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THE HIGH COURT OF ORISSA, CUTTACK

NOTIFICATION

No. 1713/R

Dated:05.09.2022

In exercise of the power conferred under Article 229 of the Constitution of India, the Chief Justice of the High Court of Orissa is pleased to make the following Rules further to amend the High Court of Orissa (Appointment of Staff and Conditions of Service) Rules, 2019 to regulate the recruitment and conditions of service of the persons appointed to various posts in different Cadres/Groups in the High Court of Orissa, namely;-

1. Short title and commencement :-

These Rules may be called "The High Court of Orissa (Appointment of Staff and Conditions of Service) (Third Amendment) Rules, 2022" and shall come into force on the date of publication in the Official Gazette.

2. In the High Court of Orissa (Appointment of Staff and Conditions of Service) Rules, 2019, the following modifications shall be made;

(i) The provisions appearing in column 5 of serial no. 2 of the category of tenure posts of Appendix-1 shall be substituted with the followings:

"A candidate must have acquired LLB degree/LLM degree from any recognized Universities/Colleges/Institutions, within 3 years from the date of his/her application and should not have put in more than 5 years of practice, if he/she is a practicing Advocate."

EX-1

(ii) In column No. 6 of serial no. 2 of the category of tenure posts of Appendix-1, the following provision shall be inserted:

“A candidate must have good working knowledge of computers.”

(iii) The word and figure ‘Rs 15000/’ appearing in column 7 of serial no-2 of the category of Tenure Post of Appendix-1 shall be substituted with the word and figure ‘Rs 30000/’.

3. After serial no. 2 of the category of Tenure Post of Appendix-1, serial no 3 shall be inserted as in the following table;

Category of post	Sl. No	Designation	Sanctioned Strength	Minimum qualification	Experience if any	Scale of pay	Mode of recruitment
Tenure Post	3	Law Researcher	4	A candidate from law background must have completed LLB degree/LLM degree from any recognized Universities/ Colleges/ Institutions. A candidate from history background must have completed Post Graduate degree/ or any higher degree in history from any recognized Universities /Colleges/ Institutions.	Good working knowledge of computer, preferably 3 years' work/ practice/ teaching experience.	Rs 30000/- per month (consolidated)	By the direct recruitment through selection as per the Scheme for engagement of Law Researcher (Appendix-7A)

4. The figures and word “1 and 2” appearing in the first line of sub-rule 6 of Rule 5, shall be substituted with the figures and word “1, 2 and 3”.

5. Sub-clause (i) of clause-3 of the Appendix-7 shall be substituted with the followings;

(i) Research Assistants shall be engaged on purely temporary and contractual basis with a fixed monthly honorarium, ordinarily coterminous with the tenure of the Chief Justice/Judge or for a term of two years whichever comes to an end earlier. However, in case of retirement/transfer of the Chief Justice/Judge, the engaged Research Assistant can be attached to the new Chief Justice or any other Judge as the case may be for his/her remaining tenure of engagement on his/her request, subject to his/her performance and consent of the Chief Justice/Judge concerned. The term of two years can be extended for a further maximum period of six months on the recommendation and subject to the satisfaction of the Chief Justice/ Judge with whom he/she is attached and with his/her consent. In any case, the matter of such extension shall be only with the approval of the Chief Justice.

Provided that such engagement of Research Assistants, shall not entail them to claim any regular appointment. The Research Assistant once engaged shall not be eligible to apply for the post through any subsequent advertisement. However, the Research Assistant whose engagement has come to an end before completion of one year due to retirement/transfer or the end of the tenure of the Chief Justice/Judge with whom he /she was attached, will be eligible to apply for the post through the next advertisement.

6. Clause-16 of the Appendix-7 shall be 'omitted'.
7. After Appendix-7, the following Appendix-7-A shall be 'inserted':-

APPENDIX-7-A**SCHEME FOR SELECTION AND APPOINTMENT OF LAW RESEARCHERS IN THE CENTRE FOR JUDICIAL ARCHIVES OF ODISHA (I.E JUDICIAL HISTORY PROJECT OF THE HIGH COURT OF ORISSA)****[See Rule. 5(6)]**

Whereas, sanction of posts of Law Researchers on fixed honorarium basis, for their engagement in the Centre for Judicial Archives of Odisha (i.e Judicial History Project of the High Court of Orissa) under the establishment of the High Court of Orissa, has been issued by the Government of Odisha, with a view, that the attached Law Researchers may assist Director-cum-OSD and other officials of the Centre in the day-to-day work by researching and analyzing law, case law, reports, rulings, collection of historical judicial documents and records.

With a view to prescribing the qualification and method of selection, brief job chart, general condition of job etc. the "Scheme for Selection and Appointment of Law Researchers in the establishment of the High Court of Orissa to work in the Judicial History Project of the High Court of Orissa is hereby framed;

1. **TITLE-** The scheme shall be herein after called as "Scheme for Selection and Appointment of Law Researchers in the Centre for Judicial Archives of Odisha (i.e Judicial History Project of the High Court of Orissa)" under the establishment of the High Court of Orissa and shall come into force on the date of its publication in the Official Gazette.

2. **DEFINITIONS:** Unless there is anything repugnant in the subject or context;

(i) "Centre" means Centre for Judicial Archives of Odisha;

(ii) "Chief Justice" means the Chief Justice of the High Court of Orissa;

(iii) "Committee" means the RRDC Committee of the High Court of Orissa;

- (iv) "Director" means the Director-cum-Officer on Special Duty, Archives;
- (v) "Law Researcher" means the person to assist Director-cum-OSD and other officials of the Centre in the day-to-day work by researching and analyzing law, case law, reports, rulings, collection of historical judicial documents and records;
- (vi) "Project" means the Judicial History Project of the High Court of Orissa;
- (vii) "Schedule" means Schedule attached to this Scheme;
- (viii) "Website" means official website of the High Court of Orissa as may be updated from time to time. (At present it is <http://orissahighcourt.nic.in>);
- (ix) "Universities / Colleges / institutions" shall mean the Universities / Colleges / Institutions established by law in India;
- (x) "Recruitment Cell" means the Recruitment Cell of the High Court of Orissa.
- (xi) "Registrar (Examination)" means the Registrar (Examination) of the High Court of Orissa;
- (xii) "Registrar General" means the Registrar General of the High Court of Orissa.

3. TERM AND NATURE OF ENGAGEMENT:

- (i) Law Researcher shall be engaged on purely temporary and contractual basis for a term of two years with a fixed monthly honorarium subject to his/her performance to the satisfaction of the RRDC Committee; such engagement shall not entail the person concerned to claim any regular appointment.
- (ii) Premature discharge of a Law Researcher without any notice or any compensation shall be lawful, provided that the Committee makes a recommendation in writing to the Chief Justice.
- (iii) A Law Researcher intending to leave the assignment prematurely shall be required to give prior notice of one month.

4. AGE AND NATIONALITY

- (i) A candidate must not have crossed the age of 45 years on 1st January preceding the last date fixed for submission of the application.
- (ii) The candidate must be a citizen of India.

5. ELIGIBILITY CONDITIONS & QUALIFICATIONS:

- (i) From out of the 4(four) sanctioned posts of Law Researcher, two posts shall be filled up by the candidates with a law background and two posts shall be filled up by the candidates with a history background.
- (ii) A candidate from the law background must have completed LLB degree/LLM degree from any recognized Universities/Colleges/Institutions.
- (iii) A candidate from the history background must have completed Post Graduate degree/ or any higher degree in history from any recognized Universities/Colleges/ Institutions.
- (iv) A candidate must have good working knowledge of computers. A Candidate with 3 years practice/work and/or teaching experience would be preferred.
- (v) A candidate should not have been convicted or involved in any pending criminal case.

6. CHARACTER:

A candidate must be a person of integrity, honesty and good moral character, for which the candidate will submit certificates of two responsible persons, at the time of submitting the application.

7. METHOD OF SELECTION

- (i) The advertisement inviting application for temporary and contractual engagement of Law Researchers shall be published in at least two widely circulated newspapers, one of which must be in the regional language and also be uploaded in the website of the Court.
- (ii) Interested candidates may apply to the Registrar (Examination) of the High Court of Orissa in the application form under Schedule-I

indicating their willingness to work in the Judicial History Project of the High Court of Orissa.

- (iii) The application form can be downloaded from the website, and it must be accompanied with the copies of documents, as enumerated in that form.
- (iv) Simultaneous to publication of advertisement, Registrar, Universities / Colleges / Institutions may also be intimated about the requirement, requesting to forward applications of willing candidates, along with a recommendation.
- (v) The applications so received shall be scrutinized by the Recruitment Cell of the High Court and applications complete in all respects shall be placed before the Committee.
- (vi) There shall be a selection of candidates as per the modalities to be fixed by the Committee comprising a written test and interview as per the modalities.
- (vii) The Selection shall be made in order of merit in the selection test.
- (viii) The Committee, on completion of the selection test, shall prepare a select list of candidates double the number of vacancies in order of merit and recommend the names of the candidates equal to the number of vacancies to the Chief Justice for their engagement as Law Researchers. The select list shall remain valid for a period of one year and the names of the remaining candidates can be considered for engagement, in case vacancy accrued during the period of validity of the select list subject to the continued requirement of the Court.
- (ix) On the basis of the recommendations of the Committee and the final decision taken by the Chief Justice, the formal engagement order shall be issued by the Registrar General of the Court.

8. HONORARIUM:

- (i) The Law Researchers shall be paid fixed honorarium of Rs.30,000/- (Rupees Thirty thousand) per month or such higher amount as may be prescribed by the State Government from time to time.

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(ii) Proportionate reduction of honorarium shall be made for unauthorized absence and for absence beyond the permissible period of leave.

9. ATTENDANCE AND LEAVE:

(i) A Law Researcher shall be entitled to one casual leave on completion of one calendar month; unavailed casual leave will accumulate up till end of the calendar year.

(ii) The Director- cum-Officer on Special Duty, Archives, shall sanction the leave; leave account and account of attendance shall be maintained in the office of the Centre; the office shall send intimation of leave and number of days worked in each calendar month to the Bill Section, for preparing bill of honorarium.

10. DUTIES OF LAW RESEARCHERS:

(i) To assist the Director in processing, documenting and accessing archival collections,

(ii) To assist the Director in researching and responding to copyright and ownership issues.

(iii) To coordinate and facilitate use of the archives.

(iv) To ensure accurate and up-to-date inventories and reconciliation of archival collections according to recognized archival standards.

(v) To assist the Director and the Committee in creation, development and implementation of collection management policies; Archive procedures and preservation planning,

(vi) To implement current procedures and develop new procedures for archival collections.

(vii) To generally assist the Director in the research project.

(viii) To perform other works of the Centre for Judicial Archives as and when assigned.

11. DUTY HOURS:

The Law Researcher shall attend the office of the Centre on every

working day and remain present throughout the working hours of the Centre. The Law Researchers may be required to attend the office of the Centre, even on Gazetted/Local holidays as and when required.

12. TRAINING:

The newly inducted Law Researchers shall undergo orientation training at the Odisha State Judicial Academy.

13. CONDUCT DURING AND AFTER TERM OF ASSIGNMENT:

(i) A Law Researcher shall maintain devotion to duty, and a high standard of moral reputation and integrity commensurate with the responsibilities entrusted during the term of assignment. The Law Researcher will not disclose any fact which comes to his/her knowledge on account of such official assignment and shall ensure that no information document or any other thing is leaked out because of his/her mishandling of papers, deliberations with others, or in any other manner during or after completion of term of assignment, unless such disclosure is legally required in discharge of lawful duties.

(ii) The Law Researcher will not accept any other assignment during term of assignment as Law Researcher.

(iii) The Law Researcher will not leave headquarter without seeking permission from the Director of the Centre.

(iv) The Law Researcher will not avail leave without getting it sanctioned. In any case of emergency, he/she will immediately contact and convey the Director, of his/her inability to attend office.

(v) The Law Researcher shall abide by such other Rules and conditions of services as may be prescribed by the Chief Justice.

14. UNDERTAKING:

Before taking over assignment, the Law Researcher shall submit an undertaking in format, as prescribed in Schedule II, before the Registrar General of the High Court of Orissa.

15. CERTIFICATE:

(i) On successful completion of term of assignment, a certificate by

the Registrar General shall be issued, in form as is prescribed in Schedule III.

(ii) If the assignment is terminated before completion of original term, due to pre-mature discharge by the High Court, or due to voluntary giving up assignment, by person concerned, no such certificate shall be given.

16. POWER TO REMOVE DIFFICULTIES:

(a) The Chief Justice shall have the power to remove difficulties in implementation of this Scheme.

(b) If any dispute arises involving interpretation of this Scheme, the decision of the Chief Justice shall be final.

BY ORDER OF THE CHIEF JUSTICE

SUMAN KUMAR MISHRA

REGISTRAR (JUDICIAL)

SCHEDULE - I**ORISSA HIGH COURT, CUTTACK**

Adv. No. _____/Law Researcher

Space for
Photograph

1. Name of Applicant : _____
2. Date of Birth : _____
3. Sex (Male/Female) : _____
4. Nationality : _____

5. Full Name of Father/Husband: _____

6. Present Postal Address: _____

7. Permanent Address: _____

8. Educational Qualification:

Name of Exam Passed	Name of Board/ University	Name of Institution /College	Year of Passing	Total Marks	Marks Obtained	Percentage of Marks Obtained	Date of enrolment in the Bar Council in case of practicing Advocate

9. Do you have knowledge of Computer Operation?(Yes/No)

(a) Whether you have undergone any certificate/diploma course in computer operation from a recognized Institute? Please give particulars:

10. Are you married?

If so do you have more than one spouse living or married a person having a spouse living? _____

11. Whether you were earlier engaged as Law Researcher, If so, details
-

Place:

Date:

of Applicant

Signature

Note:

1. Candidates should affix a latest coloured photograph in passport size with his/her own signature thereon and duly self attested at the space provided in the application.
2. The envelope containing application should be marked **“APPLICATION FOR THE POST OF LAW RESEARCHER, 20.....”**
3. Envelope shall contain only one application form. An envelope containing more than one application form shall stand rejected.
4. Candidates must attach with the application form, attested copies of the certificates & mark sheets in support of their age and educational qualifications, extracurricular activities and also in support of their having computer knowledge.
5. Two Character certificates as per Clause 6 of the Scheme.
6. Applications may be sent either by Speed Post, Registered Post with A.D., or through Courier, or can be deposited by hand during office hours.
7. The defective applications, which are not complete in any respect, will be rejected out-right.
8. Applications received after last date shall not be entertained and the Court will not be responsible for any postal delay.
9. The candidate shall not practice in any court of law nor engage himself in any professional pursuit during the engagement as Law Research.

SCHEDULE - II**UNDERTAKING**

I _____ son/daughter _____ of
 _____ resident of _____
 _____ having been assigned job of Law Researcher,
 do hereby submit my undertaking and affirm as under:-

That I have carefully read the **“SCHEME FOR SELECTION AND APPOINTMENT OF LAW RESEARCHER IN THE CENTRE FOR JUDICIAL ARCHIVES OF ODISHA (I.E JUDICIAL HISTORY PROJECT OF THE HIGH COURT OF ORISSA)”** and have fully understood the provisions contained therein. I understand and do undertake that I am bound by the provisions contained in the above said scheme and that I will abide by the provisions of it.

Date

Signature

(Name of Candidate)

Verified

(Registrar General)

6-1-2020

SCHEDULE- III**CERTIFICATE****To whom so ever it may concern**

It is to certify that Mr. / Mrs. / Miss
Son/Daughter/wife of.....
 resident of..... had performed job and
 successfully participated in training as Law Researcher
 w.e.f..... to He was engaged in the
 Centre for Judicial Archives of Odisha (i.e Judicial History Project of
 the High Court of Orissa) and his/her performance was found to be
 satisfactory / good / outstanding.

Date:**REGISTRAR GENERAL**