

# **GOVERNMENT OF PUDUCHERRY**

## **Abstract**

The Puducherry Judicial Service (Cadre and Recruitment) Rules, 2008 –  
Notification – Issued.

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## **LAW DEPARTMENT**

**G.O.Ms.No.8/08/-LD**

Pondicherry, the 8<sup>th</sup> April, 2008

READ: D.O. Letter No.13/2007-Con.B1, dated 31.01.2008 of the  
Registrar General, High Court of Judicature at Madras.

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## **ORDER:**

The following notification shall be published in an extraordinary issue of the  
Official Gazette:

## **NOTIFICATION**

In exercise of the powers conferred by the proviso to Article 309 of the  
Constitution, read with the Government of India, Ministry of Law, Justice  
and Company Affairs (Department of Justice) Notification No.30/16/76/Jus.,  
dated 31<sup>st</sup> August 1979 and all other powers enabling him in this behalf, the  
Administrator, Puducherry in consultation with the High Court, Madras is pleased to  
make the following rules, namely:-

## **RULES**

### **1. *Short title and commencement :-***

(1) These rules may be called the Puducherry Judicial Service (Cadre and  
Recruitment) Rules, 2008.

(2) They shall come into force on the date of their publication in the Official  
Gazette.

**2. Definition:-** In these rules, unless the context otherwise require:-

(a) "*Administrator*" means the Administrator appointed under Article 239 of the Constitution for the Union Territory of Puducherry.

(b) "*Cadre Post*" means any post specified in the Schedule and includes temporary posts carrying the same designation as that of any of the post specified in that Schedule and any other temporary post declared as cadre post by the Administrator in consultation with the High Court, Madras.

(c) "*High Court*" means, the High Court of Judicature at Madras exercising jurisdiction over the Union Territory of Puducherry.

(d) "*Initial recruitment*" means the first recruitment and appointment made to the service.

(e) "*Member of the Service*" means a person appointed in substantive capacity in any of the cadre posts of the service under the provisions of these rules and includes a person appointed on probation.

(f) "*Service*" means the Puducherry Judicial Service; and

(g) "*Schedule*" means the Schedule appended to these rules as it may stand amended from time to time.

**3. Constitution : -**

(a) The Puducherry Judicial Service shall consist of the following cadres, namely:

**\*\* (Amended vide G.O.Ms.No.18/14-LD, dt. 06.06.2014)**

**Category:**

1. District Judge (Super time scale)
2. District Judge (Selection Grade)
3. District Judge (Entry Level)
4. **Senior Civil Judge** / Chief Judicial Magistrate (Assured Career Progression Scale-II stage)
5. **Senior Civil Judge** / Chief Judicial Magistrate (Assured Career Progression Scale-I stage)
6. **Senior Civil Judge**/Chief Judicial Magistrate
7. **Civil Judge** (Assured Career Progression Scale-II stage)
8. **Civil Judge** (Assured Career Progression Scale-I stage)
9. **Civil Judge**

(b) The posts aforementioned shall be civil posts Group "A" Gazetted.

**4. Strength of Service : -**

*[Rule 4 strength of service deleted, vide G.O.Ms.No.18/2014/LD. Law Department, dated 06.06.2014.]*

**5. Appointments:-**

(1) All appointments to the service shall be made to the corresponding scale and grade of the service and not against any specified post.

(2) A person appointed to the Service shall be designated in accordance with the duties as may be assigned to him from time to time.

## **6. Creation of posts :-**

The Administrator may create from time to time as many cadre posts as may be necessary either on the recommendation of or in consultation with the High Court.

## **7. Appointing Authority :**

(1) The appointment to the posts of Civil Judge and the District Judge (Entry Level) by direct recruitment shall be made by the Administrator in accordance with the selections made by the High Court.

(2) The appointing authority for appointment by promotion to categories 1. District Judge (Supertime Scale), 2. District Judge (Selection Grade), and 3. Senior Civil Judge / Chief Judicial Magistrate shall be the High Court, Madras in accordance with Article 235 of the Constitution of India.

(3) The appointment to the post of District Judge (Entry Level) by promotion shall be made by the Administrator in accordance with the selection made by the High Court.

Provided that if no suitable candidate is available for promotion to the posts vacant in the cadre of District Judge (Entry level), those posts shall be filled by transfer by deputation of Judicial Officers holding analogous posts in the State of Tamil Nadu, failing which through direct recruitment.

## **8. Method of Appointment, Qualification and Age:**

In respect of each category of posts in column (2) of the Table below, the method of appointment and the qualifications shall be as specified in the corresponding entries in columns (3) and (4) thereof and the respective Annexures thereof:

**THE TABLE**

<b>S.No.</b> <b>(1)</b>	<b>Category</b> <b>(2)</b>	<b>Method of appointment</b> <b>(3)</b>	<b>Qualification</b> <b>(4)</b>
1	District Judge (Super time scale)	By promotion by selection on the basis of <i>merit-cum-seniority</i> from category (2) viz., District Judge (Selection Grade) by the High Court	\$ Must have put in not less than 3 years of continuous service as District Judge (Selection Grade), provided <b>15%</b> of the cadre strength of District Judge shall be promoted to the cadre of District Judge (Super time Scale), <b>with effect from 01.01.2020.</b>
2	District Judge (Selection Grade)	By promotion by selection on the basis of <i>merit-cum-seniority</i> from Category (3) viz., District Judge (Entry Level) by the High Court	\$ Must have put in 5 years of continuous service in category (3) i.e., as District Judge (Entry level), provided <b>35%</b> of cadre strength of District Judge shall be promoted to the cadre of District Judge (Selection Grade), <b>with effect from 01.01.2020.</b>

<i>S.No.</i> (1)	<i>Category</i> (2)	<i>Method of appointment</i> (3)	<i>Qualification</i> (4)
3	District Judge (Entry level)	<p><b>** (Amended vide G.O.Ms. No.8/2011/LD, dated 28.04.2011)</b></p> <p>i) <b>65% per cent</b> by promotion from amongst the Senior Civil Judges / Chief Judicial Magistrate on the basis of principle of merit-cum-seniority and suitability.</p> <p>The criteria to assess the merit and suitability are under the following heads:</p> <p>a) Evaluation of Judgments rendered by the candidates in the preceding five years.</p> <p>b) Annual Confidential Reports inclusive of Vigilance Reports in the preceding five years.</p> <p>c) Work done during the preceding five years.</p> <p>d) Pendency of disciplinary proceedings, if any.</p> <p>Provided that in the event of non-availability of Senior Civil Judges ACP Scale II Stage, the claims of suitable candidates in the cadre of Senior Civil Judge ACP Scale I Stage will be considered.</p> <p>Provided further that in the event on non availability of candidates in the cadre of Senior Civil Judge ACP Scale I Stage, the claims of suitable candidates available in the cadre of Senior Civil Judge will be considered.</p>	

S.No. (1)	Category (2)	Method of appointment (3)	Qualification (4)
	District Judge (Entry level)	<p><b>** (Amended vide G.O.Ms. No.8/2011/LD, dated 28.04.2011)</b></p> <p>(ii) <b>10% per cent</b> by promotion from amongst the Senior Civil Judges / Chief Judicial Magistrates strictly on the basis of merit to be adjudged on the basis of Limited Competitive Examination, Quality of Judgment delivered during the preceding 3 years, Annual Confidential Reports for the preceding 5 years, leave taken during the preceding 5 years and viva-voce as prescribed and conducted by the High Court as detailed below:</p> <p>(a) Written Test .... 45 marks (shall be Objective Type Test from Civil, Criminal and Constitutional Laws)</p> <p>(b) Quality of Judgement ... 30 marks (delivered as Senior Civil Judge / Chief Judicial Magistrate, during the preceding 3 years)</p> <p>(c) Annual Confidential Reports ... 10 marks (recorded during the preceding 5 years)</p> <p>(d) Quantum of leave availed ... 5 marks during the preceding 5 years.</p> <p>(e) Viva-voce Test ... 10 marks</p> <p style="text-align: right;">Total ... 100 marks</p> <p>(The minimum qualifying marks out of 100 marks should be 50 marks).</p> <p>If any of the vacancy earmarked could not be filled up by Limited Competitive Examination viz., if candidates are not available for 10% quota or are not able to qualify for the Examination, such vacant posts shall be filled up by regular promotion in accordance with the Rules (as per the guidelines of the Hon'ble Supreme Court of India dated 20.04.2010 in I.A.227 in WP(C) 1022/1989 in C.A.1867/2006)</p>	<p>Must have completed 5 years of qualifying service in the cadre of Senior Civil Judge / Chief Judicial Magistrate inclusive of ACP I and II stage.</p>

<b>S.No.</b> <b>(1)</b>	<b>Category</b> <b>(2)</b>	<b>Method of appointment</b> <b>(3)</b>	<b>Qualification</b> <b>(4)</b>
		<p><b>** (Amended vide G.O.Ms.No.16/2016/LD dated 03.08.2016)</b></p> <p><b>(iii) 25% of the posts</b> shall be filled by direct recruitment from amongst the eligible advocates on the basis of the Preliminary Examination, Main Examination and Viva-voce test prescribed and conducted by the High Court in accordance with the procedures prescribed in Annexure-I to these rules.</p>	<p>1) Must be a Citizen of India</p> <p>2) Must possess a Degree in Law of a University in India established or incorporated by or under a Central Act or a State Act or an Institution recognized by the University Grants commission or any other equivalent qualification and got enrolled as an advocate under a State Bar Council established under the Advocates Act, 1961.</p> <p>3) Must be practicing on the date of Notification as an advocate and must have so practiced for a period of not less than seven years as on such date. (See Annexure I)</p> <p><b>** Amended vide G.O.Ms.No. 16/2016/LD dated 03.08.2016</b></p> <p>4) <b>Must have attained the age of 35 years</b> and must not have attained the age of 48 years in the case of SC/ST and 45 years in the case of others as on 1<sup>st</sup> July of the year in which the selection for appointment is made.</p>



<b>S.No. (1)</b>	<b>Category (2)</b>	<b>Method of appointment (3)</b>	<b>Qualification (4)</b>
4	Senior Civil Judge / Chief Judicial Magistrate (II Stage ACP scale)	Gradation subject to entries in Annual Confidential Reports inclusive of Vigilance Reports, if any	<p>\$ Must have completed five years of continuous service in the category of Senior Civil Judge (ACP Scale I Stage).</p> <p><b>If, for any reason, delay in grant of ACP goes beyond one year, one additional increment for every year delay shall be granted subject to adjustment while drawing the arrears on grant of ACP.</b></p>
5	Senior Civil Judge / Chief Judicial Magistrate (I Stage ACP scale)	Gradation subject to entries in Annual Confidential Reports inclusive of Vigilance Reports, if any	<p>\$ Must have completed five years of continuous service in the category of Senior Civil Judge.</p> <p><b>If, for any reason, delay in grant of ACP goes beyond one year, one additional increment for every year delay shall be granted subject to adjustment while drawing the arrears on grant of ACP.</b></p>
6	Senior Civil Judge/ Chief Judicial Magistrate	<p>By promotion by selection on the basis of merit-cum-seniority from among the category of Civil Judge, by the High Courton the basis of the following criteria.</p> <p>1) Entries in the Annual Confidential Reports inclusive of Vigilance Reports, if any.</p> <p>2) Evaluation of the Judgments</p>	-----

<b>S.No. (1)</b>	<b>Category (2)</b>	<b>Method of appointment (3)</b>	<b>Qualification (4)</b>
		rendered by the candidate in the preceding five years. 3) Workdone statement for preceding five years.	
7	Civil Judge (II Stage ACP Scale)	Subject to entries in the Annual Confidential Reports inclusive of Vigilance Reports, if any.	<p>§ Must have completed 5 years of continuous service as Civil Judge (I Stage ACP Scale).</p> <p><b>If, for any reason, delay in grant of ACP goes beyond one year, one additional increment for every year delay shall be granted subject to adjustment while drawing the arrears on grant of ACP.</b></p>
8	Civil Judge (I Stage ACP Scale)	<p>§ Subject to entries in the Annual Confidential Reports inclusive of Vigilance Reports, if any.</p> <p><b>(Recommendations of Second National Judicial Pay Commission as accepted by the Hon'ble Supreme Court of India in Writ Petition (Civil) No.643 of 2015, dated 19.05.2023 vide Para No.44.15(i), to be considered while awarding I Stage ACP Scale of Pay).</b></p>	<p>§ Must have completed 5 years of continuous service as Civil Judge.</p> <p><b>If, for any reason, delay in grant of ACP goes beyond one year, one additional increment for every year delay shall be granted subject to adjustment while drawing the arrears on grant of ACP.</b></p>

§ Substituted vide Supplement to the Gazette No.39, Pages 3-4, dated 26.09.2023 (as per G.O.Ms.No.34/2023-LD, Puducherry, dated 20.09.2023)

<b>S.No.</b>	<b>Category</b>	<b>Method of appointment</b>	<b>Qualification</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>
9	Civil Judge	<p><b>**Amended vide G.O.Ms.No.16/2016/LD dated 03.08.2016</b></p> <p>By direct recruitment on the basis of the Preliminary Examination, Main Examination and Viva-voce test conducted by the High Court in accordance with the procedures prescribed in Annexure-II to these rules.</p>	<p>I. Must be a Citizen of India.</p> <p>II(a). Must possess a Degree in Law of a University in India established or incorporated by or under a Central Act or a State Act or an Institution recognized by the University Grants Commission, or any other equivalent qualification and got enrolled as an Advocate under a State Bar Council established under the Advocates Act, 1961.</p> <p>b) Must be practising as an Advocate or Pleader in the High Court or Courts subordinate thereto and must have so practised for not less than 3 years on the date of the High Court's Notification for recruitment to the post.</p> <p>(or)</p> <p>Must be an Assistant Public Prosecutor having not less than 3 years of experience as an Advocate and / or Assistant Public Prosecutor.</p> <p>(and)</p> <p><b>**Amended vide G.O.Ms.No. 18/2014/LD, dated 06.06.2014</b></p> <p>(c)Age: Must have attained the age of 25 years and must not have attained the age of <b>35 years</b> in the case of General Category and <b>40 years</b> in the case of reserved categories, as on 1st July of the year in which the vacancies in the post are notified.</p>

<i>S.No.</i> <i>(1)</i>	<i>Category</i> <i>(2)</i>	<i>Method of appointment</i> <i>(3)</i>	<i>Qualification</i> <i>(4)</i>
			<p>(or)</p> <p><b>**Amended vide G.O.Ms.No. 18/2014/LD, dated 06.06.2014</b></p> <p><b>III(a). Must be a fresh Law Graduate possessing a Degree in Law</b> from a recognized University as mentioned in clause (1) above, who is eligible to be enrolled as an Advocate and who has secured overall percentage of 50% marks in acquiring such a Law Degree in case of open categories and 45% marks in respect of other reserved categories. Fresh Law graduates are those who have obtained the Degree of Law within a period of three years prior to the date of notification.</p> <p>(and)</p> <p>(b)Age: Must have attained the age of 22 years and must not have completed the age of 27 years as on 1st July of the year in which the selection for appointment is made. This upper age limit prescribed above applies to all categories.</p> <p>(or)</p> <p><b>** (IV(a) &amp; IV(b) deleted vide G.O.Ms.No. 18/2014/LD, dated 06.06.2014.</b></p>

**9. Appointment on deputation :-** (1) Notwithstanding anything contained in these rules, appointment to the service may also be made by the Administrator on the recommendation of the High Court by deputation of a person holding analogous post in the Tamil Nadu State Judicial Service for a period not exceeding three years or for such a term as may be fixed by the High Court.

Provided that such person on deputation shall draw the pay as per the terms and conditions governing the deputation.

(2) Notwithstanding anything contained in these rules, any member of the Puducherry Judicial Service may also be deputed to the Tamil Nadu State Judicial Service by the Administrator on the recommendation of the High Court, Madras to an analogous post for a period not exceeding three years or for such a term as may be fixed by the High Court.

Provided that such person on deputation shall draw the pay as per the terms and conditions governing the deputation.

**10. Training :-**

(a) Every person appointed to the category of District Judge, (Entry Level) by direct recruitment shall undergo:

- (i) training as Civil Judge for a period of not less than six months.
- (ii) training as Senior Civil Judge for a period of not less than six months: and
- (iii) training in Forensic Science for a period of not less than two months.

(b) Every person appointed to the category of Civil Judge shall undergo training for a period of twelve months.

(c) The District Judges (Entry Level) / Civil Judges appointed by direct recruitment shall be paid the minimum of the time scale of pay applicable to the post of District Judge / Civil Judge (Junior Division) during the period of training and allowed annual increment even during the period of training.

Provided that the Administrator may, on the recommendation of the High Court grant advance increments to suitable candidates appointed to the service.

#### **11. Probation :**

**(a) District Judge (Entry Level) :** Direct Recruits - Two years.

During the period of probation, he/she must undergo the training prescribed in Rule 10 (a) of these rules.

**(b) Civil Judge –** Two years.

During the period of probation, he/she must undergo the training prescribed in Rule 10 (c) of these rules.

Provided that the Administrator may on the recommendation of the High Court, extend the period of probation, but in no case shall the period of probation be extended beyond three years in all.

#### **12. Termination of probationers :-**

The services of persons appointed on probation are liable to be terminated without assigning any reason.

### **13. Confirmation :-**

After satisfactory completion of the period of probation, the officer may be confirmed in the service by the Administrator in consultation with the High Court and the same shall be notified in the official gazette.

### **14. Posting and Transfer :**

All postings and transfer of the members of the service, subsequent to their first appointment thereto shall be made by the High Court.

### **15. Seniority :**

(1) The seniority of a person appointed to the category of District Judge (Entry Level) shall be with reference to the rank assigned in the list drawn by the High Court.

(2) The seniority of a person appointed to the category of District Judge (Selection Grade)/District Judge (Supertime Scale) shall be determined by the date of first appointment to that category.

Provided that where the date of first appointment of two or more District Judges to the category of the District Judge (Selection Grade)/ District Judge (Supertime Scale) is the same, then the inter-se seniority shall be determined by the rank assigned to them in the list drawn by the High Court.

Provided further that the seniority of a person appointed to the category of District Judge by promotion from among the qualified persons belonging to the categories 4 or 5 or 6 as the case may be, shall be fixed by the High Court.

(3) The seniority of a person appointed to the category of Senior Civil Judge shall be determined by the rank assigned in the list drawn by the High Court.

(4) The seniority of a person appointed to the category of Civil Judge (Junior Division) shall be determined by the rank assigned to him/her in the list drawn by the High Court.

**16. Age of superannuation :-**

Every person appointed to the service shall retire from service on the afternoon of the last day of the month in which he/she completes the age of 60 years.

**17. Disqualifications : -** No person

(a) who has entered into, or contracted a marriage with a person having a spouse living, or

(b) who, having a spouse living, has entered into or contracted a marriage with any person;

shall be eligible for appointment to the said service;

provided that the Administrator, may if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this rule.

**18. Temporary posts :-**

(1) The Administrator in consultation with the High Court may create temporary posts in the service.

(2) Such posts shall be filled in the same manner as permanent posts.



**19. Temporary appointments :-**

Notwithstanding anything contained in these rules, the Administrator may, on the recommendation of the High Court, fill up any vacancy in the Service by making temporary appointment thereto.

**20. Scales of pay :- \*\* deleted vide G.O.Ms.No. 18/2014/LD, dated 06.06.2014.**

**21. Reservation :-**

(1) The reservation of posts for Scheduled Castes / Scheduled Tribes / Other Backward Classes (OBC) candidates, and Physically Handicapped Candidates shall be in accordance with the orders issued by the Central Government from time to time.

& “(2) 4% of the vacancies reserved for the persons with “Benchmark Disabilities” in the cadre of Civil Judge as per (i) the “Rights of Persons with Disabilities Act, 2016 (Central Act 49 of 2016)” and (ii) Official Memorandum No.36035/02/2017-Estt. (Res), dated 15.01.2018 of the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, Government of India, shall be available only for the following category of persons and only at the time of their initial direct recruitment into the category of posts mentioned under these rules,-

(i) 1% for the persons in the following category of disabilities alone under the category of “Locomotor Disability” (as defined in the Schedule appended to the Rights of Persons with Disabilities Act, 2016),-

(a) Locomotor Disability of one arm, one leg and both legs;

(b) Leprosy cured person;

(c) Dwarfism;

(d) Acid Attack Victims.

(ii) 1% for the persons with “Low Vision” under the category of “Visual Impairment” (as defined in the Schedule appended to the Rights of Persons with Disabilities Act, 2016).

(iii) 1% for the persons with “hard of hearing” under the category of “Hearing Impairment” (as defined in the Schedule appended to the Rights of Persons with Disabilities Act, 2016).

(iv) remaining 1% for the persons mentioned in the above clauses (i) (ii) and (iii), on rotation basis.

**Explanation:** The roster points meant for the candidates with Benchmark Disabilities mentioned in section 34 (1) (d) and 34 (1) (e) of the Act, shall be allotted to the candidates in categories (i) to (iii) mentioned above, in the same order.

Provided that the candidates who perform the following physical activities alone are eligible for the post of Civil Judges, by direct recruitment.

S - Work performed by Sitting;

ST - Work performed by Standing;

W - Work performed by Walking;

C - Work performed by Seeing;

H - Work performed by Hearing;

RW - Work performed by Reading and Writing;

OA - One Arm;

OL - One Leg;

BL - Both Legs.

Provided further that no person shall be eligible for the reservation under the Rights of Persons with Disabilities Act, 2016 (Central Act 49 of 2016), unless he / she produces a certificate of physical fitness from the Medical Board/Authority concerned prescribed under the “Rights of Persons with Disabilities Act, 2016” (Central Act 49 of 2016) to the effect that his handicap will not affect the effective functioning of the duties of the post to which he / she has been selected and also satisfies the High Court that his / her disability will not affect the effective functioning of the duties of the post to which he / she has been selected.”

**& Substituted vide Gazette of Puducherry (Extraordinary), issue No.8, Part-II, Pgs 67-69, dated 07.02.2019 (as per G.O. Ms. No. 2/2019-LD, Puducherry, dated 29.01.2019)**

**22. Oath or affirmation on entering the Office of the District Judge or Civil Judge (Junior Division) :-**

Every person appointed as District Judge (Entry Level) or Civil Judge (Junior Division) by direct recruitment, shall before he/she enters upon his/her office make and subscribe before the Chief Justice of the High Court or such other Judge of the High Court or District Judge, as may be appointed in that behalf by the Chief Justice, as Oath or affirmation in the following form:

"I ..... having been appointed to the Puducherry Judicial Service as ..... do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by Law established that I will uphold the sovereignty and integrity of India, that I will duly and faithfully and to the best of my ability, knowledge and judgment perform the duties of my office without fear and favour, affection or ill-will and that I will uphold the Constitution of India and the Laws".

**23. Medical Fitness and Departmental Examination / Training :-**

The direct recruits will have to produce before appointment a certificate of physical fitness in accordance with the standard prescribed for the Indian Administrative Service, and shall pass during the period of probation such departmental examinations and undergo such training as may be prescribed by the High Court.

**24. Disciplinary Authority :-**

(1) Notwithstanding anything contained in the Central Civil Services (Classification, Control and Appeal) Rules 1965, the High Court shall be the Disciplinary Authority to -

- (a) institute disciplinary Proceedings against any member of the service;
- (b) exercise the power of suspension under rule 10 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965;
- (c) impose minor penalties under rule 11 of the Central Civil Services (Classification, Control and Appeal) Rules 1965; and
- (d) exercise all the powers of the Disciplinary Authority under the above rules except passing final orders in respect of major penalties which shall be by the Administrator in consultation with the High Court.

(2) The orders passed as above shall subject to the power of review by the High Court on its own motion or otherwise, be final.

**25. Regulations :-**

The Administrator may in consultation with the High Court make regulations not inconsistent with these rules to provide for all matters for which provisions are necessary or expedient for the purpose of giving effect to these rules.

**26. Application of other rules :-**

All rules regulating the conditions of service of the members of the Central Civil Services made from time to time under any law or the proviso to article 309 of the Constitution of India, shall subject to articles 233, 234 and 235 be applicable to the members of Puducherry Judicial Service.

**27. Interpretation :-**

If any question arises as to the interpretation of these rules, the same shall be decided by the Administrator in consultation with the High Court.

**28. Repeal and Savings :-**

(a) The Pondicherry Judicial Service (Cadre & Recruitment) Rules, 1996 are hereby repealed. Unless a contrary intention is expressly indicated in these rules, nothing contained herein shall adversely affect any person who was a member of the service on the date of the coming into force of these rules.

(b) Where these rules would adversely affect in respect of any matter a person who was a member of the service before the date of coming into force of these rules he shall, in respect of such matter be governed by the rules and orders, if any, which were applicable to him immediately prior to such date.

(c) The repeal shall not affect the validity of the list of candidates for the post of District Judge or Civil Judge as the case may be, under the repealed rules and appointment of such selected candidates.

(d) All the kinds of proceedings (including action taken to make recruitment and preparation of the list of selected candidates) commenced under the repealed

rules and are pending on the of commencement of these rules shall be continued and completed in accordance with the repealed rules as if they have not been repealed.

**29. Power to relax : -**

Where the Administrator is of the opinion that it is necessary or expedient so to do, he may, in accordance with the recommendations of the High Court, by order, for reasons to be recorded in writing, relax with prospective effect any of the provisions of these rules with respect to any class or category of persons.

## **SCHEDULE**

**(See Rule 4)**

**\*\* Deleted vide G.O.Ms.No.18/2014/LD, dated 06.06.2014**

**\*\* Amended vide G.O.Ms.No.16/2016/LD, dated 03.08.2016**

### **ANNEXURE-I (Under Rule 8)**

#### **District Judge (Entry Level) by Direct Recruitment**

1. The High Court shall invite applications for filling up of the post of District Judge (Entry Level) by direct recruitment.
2. A candidate shall, along with his / her application:-
  - (a) If he / she is an Advocate or Pleader, produce from the Presiding Officer of the Court in which he / she is actually practising, a certificate indicating the length of his / her practice;
  - (b) If he / she is an Assistant Public Prosecutor produce from the Department Head under whose authority the appointment was made, a certificate indicating the length of his / her service;
  - (c) Produce a Certificate of good character, from a Senior Advocate / Counsel and another from a responsible person, not being a relative but who is well acquainted with him / her in private life.
3. The High Court shall conduct the competitive examination for direct recruitment to the post of District Judge (Entry Level), in three stages, as specified below:-



- (a) Preliminary examination (objective type question paper) to be conducted either by way of online test or by way of on-paper test, in Optical Mark Recognition Paper (OMR paper);
- (b) Main Examination; and
- (c) Viva-voce test.

4. The minimum marks for a pass in the Preliminary Examination shall be as follows:

For the candidates belonging to Scheduled Caste and Scheduled Tribe	30 Marks
For the candidates belonging to Most Backward Classes, Other Backward Classes, Extreme Backward Classes, Backward Class Muslims and Backward Tribes	35 Marks
For others	40 Marks

After the Preliminary Examination, all the successful candidates in the Preliminary Examination, as mentioned above, shall be called upon for Main Examination.

5. After the Main Examination, for every Direct Recruitment of District Judges (Entry Level) (under 25% quota), the High Court shall fix, at its discretion, the cut-off, marks, for each paper separately, which shall, in any event, be not less than

35% of Marks in each Paper	For the candidates belonging to Scheduled Caste and Scheduled Tribe
40% of Marks in each Paper	For the candidates belonging to Most Backward Classes, Other Backward Classes, Extreme Backward Classes, Backward Class Muslims and Backward Tribes.
45% of Marks in each Paper	For others

and call upon such number of the successful candidates to appear for viva-voce test, as it deems fit and proper, keeping in view the available vacancies.

Provided that if more than one candidate secure identical cut-off marks as fixed by the High Court, all such candidates shall be called upon to appear for viva-voce test.

6. From the candidates, who have appeared for viva-voce test, the final selection of the candidates shall be made on the basis of the total marks obtained by the candidates in the Main Examination and viva-voce test taken together, subject to the rule of reservation of appointment. The maximum marks allotted for the Main Examination and viva-voce test shall be 75% and 25% respectively.

7. The notification enlisting the successful candidates prepared under these rules shall be published in the Official Gazette of the Government of Puducherry and it shall cease to be operative as from the date of publication of the next list of successful candidates prepared under these rules, in the aforesaid Official Gazette.

**ANNEXURE II (Under Rule 8)**

**Civil Judge by Direct Recruitment**

1) The High Court may invite applications based on the vacancies available for appointment to the post of Civil Judge.

provided that such applications shall be invited from time to time to select the required number of candidates for appointment as Civil Judge as per the entries in category 9 of the Schedule under Rule 8.

The candidate who applies for recruitment to the post should send along with his/her application copies of all the essential certificates/ documents specified in the notification relating to the post issued by the High Court. Besides the above, he/she should also send the following:-

- (a) In case of a member of the Bar, Decree Certificate, Enrollment Certificate issued by the State Bar Council established under the Advocates Act, 1961; a certificate from the respective Associations to show that he/she is a practising Advocate in the Association in which he/she is a member or from a Senior under whom he/she is practising.
- (b) In the case of Assistant Public Prosecutor / Government Pleader, the appointment order as Assistant Public Prosecutor / Government Pleader Service certificate from the Department Head under whose authority the appointment was made, specifying the number of years of qualifying service;
- (c) Birth Certificate or any other authentic Certificate to show the date of birth.

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

(e) Birth Certificate or any authentic Certificate to show the date of birth.

**(\*\*Amended vide G.O.Ms.No.16/2016/LD, dated 03.08.2016)**

**2) The High Court shall conduct** the Competitive Examination for selection to the post of Civil Judge by direct recruitment, in three stages, as specified below:

(a) Preliminary Examination (Objective type – Maximum Marks :100), to be conducted either by way of online test or by way of on-paper test, in Optical Mark Recognition Paper (OMR paper);

(b) Main Examination; and

(c) Viva-voce test.

3) The syllabi for the examination shall be as follows:

(a) Preliminary Examination (Objective type – Maximum marks:100) to be conducted either by way of online test or by way of on-paper test, in Optical Mark Recognition Paper (OMR paper);

Part-A: The Code of Civil Procedure, 1908;

The Negotiable Instruments Act, 1981;

The Transfer of Property Act, 1882;

The Indian Contract Act, 1872;

The Specific Relief Act, 1963;

The Constitution of India; and

The Puducherry Buildings (Lease and Rent Control) Act, 1969.

Part-B: The Code of Criminal Procedure, 1973;

The Indian Penal Code, 1860;

The Indian Evidence Act, 1872;

The Criminal Law (Amendment) Act; and

The Criminal Minor Acts (including Information Technology Act and the Protection of Children from Sexual Offences Act)

Part-C: General Knowledge.

Test of Reasoning and mental ability.

The minimum marks for a pass in the Preliminary Examination shall be as follows:

For the candidates belonging to Scheduled Caste and Scheduled Tribe	30 Marks
For the candidates belonging to Most Backward Classes, Other Backward Classes, Extreme Backward Classes, Backward Class Muslims and Backward Tribes	35 Marks
For others	40 Marks

(b) Main Examination:

i. Translation paper (Maximum Marks: 100)

There will be one translation paper and the candidates will be required to translate passages in English into Tamil (or) Malayalam (or) Telugu and likewise, the passages in Tamil (or) Malayalam (or) Telugu into English at their option.

The passages will be from (1) Depositions (2) Judgements; and (3) Documents.

ii. Law Paper-I (Maximum Marks: 100):

The Code of Civil Procedure, 1908;

The Code of Criminal Procedure, 1973;

The Indian Evidence Act, 1872;

Principles of Pleading; and

The Constitution of India.

iii. Law Paper-II (Maximum Marks: 100):

Framing of issues and Writing of Judgements in Civil Cases.

iv. Law Paper-III (Maximum Marks: 100):

Framing of charge and Writing of Judgements in Criminal Cases.

The minimum marks for a pass in each written examination shall be

30%	For the candidates belonging to Scheduled Caste and Scheduled Tribe
35%	For the candidates belonging to Most Backward Classes, Other Backward Classes, Extreme Backward Classes, Backward Class Muslims and Backward Tribes.
40%	For others

(c) Viva-voce Test (Maximum Marks:60)

The candidate's General Knowledge and knowledge of law, Grasp of Procedural laws and Principles of law and suitability for appointment as Civil Judge shall be tested;

Provided that no candidate who has secured less than the minimum marks specified above in the Main Examination shall be eligible for viva-voce test.

The minimum marks for a pass in the viva-voce test for all the categories of candidates shall be 18.”

**(\*\*Amended (para 3 & 4 renumbered as 4 & 5 vide G.O.Ms.No. 16/2016/LD, dated 03.08.2016)**

4) The High Court shall appoint the Examiners for setting of question papers and evaluation of answer sheets for the Preliminary Examination and Main Examination.

5) The Notification enlisting the successful candidates prepared under these rules shall be published in the Official Gazette of the Union Territory of Puducherry and it shall cease to be operative from the date of publication of the next list of successful candidates prepared under these rules in the aforesaid Official Gazette.

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**& - Substituted vide Gazette of Puducherry (Extraordinary), issue No.8, Part-II, Pgs 67-69, dated 07.02.2019 (as per G.O. Ms. No. 2/2019-LD, Puducherry, dated 29.01.2019)**

**§ - Substituted vide Supplement to the Gazette No.39, Pages 3-4, dated 26.09.2023 (as per G.O.Ms.No.34/2023-LD, Puducherry, dated 20.09.2023)**