the departmental examination and should study closely the leading legal works, the codes and the authorized Law Reports.
2. It shall be the duty of the District Judge to arrange for the practical training of probationary [³Civil Judge (Junior Division)] placed under him.
3. ⁴The [¹Civil Judge (Junior Division)] (on probation) shall undergo training as per programmes specified in the Table below and during such Institutional training,

¹ Substituted vide Gazette No.2013 Dtd.22.08.2023

² Substituted vide Gazette No.2013 Dtd.22.08.2023

³ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁴ Para -3 substituted vide Gazette Notification No.1047 Dtd.28.06.2018

Evaluation and training and Evaluation and Correctional training, the [²Civil Judge (Junior Division)] (on probation) shall visit the institutions mentioned under column (c) of Part II of the said Table.

Part-I		
Sl. No.	Training	Duration of training
(a)	(b)	(c)
(i)	Institutional training at Odisha Judicial Academy	2.5 Months
(ii)	SDJM including Police Station Training 1 week	1.5 Month
(iii)	Training under Civil Judge (Junior Division)	1 Month
(iv)	Evaluation and Training at Odisha Judicial Academy	1 Month
(v)	Training under Civil Judge(Senior Division)	1 Month
(vi)	Training under Registrar, Civil courts	0.5 Month
(vii)	Training under Chief Judicial Magistrate	0.5 Month
(viii)	Training under District & Sessions Judge	0.5 Month
(ix)	Evaluation and Correctional Training at Odisha Judicial Academy	1.5 Month
(x)	Accounts Training	1 Month
(xi)	Performance Assessment and Correctional training	1 Month
	Total	12 months

Part-II		
Sl. No.	Training	Proposed duration
(a)	(b)	(c)
(i)	Institutional Training at Odisha Judicial Academy	Sharing of Best Practices in judicial courts:- 7 Days
(ii)	Evaluation & Training at Odisha Judicial Academy	1. Visit of Jail:- 2 Days
		2.Visit of State Forensic Science

¹ Substituted vide Gazette No.2013 Dtd.22.08.2023

² Substituted vide Gazette No.2013 Dtd.22.08.2023

		Laboratory:- 2 Days
		3. Visit to Medical College:- 1 Day
		4. Visit to Legal Aid Cell:- 1 Day
		5.Grassroot Level Experience Programme:- 3 Days
		6. Visit to State Secretariat:- 1 Day
		7. Visit to State Legislative Assembly:-1 Day
(iii)	Evaluation & Correctional Training at Odisha Judicial Academy	Survey & Settlement Training at Revenue Officer Training Institute:- 7 Days

4. The details of training in the branches specified in paragraph 3 shall be as follows:-

- (i) Training under the Registrar, Civil Court - The [¹Civil Judge (Junior Division)] shall get practical experience of administrative work in the office of the Registrar, Civil Courts. They should thoroughly acquaint themselves with the work of different Departments namely- Nizarat, Accounts. Record Room and Copying Department, Maintenance of registers in these Departments, preparation of monthly, quarterly and annual statement, etc. They should mark careful study of the High Court's General Rules and Circular Orders (civil and Criminal), the Accounts Rules, the Indian Evidence Act, 1872, the Code of Civil Procedure, 1908, the Transfer of property Act, 1882 and Indian Contract Act, 1872.
- (ii) **Training in survey and settlement**-The training in survey and settlement under a Settlement Officer shall be in traverse and Cadastral Survey and in attestation of recess work. The aim is to secure for the [²Civil Judge (Junior Division)] and insight into agrarian life and interest and acquaintance with the preparation of record-of-rights.
- (iii) **Training in Accounts**- The [³Civil Judge (Junior Division)] shall receive Accounts training in the Accounts Training School, Bhubaneswar so that

¹ Substituted vide Gazette No.2013 Dtd.22.08.2023

² Substituted vide Gazette No.2013 Dtd.22.08.2023

³ Substituted vide Gazette No.2013 Dtd.22.08.2023

he or she may be thoroughly acquainted in the Service Code, Traveling Allowance Rules, General Provident Fund Rules, etc.

- (iv) **¹[Training in the Court of Civil Judge (Junior Division) and the Court of Civil Judge (Senior Division)]** - The aim shall be to give the [²Civil Judge (Junior Division)] under training practical experience in handling trial of cases, dealing with interlocutory matters and in office work such as preparation of decree, classification and arrangement of papers and records of suits and cases, procedure in execution cases, etc. They should sit with the presiding Officers of the concerned courts and watch the examination of witnesses, hear arguments and prepare synopsis of judgments.
- (v) **Training in Sub-divisional Judicial Magistrate's Court-** The [³Civil Judge (Junior Division)] should receive training in magisterial work, so that they may acquire sound insight into the law and procedure in criminal trials. During this period they should study the Code of Criminal Procedure and take special notes of procedure in respect of directing prosecution of offences under Chapter XIII and XVIII of the Indian Penal Code. They should also read the important provisions of Indian Penal Code, High Court's General Letter, etc. They should sit with the Presiding Officers of the Concerned Courts and watch the examination of witnesses, hear arguments and prepare synopsis of Judgments. They shall also be posted for training with the Circle Inspector of Police where they can get an opportunity to study the general working of the Police Department with special reference to the investigation and prosecution of cases. During this period opportunity may also be afforded to the [⁴Civil Judge (Junior Division)] to get himself acquainted with the Investigation of offences under the Forest Act, the Excise Act and other local Acts.
- (vi) **Training in Chief Judicial Magistrate's Court-** The [⁵Civil Judge (Junior Division)] should be given opportunities and become familiar with the practical working of the rules and procedure in the Administrative and

¹ Substituted vide Gazette No.2013 Dtd.22.08.2023

² Substituted vide Gazette No.2013 Dtd.22.08.2023

³ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁴ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁵ Substituted vide Gazette No.2013 Dtd.22.08.2023

Judicial Departments of the office of the Chief Judicial Magistrate. They should also sit in Court with the Chief Judicial Magistrate in order to acquaint with the procedure of trial.

5. Thereafter the [¹Civil Judge (Junior Division)] will be posted as Magistrates of Second Class for a period of at least three months.
6. ²[If a {³Civil Judge (Junior Division)} does not meet the requisite standard, Odisha Judicial Academy may recommend extension of training for a further period of maximum six months within which such Officer shall have to attain such standard.]

⁴**Appendix –F** **(See Rule 31)**

1. All [⁵Civil Judge (Junior Division)] on probation shall have to pass Departmental Examination consisting of following subjects and there will be as many papers as may be decided by the Odisha Judicial Academy for the Examination:
 - (i) Odia
 - (ii) General Rule & Circular Order (Civil).
 - (iii) General Rule & Circular Order (Criminal)
 - (iv) Major Acts namely, ⁶[I.P.C.], Cr.P.C., C.P.C & Evidence Act.
 - (v) ⁷[(a) Collection, Preservation and Dispatch of Samples of various crimes for "DNA Profiling Test",
(b) Crimes Against Women & its Forensic Investigation and Analysis of evidence, Samples and reference samples and Medico-Legal Samples at Forensic Laboratory which will contribute for justice delivery system, and
(c) "Forensic Biological, Serological and DNA analysis of physical evidences particularly in Homicide Forensic Investigation."]
 - (vi) The Odisha Service Code, Leave Travel Concession Scheme & The Odisha Travelling Allowance Rules.
 - (vii) The Grama Nyayalaya Act 2008.

¹ Substituted vide Gazette No.2013 Dtd.22.08.2023

² Inserted Vide Gazette Notification No.1605 Dtd.20.08.2013

³ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁴ Substituted Vide Gazette Notification No.1605 Dtd.20.08.2013

⁵ Substituted vide Gazette No.2013 Dtd.22.08.2023

⁶ The subject "I.P.C." added by Odisha Judicial Academy after consultation with the High Court

⁷ Clause 1(v) substituted by Odisha Judicial Academy after consultation with the High Court

- (viii) The Orissa Forest Act, 1972
- (ix) The Child Labour Prohibition & Regulation Act, 1986.
- (x) The Immoral Traffic (Prevention) Act, 1956.
- (xi) The Railway Property Un-lawful Possession Act, 1966.
- (xii) The Odisha Prevention of Gambling Act, 1955.
- (xiii) The Negotiable Instruments Act, 1881 (Chapter relating to dishonour of Cheques)
- (xiv) The Essential Commodities Act 1976.
- (xv) The Indian Stamp Act, 1899 and Rules made thereunder.
- (xvi) The Limitation Act, 1963 (Relating to Adverse Possession)
- (xvii) The Hindu Succession Act 1956.
- (xviii) The Right to Information Act 2005.
- (xix) The Juvenile Justice (Care & Protection) Act 2000.
- (xx) The Court Fees Act, 1870.
- (xxi) The Suits Valuation Act, 1887.
- (xxii) The Odisha Civil Courts Act, 1984.
- (xxiii) The Pre-Conception & Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994.
- (xxiv) The Hindu Marriage Act, 1955.
- (xxv) The Dowry Prohibition Act, 1961.
- (xxvi) The Easements Act, 1882.
- (xxvii) The Legal Services Authority Act, 1987.
- (xxviii) The Transfer of Property Act 1882.
- (xxix) The Bihar & Odisha Excise Act, 1915.
- (xxx) The Arms Act 1959.
- (xxxi) The Indian Registration Act, 1908.
- (xxxii) The Odisha Public Demands Recovery Act 1962.
- (xxxiii) The Environmental Protection Act 1986.
- (xxxiv) The Indian Contract Act, 1872.
- (xxxv) The Drugs and Cosmetics Act, 1940.
- (xxxvi) The Specific Relief Act, 1963.
- (xxxvii) The Water (Prevention & Control of Pollution Act), 1974.
- (xxxviii) The Air (Prevention & Control of Pollution Act), 1981.
- (xxxix) The Wildlife Protection Act, 1972 .

(xl) The Protection of Human Rights Act, 1993.

(xli) The Protection of Women from Domestic Violence Act 2005.

(List is merely illustrative and may be added with other statutory laws by Odisha Judicial Academy)."

2. The Departmental Examination will be held at regular intervals as may be decided by the Odisha Judicial Academy.
3. The examination on General Rules and Circular Orders both (Civil and Criminal), the provision of laws along with Odia will test in particular the extent to which an examinee has acquired facility in applying the said rules.
4. Translation from Odia to English and English to Odia from the prescribed legal textbooks or legal documents shall form part of the syllabus for the examination.
5. The Departmental Examination shall consist of such number of papers with the subjects specified in Para-1 as may be decided Odisha Judicial Academy in consultation with the High Court. The minimum pass mark for each paper shall be fifty percent.

¹Appendix-G (See Rule 30-A)

1. Every person appointed as District Judge by direct recruitment shall undergo training:-
 - (i) For a period not exceeding one month being given for the Court work of JMFC.
 - (ii) For a period not exceeding one month being given for the Court work of Civil Judge (Junior Division).
 - (iii) For a period not exceeding two months being given for the Court work of Civil Judge (Senior Division).
 - (iv) For a period not exceeding one month being Registrar of Civil Courts during which he will acquire knowledge in budgeting, accounts, projects, E-court project and other allied administrative matters.
 - (v) For a period not exceeding three months being given for the Court work of Assistant Sessions Judge-cum- Chief Judicial Magistrate during which he has also to make inspection of sub-ordinate courts and prepare report by himself; and

¹ Inserted Vide Gazette Notification No.1605 Dtd.20.08.2013

- (vi) For a period not exceeding one month in Forensic Science.
2. Every person appointed as the District Judge by direct recruitment shall be given institutional training in the subjects as may be decided by the High Court for a period not exceeding three months during the period of their training.
 3. During the period of training, the trainee direct recruit District Judges should take initiative to learn procedural rules of sub-ordinate Courts and District Courts with special reference to GRCO (Civil), GRCO (Criminal), Maintenance of Registers, Working of E-court Projects and shall equip themselves with working knowledge on Computers. The Odisha Judicial Academy will provide such subjects also in their curriculum accordingly.

¹**Appendix-H**
(See Rule-30-A)

1. Every person appointed as District Judge by way of promotion or Limited Competitive Examination shall undergo following training:—
 - (a) Institutional training for a period not exceeding 3(three) weeks.
 - (b) Practical training for a period not exceeding 1(one) week.
2. During the training period of District Judges appointed by way of promotion, emphasis to be given on training of Specialized Legislation Stress Management, Judicial Communication and Administration.
3. The Odisha Judicial Academy to provide training on such subjects and also make provision in their curriculum accordingly.

[No.9555-VJ-6/2007-L]
By order of the Governor

B.K.PATEL

Principal Secretary to Government