

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.1908, CUTTACK, TUESDAY, OCTOBER 8, 2024/ ASWINA 16, 1946

LAW DEPARTMENT

NOTIFICATION

The 3rd October, 2024

S.R.O.No.532/2024— In exercise of the powers conferred by the proviso to Article 309 read with Articles 233, 234 and 235 of the Constitution of India, the Governor of Odisha, after consultation with the Odisha Public Service Commission and the High Court of Orissa, hereby makes the following rules further to amend the Odisha Superior Judicial Service and Odisha Judicial Service Rules, 2007, namely: –

1. Short Title and Commencement. - (1) These rules may be called the Odisha Superior Judicial Service and Odisha Judicial Service (Amendment) Rules, 2024.

(2) They shall be deemed to have come into force with effect from 1st day of July, 2024.

2. In the Odisha Superior Judicial Service and Odisha Judicial Service Rules, 2007, (herein after referred to as the “said rules”), for APPENDIX-A, the following APPENDIX shall be substituted, namely :-

“APPENDIX-A

[See Rule 8]

(Promotion to the post of District Judge through
Limited 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) The Code of Civil Procedure, 1908. | ...25 Marks |
| (2) Personal laws. | ...25 Marks |
| (3) The Transfer of Property Act, The Specific Relief Act., 1963, The Limitation Act, The Law of Contract, The Odisha | ... 25 Marks |

Consolidation of Holding and Prevention of Fragmentation of Land Act, The Orissa Estate Abolition Act, The Odisha Land Reforms Act, The Law relating to Motor Accident and Claims, The Arbitration and Conciliation Act, 1996, The Commercial Courts Act, 2015.

TOTAL ...75 Marks

Paper-2

- (1) The Code of Criminal Procedure, 1973 and The Bharatiya ...20 Marks
Nagarik Suraksha Sanhita, 2023.
- (2) The Indian Penal Code, 1860 and The Bharatiya Nyaya ...20 Marks
Sanhita, 2023.
- (3) The Indian Evidence Act, 1872 and The Bharatiya Sakshya ...20 Marks
Adhiniyam, 2023.
- (4) The Narcotics Drugs and Psychotropic Substance Act, ...15 Marks
The Food Safety and Standard Act, 2006, The Prevention of Corruption Act, The Essential Commodities Act, The Environment Protection Act, The Water (Prevention and Control of Pollution) Act, 1974, 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.

TOTAL ...75 Marks

B. Interview

Interview shall carry 20 marks.

Candidates securing minimum of fifty (50) per centum of marks in aggregate in both the written papers but not less than forty five (45) per centum of marks in individual written paper shall be called for interview.

C. Evaluation of CCR or PAR

Candidates' CCRs or PARs for five years (5) immediately preceding the year of examination shall be evaluated, which shall carry thirty (30) marks in the following order:-

CCRs or PARs Grading	Marks
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 or PARs :

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

3. In the said rules for APPENDIX-B, the following APPENDIX shall be substituted , namely :-

**“APPENDIX-B
(See Rule 10)**

(Direct recruitment to the post of District Judge)

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 Procedure, 1908.30 marks
(2)	Personal laws.30 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, The Law relating to Motor Accident and Claims, The Arbitration and Conciliation Act, 1996, The Commercial Courts Act, 2015.40 marks
Total		100 marks

Paper-2

(1)	The Code of Criminal Procedure, 1973 and The Bharatiya Nagarik Suraksha Sanhita, 202330 marks
(2)	The Indian Penal Code, 1860 and The Bharatiya Nyaya Sanhita, 2023.30 marks
(3)	The Indian Evidence Act, 1872 and The Bharatiya Sakshya Adhiniyam, 2023.30 marks
(4)	The Narcotics Drugs and Psychotropic Substance Act, The Food Safety and Standard Act, 2006, The Prevention of Corruption Act, The Essential Commodities Act, The Environment Protection Act, The Water (Prevention and Control of Pollution) Act, 1974, The Scheduled Castes and Scheduled Tribes10 marks

(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.

Total 100 marks

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 words; |30 marks |
| (4) Precis writing consisting of 300 words; and |30 marks |
| (5) 1 (one) passage of maximum 500 words with 5 questions. |20 marks |

Total 100 marks

B. Interview

- (1) Interview shall carry thirty (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 (45) percent of marks in each of the written papers and fifty (50) 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 (40) per cent of marks in interview.”

4. In the said rules, for APPENDIX-D, the following APPENDIX shall be substituted , namely :-

“APPENDIX-D

(See Rule-15)

Recruitment of Civil Judge (Junior Division)

I. Preliminary 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 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) The Constitution of India
- (b) The Code of Civil Procedure, 1908

- (c) The Code of Criminal Procedure, 1973 and The Bharatiya Nagarik Suraksha Sanhita, 2023
- (d) The Indian Evidence Act, 1872 and The Bharatiya Sakshya Adhiniyam, 2023
- (e) The Indian Penal Code, 1860 and The Bharatiya Nyaya Sanhita, 2023
- (f) The Limitation Act
- (g) The Transfer of Property Act
- (h) The Law of Contract
- (i) The Law of Succession (Indian Succession Act & Hindu Succession Act)
- (j) The Specific Relief Act
- (k) 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.

II. Main Written Examination

The 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 duration of two and half hours of examination and each of the optional subjects shall carry 150 marks with duration of three hours.

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 and The Bharatiya Nagarik Suraksha Sanhita, 2023.
- (b) The Code of Civil Procedure , 1908.
- (c) The Indian Evidence Act, 1872 and The Bharatiya Sakshya Adhiniyam, 2023.

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 Laws: | ... | 150 marks |
| | (a) Hindu Law | | |
| | (b) Mohammedan Law | | |

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

- Notes:**
- (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.

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”.

5. In the said rules, for clause (i) and (v) of Paragraph- 4 of APPENDIX-E, the following clauses shall respectively be substituted, namely :-

- (i) **Training under the Registrar, Civil Court** - The Civil 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 - Process Establishment Section, Accounts, Record Room and Copying Department, Maintenance of registers in these Departments, preparation of monthly, quarterly and annual statement, etc.. They should make careful study of the High Court's General Rules and Circular Orders (Civil and Criminal), the Accounts Rules, The Indian Evidence Act, 1872 and The Bharatiya Sakshya Adhiniyam, 2023, The Code of Civil Procedure, 1908, The Transfer of Property Act, 1882 and The Indian Contract Act, 1872.
- (v) **Training in Sub-divisional Judicial Magistrate's Court**- The Civil 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, 1973 and The Bharatiya Nagarik Suraksha Sanhita, 2023 and take special notes of procedure in respect of directing prosecution of offences under Chapter XIII and XVIII of The Indian Penal Code, 1860 and Chapter XVIII of The Bharatiya Nyaya Sanhita, 2023. They should also read the important provisions of The Indian Penal Code, 1860 and The Bharatiya Nyaya Sanhita, 2023, 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 Civil Judge (Junior Division) to get acquainted with the Investigation of offences under The Forest Act, The Excise Act and other local Acts.

6. In the said rules, for sub - clauses (iv) , (xix) and (xxix) of clause -1 of APPENDIX-F, the following sub- clauses shall respectively be substituted, namely :-

- “(iv) Major Acts namely, The Indian Penal Code, 1860 and The Bharatiya Nyaya Sanhita, 2023, The Code of Criminal Procedure, 1973 and The Bharatiya Nagarik Suraksha Sanhita, 2023, The Code of Civil Procedure, 1908, The Indian Evidence Act, 1872 and The Bharatiya Sakshya Adhinyam, 2023.
- (xix) The Juvenile Justice (Care & Protection of Children) Act, 2015 and The Protection of Children from Sexual Offences Act, 2012.
- (xxix) The Odisha Excise Act, 2008 (Odisha Act 10 of 2013).”

[No.14192—VJ-04/2023/L.]

By Order of the Governor

MANAS RANJAN BARIK

Principal Secretary to Government