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## NOTIFICATION

No. A. 12018/3/04-LJE/211, the 11.09.2012. In exercise of the powers conferred under the proviso to Article 309 read with Article 233 and 234 of the Constitution, the Governor of Mizoram after consultation with the Gauhati High Court and with the Mizoram Public Service Commission, is pleased to make the following rules further to amend the Mizoram Judicial Service Rules, 2006 (hereinafter called the Principal Rules) which was notified under this Government's Notification No. A. 12018/1/2003-DP&AR (CSW) dated 12<sup>th</sup> December, 2006 and published in the Mizoram Gazette, Vol. XXXV, Extraordinary Issue No. 321 dated 12<sup>th</sup> December, 2006, and amended by notification No. A. 12018/3/04-LJE dated 23<sup>rd</sup> June, 2008 and published in the Mizoram Gazette, Vol. XXXVII, Extraordinary Issue No. 208 dated 23<sup>rd</sup> June, 2008, as follows namely:-

1. Short title and commencement:
  - (1) These rules may be called the Mizoram Judicial Service (Second Amendment) Rules, 2012.
  - (2) They shall come into force from the date of their publication in the Mizoram Gazette.
2. Amendment of Rule 8:

In rule 8 of the Principal Rules, the following shall be substituted as follows namely:-

"Pay and Allowances:(1) The time scale of pay of the Mizoram Judicial Service shall be as under :-

  - (i) Grade-I District Judge Cadre:
    - (a) District Judge, Supertime Grade: Rs.70290-1540-76450/- (Non-functional)
    - (b) District Judge, Selection Grade : Rs. 57700-1230-58930-1380-67210-1540-70290 (Non-functional)
    - (c) District Judge: Rs. 51550-1230-58930-1380-63070/-
  - (ii) Grade-II Civil Judge (Senior Division) Cadre:
    - (a) Civil Judge, (Sr. Division): Rs.51550-1230-58930-1380-63070/- (Second Stage ACP)
    - (b) Civil Judge (Sr. Division): Rs.43690-1080-49090-12330-56470/- (First Stage ACP)
    - (c) Civil Judge (Sr. Division): Rs.39530-920-40450-1080-49090-1230-54010/-
  - (iii) Grade-III. Civil Judge Cadre:
    - (a) Civil Judge : Rs.39530-920-40450-1080-49090-1230-54010 / - (Second Stage ACP) (Non functional)
    - (b) Civil Judge: Rs. 33090-920-40450-1080-45850/- (First Stage ACP) (Non-functional)
    - (c) Civil Judge: Rs. 27700-770-33090-920-40450-1080-44770/-

(2) Allowances and other service benefit shall be as per entitlement notified by the Government in the Official Gazette from time to time."



## 3. Amendment of Rule 9:

- (1) Clauses (ii) and (iii) of SI No. 1 in column 3 under sub-head 'Method of Recruitment' of the Principal Rules shall be substituted respectively by the followings, namely:-
- "(ii) 65% of the posts in the cadre shall be filled by promotion from the cadre of Civil Judges (Senior Division) of the service on the basis of merit-cum-seniority in consultation with the High Court following the criteria in Schedule-E.
- (iii) Remaining 10% of the posts in the Grade shall be filled up by promotion strictly on the basis of merit through limited departmental competitive examination as conducted by the High Court as specified in Schedule-B of these rules.
- Provided that if candidates are not available to 10% of seats, or are not able to qualify in the examination then vacant posts shall be filled up by regular promotion."
- (2) The 'proviso' incorporated in column no. 3 against SI. No. 2 (Civil Judge, Senior Division), under sub-head 'Method of Recruitment' shall stand deleted.
- (3) In column 4 under sub-head "qualification, age limit etc." against SI. No. 2, (Civil Judge Senior Division) for the figure "7" the figure "5" shall be substituted.
- (4) In column 4 under sub-head "qualification, age limit etc." against SI. No. 2, the entire provision of Direct Recruitment relating to Civil Judge (Senior Division) shall stand deleted.

## 4. Amendment of SCHEDULE-A:

- (1) In Schedule-A of the Principal Rules, the nomenclature and number of duty posts at SI. No. 3 to 6 under 'III Civil Judge Cadre', shall be substituted as follows, namely: "3. Civil Judge -10".
- (2) In the end of the Schedule-A, the entries, namely "cadre-strength of Grade I, II, III, say, 90" shall be substituted by the following, namely-

"Total cadre strength in Grade I, II, III-		:	67
I.	Training Reserve - 25% of 67	:	16.75
II.	Leave Reserve - 10% of 67	:	6.7
III.	Deputation Reserve - 15% of 67	:	10
	Total	:	33.45
	Grand Total	:	100.45
	Say	:	100"

## 5. Amendment of SCHEDULE-B:

- (1) Sub-clause (1) of Clause 3 of the Schedule B of the Principal Rules shall be substituted by the following, namely:-
- "(1) In the process of conducting examination for direct recruitment to the Mizoram Judicial Service, the MPSC shall associate one of the sitting Judges of the High Court as may be nominated by Hon'ble the Chief Justice of the High Court and shall also associate a representation of the Law and Judicial Department of the State Government, not below the rank of Secretary to the Government, with a particular reference to the viva-voce examination, and the advice of the representative of the High Court shall prevail, unless there are strong and cogent reasons for not accepting it, for which, reasons should be recorded in writing."
- (2) The figure viz. "4" shall be inserted before the heading viz. "Evaluation Performance in competitive Examination for appointment to the Judicial Service".
- (3) In sub-clause (4) of clause (4) of Schedule B of the Principal Rules under heading "Evaluation performance in Competitive Examination for appointment to Judicial Service", the words between 'questions unanswered by the candidate', and 'what is thus obtained', the words 'All the Cumulative Grade Value Average ("CGVA") of all the subject should be added up and the sum total should be divided by the number of the subject', shall be inserted.



6. **Amendment of SCHEDULE-D:**  
In Schedule-D of the Principal Rules, sub-clause (iv) clause B shall be substituted by the following, namely:-
- (iv) The Officers who have not completed 3 years' practice at the Bar shall be given further training for a period of six months as under:
    - (a) The High Court shall depute the Officers to various Districts/Sub-Divisional Courts for further field training. The Officers will attend the Civil, Criminal Courts and watch the proceedings and maintain a diary. They will be under the supervision of the concerned District Judge. This training shall be for a period of three months. On completion of the training they will submit a report to the Director, TRAINING INSTITUTE.
    - (b) After the field training, there will be a gap of two weeks and thereafter the officer shall report back to the Director, TRAINING INSTITUTE for further training of ten weeks. In this period the trainees will give the feedback and the Training Institute will take steps to remove all doubts in the minds of the trainees as regard the working of the Courts or any law points raised by them. On completion of the above period, the trainees will be posted out."
7. **Amendment of SCHEDULE-E:**  
In Schedule-E of the Principal Rules, Clause 7(2) a (iv) and clause 7(2) b (iv) for the figure "7", the figure "5" shall be substituted.
8. **Amendment of SCHEDULE-F:**  
In Schedule-F of the Principal Rules:-  
The words 'twenty five percent' occurring in Sub-Clause (b) of clause A shall be substituted by the words 'ten percent'.  
The words 'fifty percent' occurring in Clause-B shall be substituted by the words 'sixty five percent'.  
Sub-Clause 4(f) of Clause-C shall stand 'deleted'.

By orders etc.

P. Singthanga,  
Secretary,  
Law and Judicial Department,  
Government of Mizoram.