

Up-dated upto 06.06.2014

**PUNJAB CIVIL SERVICE (JUDICIAL BRANCH) RULES
AS APPLICABLE
TO
STATE OF HARYANA**

HOME GAZETTE
The 26th October, 1951

No. 3010-G-51/I-6094.- In supersession of the rules published with Punjab Government notification No. 24019, dated the 16th October 1923, as subsequently amended and in exercise of the powers conferred by Article 234 read with the proviso to Article 309 of the Constitution of India, the following rules are made after consultation with the States Public Service Commission and the High Court of Punjab providing for the appointments of persons, as Civil Judges (Junior Division) in the Punjab Civil Service (Judicial Branch) and regulating the recruitment and the conditions of service of persons appointed thereto:

PART A -QUALIFICATIONS

1. Only such persons shall be eligible for appointment to the post of a Civil Judge (Junior Division) who are citizens of India as defined in the Constitution of India or under any law made by Parliament to regulate the right of citizenship.
- 1A. Any reference in these rules to "a Civil Judge (Junior Division)" shall unless the context otherwise requires, be construed as a reference to "a member of the Haryana Civil Service (Judicial Branch)" or to "the Haryana Civil Service (Judicial Branch)" as the context may require.
2. No person who is more than 40 years of age or such age as may, from time to time, be fixed by the Government for entry into Government service or less than 21 years of age on the last date fixed for the submission of the application form to the Haryana Public Service Commission shall be eligible to submit his application form to the Commission for the competitive examination for the Haryana civil Service (Judicial Branch).

Provided that the above maximum age for a candidate belonging to Schedule Caste, Scheduled Tribe and Backward Class shall be 45 years or such age as may, from time to time, be fixed by the Government for entry into Government Service:

Provided further that an ex-serviceman shall be entitled to deduct from his age such period as may, from time to time be allowed by the State Government for entry into Government service to such candidates subject to maximum of 5 years.

3. No person shall be eligible to be appointed a Civil Judge (Junior Division) unless he holds a degree of Bachelor of Laws from a University established by law and approved/recognised by the Bar Council of India [1][and has knowledge of basic computer application for usage purpose.]

{1. Line added vide Notification no. S.O.24/Const./Art309/2014 dated 06.06.2014}

4. No person shall be appointed to be a Civil Judge (Junior Division) who cannot give satisfactory evidence of—
 - (i) good moral character and conduct;
 - (ii) medical fitness.
5. No person who has more than one wife living shall be eligible for appointment as a Civil Judge (Junior Division):

Provided that the State Government may, if satisfied that there are special grounds for doing so, exempt any person from the operation of this rule.

6. Notwithstanding anything to the contrary contained in these rules-
 - (a) The State Government may after consultation with the Haryana Public Service Commission and the High Court, appoint any Assistant Commissioner, Extra Assistant Commissioner, Cantonment Magistrate, Tehsildar or Naib-Tehsildar to be a Sub Judge by virtue of his office although he does not possess any of the qualifications laid down hereinbefore.

(b) The State Government may, after consultation with the Haryana Public Service Commission and the High Court, appoint any person as a Civil Judge (Junior Division), who held the post of a Sub-Judge or any other similar post in an Indian State before the 1st November, 1956.

Explanation : The appointment under clause (b) above may be ordered to take effect from the date of the said merger. The seniority of such appointee shall be determined by the High Court, having regard to his qualification, length of service and age.

7. (1) Notwithstanding anything contained in these rules the Governor may, in consultation with the High Court, appoint to the Haryana Civil Service (Judicial Branch) any person who is a member of the Haryana Civil Service (Executive Branch) and who, before the first day of May, 1965 has opted or opts for appointment to the Haryana Civil Service (Judicial Branch).

(2) A person appointed under Sub-rule (1) shall become a temporary member of the Haryana Civil Services (Judicial Branch) and shall be so treated unless and until he is absorbed permanently in that service or is reverted to the Haryana Civil Services (Executive Branch).

(3) If during one year of the appointment of such a person the High Court recommends that he be reverted to the Haryana Civil Service (Executive Branch), the Governor shall, as soon as may be practicable, revert him to the Haryana Civil Service (Executive Branch).

(4) During the period of one year referred to in sub-rule (3), a person so appointed may withdraw his option for appointment to the Haryana Civil Service (Judicial Branch) and thereupon he shall, as soon as may be practicable, be reverted to the Haryana Civil Service (Judicial Branch).

(5) Where a person so appointed was a permanent member of the Haryana Civil Service (Executive Branch) before his appointment to the Haryana Civil Service (Judicial Branch) and the High Court has neither recommended his reversion under sub-rule (3) nor has he withdrawn his option under sub-rule (4), he shall, on the expiry of one year from his appointment under sub-rule (1), be deemed to have become a permanent member of the Haryana Civil Service (Judicial Branch) and shall cease to be a member of the Haryana Civil Service (Executive Branch):

Provided that where a person so appointed was on probation in the Haryana Civil Service (Executive Branch) before his appointment to the Haryana Civil Service (Judicial Branch) he may, subject to the provisions of sub-rules (3) and (4) be confirmed in the Haryana Civil Service (Judicial Branch) on the expiry of the period of probation if a permanent vacancy is available and shall thereon become a permanent member of that Service.

7-A. (1) Notwithstanding anything contained in these rules the State Government may, in consultation with the High Court, appoint a member of the Haryana Civil Service (Executive Branch) who is law graduate, to be a temporary member of the Haryana Civil Service (Judicial Branch) for such period as the High Court may desire and he shall at the expiry of the said period or earlier, if so required by the High Court revert to the Haryana Civil Service (Executive Branch) and the Government shall re-absorb him on the Executive side within a period of three months from the date on which it is informed of the decision.

(2) Any officer selected under the provision of sub-rule (1) may be permanently absorbed in Haryana Civil Service (Judicial Branch) from such date as the High Court may determine;

Provided that the number of such officers shall not exceed 20 per cent of the number of directly recruited officers.

7-B(1) Notwithstanding anything to the contrary contained in these rules, appointment to eighty actual posts presently lying vacant and twenty eight anticipatory/unforeseen posts of Civil Judges (Junior Division) shall be made by the State Government through special recruitment on the recommendations of a Selection Committee constituted for the purpose in the manner hereinafter laid down.

(2) The Selection Committee referred to in sub-rule (1) shall consist of the following members, namely:-

- (i) three judges of the High Court of Punjab and Haryana nominated by the Chief Justice, of whom the senior-most shall be the Chairman;
- (ii) the Chief Secretary to Government, Haryana;
- (iii) the Chairman/Acting Chairman of the Haryana Public Service Commission; and
- (iv) the Advocate General, Haryana.

8. A member of the Haryana Civil Service (Judicial Branch) may be required to work as a Civil Judge (Junior Division) or a Judicial Magistrate or both.

9. (1) For the purpose of this rule:-

(a) "parent service" means:-

- (i) in relation to a person appointed to the Haryana Civil Service (Judicial Branch) under rule 7 of this part, the Haryana Civil Service (Executive Branch); and
- (ii) in relation to any other member of the Haryana Civil Service (Judicial Branch) the Haryana Civil Service (Judicial Branch);

(b) "years of allotment in relation to any person appointed under rule 7 of this part or other members of the Haryana Civil Service (Judicial Branch)" means the calendar year with reference to which such person or member takes his seniority in his parent service irrespective of the date of his admittance to the parent service.

(2) The seniority of persons appointed under rule 7 of this part jointly with the other member of the Haryana Civil Service (Judicial Branch) shall be determined by the Government, in consultation with the High Court, in accordance with the following principles namely:-

- (a) the *inter se* seniority of the persons so appointed and the other members of the Haryana Civil Service (Judicial Branch) shall not be disturbed;
- (b) the joint seniority shall be worked according to the years of allotment in an ascending order;

- (c) the persons so appointed belonging to one year of allotment shall be interpolated with the other members of the Haryana Civil Service (Judicial Branch) belonging to the same year of allotment according to their date of admittance or assumed date of admittance, as the case may be, to their parent service in that year:

Provided that --

(i) if the date of admittance of such person or member to the parent service does not fall in the year of allotment or is earlier than the date of admittance of any person or member senior to him in the parent service in the year of allotment and assumed date of admittance shall be assigned to such person or member within the year of allotment for purposes of determining his joint seniority;

(ii) Such assumed date-

(a) in the case of the senior-most person or member in the parent service in the year of allotment, shall be the date of admittance of the person or member, as the case may be junior to him in the parent service whose date of admittance falls in that year;

(b) in the case of a person or member whose date of admittance in the parent service falls in any year earlier than the year of allotment, shall be the date of admittance of the person or member next senior to him in the parent service whose date of admittance falls in the year of allotment;

(c) in the case of a person or member whose date of admittance in the parent service falls in any year later than the year of allotment, shall be the date of admittance of the person or member next junior to him in the parent service whose date of admittance falls in the year of allotment:

Provided that if such person or member has no such junior to him, the assumed date shall be the date of admittance of the person or member next senior to him and, where such person or member has to be assigned an assumed date under the forgoing provisions, shall be such assumed date;

(d) in the case of a person or member whose date of admittance falls in the year of allotment but is earlier than the date of admittance of a person or member, as the case may be, who is senior to him in the parent service, shall be the date of admittance of the person or member senior to him and, where senior person or member has to be assigned an assumed date under the foregoing provisions, shall be such assumed date; and

(e) where in any year of allotment the date or assumed date, as the case may be, of admittance to the parent service of a person so appointed and of the other member of the Haryana Civil Service (Judicial Branch) is the same, the older shall rank senior to the younger in age in the joint seniority.

(3) Where it may not be-practicable to determine the joint seniority of any person or member in accordance with the foregoing provisions of this rule or where the application of such provision is likely to cause undue hardship or result in any inequity or injustice, the Government in consultation with the High Court, may determine the joint seniority of such person or member on the adhoc basis.

(4) Any person aggrieved with his position in the joint seniority list may, within a period of sixty days from the date of publication of such list in the official Gazette, submit a representation to Government through the High court who shall pass such orders thereon as may be deemed to be just and proper.

PART-B SUBMISSION OF ROLLS

1. Qualifications for persons to be appointed Subordinate Judges are contained in Part A.
2. In pursuance of the advertisement issued by the Haryana Public Service Commission, candidates will submit their applications to the Commission in the forms prescribed by it along with necessary information and documents as may be required.

PART C- COMPETITIVE EXAMINATION

1. The examination shall be conducted in three stages, namely:-
 - (i) Preliminary examination;
 - (ii) Main examination; and
 - (iii) Viva-Voce.
2. The Selection Committee shall hold a preliminary examination on the basis of which candidates not more than ten times of the advertised posts shall be shortlisted in order of merit for appearing in the main written examination.
3. The main examination shall be held at such place and on such date, as may be notified in the Official Gazette.
4. Fee for admission to the examination shall be such, as the State Government may, from time to time, notify in the Official Gazette, which shall be payable to Government Treasury or by way of postal order payable to the Secretary, Haryana Public Service Commission.
5. The Selection Committee shall set up the question papers, evaluate the answer sheets and conduct the viva-voce. All the ancillary/incidental steps in respect of setting up of the question papers and evaluation of answer sheets shall be undertaken by the Selection Committee. The recruitment process such as inviting and screening the applications, issuing the roll numbers and admit cards to the candidates shall be undertaken by the Haryana Public Service Commission.
6. The candidate shall produce the admission certificate at the time of the examination.
7. The main examination shall consist of six papers (five written and one viva-voce test). The description of papers and syllabi shall be as under:-

Paper-I Civil Law-I	Code of Civil Procedure, Punjab Courts Act, Indian Contract Act, Indian Partnership Act, Sale of Goods Act, Specific Relief Act and Indian Evidence Act.	200 Marks
Paper-II Civil Law-II	Hindu Law, Mohammadan Law and Customary Law, Law of Registration and Limitation.	200 Marks
Paper-III-Criminal Law	Indian Penal Code, Code of Criminal Procedure and Indian Evidence Act.	200 Marks
Paper-IV English	The English paper shall be of 200 marks and shall consist of the following:-	
	1. English Essays (1000-1100 words)	100 Marks
	2. Precis	25 Marks

	3. Words and Phrases (make sentences of the given words and phrases)	25 Marks
	4. Comprehension	25 Marks
	5. Corrections	25 Marks
Paper-V Language	Hindi (in Devnagri Script)	100 Marks
Paper-VI Viva-Voce	To judge the personal qualities of the candidates. The viva-voce test shall relate to the matters of general interest and is intended to test the candidates alertness, intelligence and general outlook. It shall be conducted in English.	200 Marks

Note:

- (i) Only bare copies of legislative enactment shall be supplied.
- (ii) Each written paper shall be of three hours duration.
- (iii) The standard of the language paper shall be that of Matriculation Examination of the Board of School Education, Haryana. Language paper (V) shall comprise the following:-
 - (a) Translation of an English passage into Hindi : 20 Marks.
 - (b) Explanation of Hindi passage in prose and poetry in the same language : 30 Marks
 - (c) Composition (essay, idioms and correction etc.) : 50 Marks

Total

100 Marks

8. No candidate shall be credited with any marks in any paper unless he obtains at least thirty three percent marks in it.
9. No candidate shall be called for the viva-voce test unless he obtains at least fifty percent qualifying marks in the aggregate of all the written papers. However, for the candidate belonging to the categories of Scheduled Caste/Scheduled Tribes and Backward Classes, the qualifying marks shall be forty five percent:

Provided that the number of candidates to be called for viva-voce test in order of the marks obtained in the written examination shall not exceed three times the number of vacancies advertised. However, if the last candidate to be called for interview is bracketed with the candidates exceeding three times by obtaining equal marks than all the bracketed candidates shall be called for interview, inspite of the fact that the number of candidates to be called for interview exceeds three times:

Provided further that only those candidate shall be eligible to be recruited as Civil Judges/Judicial Magistrates who secure fifty percent or more marks (forty five percent for the Scheduled Castes/Scheduled Tribes and Backward Classes candidates) in aggregate of the marks secured in the main written examination and the viva-voce.

10. The result of the examination shall be published in the Official Gazette.
11. Candidate shall be selected for appointment strictly in the order in which they have been placed by the Selection Committee:

Provided that in the case of candidates belonging to the Scheduled Castes/Scheduled Tribes and Backward Classes, Selection Committee shall have a right to select in order of merit a candidate who has merely qualified irrespective of the position obtained by him in the examination:

Provided further that the selection of candidates belonging to the Scheduled Castes/Scheduled Tribes and Backward Classes in the order of merit inter-se shall be made against the vacancies reserved for them and in the manner to be adopted by the Selection Committee.

12. After the examination, each selected candidate shall produce a certificate of medical fitness for the Government service from such Standing Medical Board, as may be arranged by the Director General, Health Services, Haryana.

The standard of medical fitness required of the candidates is given in Appendix C to these rules.

PART D APPOINTMENT

1. The names of candidates selected by Government for appointment as Civil Judges (Junior Division), under rule 10 and 11 of the Part C shall be entered in the High Court Register in the order of selection to the extent of 30% more than the advertised vacancies, so as to meet any contingency for the advertised post remaining unfilled for any reason.
2. Deleted
3. Deleted
4. The Government may, on a motion from the Judges, for any reason which may seem fit to them, remove from the High Court Register the name of any candidate borne *on* it.
5. Every candidate shall, within a period of *two* years from the date of his selection, pass by the Higher Standard the Departmental Examination prescribed in Part 'E' irrespective of the fact whether he has been appointed as a Civil Judges (Junior Division) in the mean time. In case he fails to pass the said examination within the said period of two years, his name shall be removed from the register of candidates and if he has been appointed as Civil Judges (Junior Division), he shall be removed from service:

Provided that Governor of Haryana may, on the recommendation of the High Court, exempt any candidate or Civil Judges (Junior Division), from passing the whole or any portion of the Departmental Examination or may extend the period within which a candidate or a Subordinate Judge shall pass the said examination.

6. Every Civil Judge (Junior Division) shall undergo training for a minimum period of one year.
- 7-(1) Whenever it shall appear to the Judges that a vacancy or vacancies in the cadre of the Judicial Branch of the Haryana Civil Service, whether permanent, temporary or officiating, should be filled, they will make a selection from the High Court Register in the order in which the names have been entered in the register under rule 1 of this Part. The name or names of the selected candidate or

candidates will be forwarded to Government for a appointment as Civil Judges (Junior Division) under Article 234 of the Constitution of India, 'Every Subordinate Judge shall, in the first instance, be appointed on probation for two years but this period may be extended from time to time expressly or impliedly so that the total period of probation, including extension, if any, does not exceed three years.

Explanation- The period of probation shall be deemed to have been extended impliedly if a Civil Judges (Junior Division) is not confirmed on the expiry of his period of probation.

- (2) The Governor of Haryana may, on the recommendation of the High Court, remove from Service, without assigning any cause, any Civil Judges (Junior Division), or revert him to his substantive post, if any, during the period of probation.
- (3) On the completion of the period of probation of any member of the Service the Governor of Haryana may, on the recommendation of the High Court, confirm him in his appointment, if he is working against a permanent vacancy or if his work or conduct is reported by the High Court to be unsatisfactory, dispense with his services or revert him to his former substantive post, if any, or extend his period of probation and thereafter pass such orders as he could have passed on the expiry of the first period of probation.

Provided that the completion of the maximum period of three years' probation would not confer on him the right to be confirmed till there is a permanent vacancy in the cadre.

- 8.(i) 1. The names of candidates selected by Government for appointment as Civil Judges (Junior Division), under rule 10 and 11 of the part C shall be entered in the High Court Register in the order of selection to the extent of 30% more than the advertised vacancies, so as to met any contingency for the advertised post remaining unfilled for any reason.

(ii) omitted.

9. (I) On appointment, every Civil Judges (Junior Division) shall get the minimum pay in the time scale of Rs.9000-250-10750- 300-13150-350-14550; Provided that the pay of the Civil Judges (Junior Division), who at the time of his appointment as such, holds any post under the Government, shall be regulated in accordance with the provisions of the Punjab Civil Services Rules, Volume I, Part I.

(2) The increments of the members of the Service shall be regulated as under:-

(i) in case a member of the Service passes the departmental examination within a period of two years from the date of his selection, he shall be entitled to get two increments, including that already earned by him, if any, with effect from the date following the last day on which the departmental examination is completed or from the date on which he joins service whichever is later. However, he shall be entitled to get the third increment after the completion of three years service;

(ii) In case a member of the service is allowed extension in the period within which the said examination is required to be passed under proviso to rule 5, his next increment (s) for the period subsequent to that, within which the departmental examination was to be passed, shall be released only from the date following the last day on which the examination is completed;

(iii) if a member of the Service fails to pass the departmental examination, or any part thereof, and is subsequently exempted by the Governor of Haryana, on

The recommendation of the Punjab & Haryana High Court, from passing the departmental examination or any part thereof, as the case may be, his increment(s) for the period subsequent to that, within which the departmental examination was to be passed, shall be released from the date he is given such exemption;

(iv) the increment(s) under clause (ii) or clause (iii) shall be released with retrospective effect from the date it was otherwise due but no arrears shall be paid for the past period;

(v) future increments will normally be admissible on the dates on which they would have become otherwise due.

10. (a) Members of the Service shall be eligible for promotion, permanently or provisionally, to a post in the selection grade in the scale rising from One thousand and five hundred rupees to one thousand and eight hundred rupees a month with annual increment of sixty rupees.

(b) Promotion to selection grade shall be made strictly by selection and no member of the Service shall be entitled to such promotion as of right.

(c) The number of posts in the selection grade shall be 20% of the cadre on completion of 2 years of regular and satisfactory service.

PART E- DEPARTMENTAL EXAMINATION

1. The Departmental Examination of Civil Judges (Junior Division) shall be held twice in a year i.e. in the months of April and November, the exact dates being notified before hand in the Haryana Government Gazette.

2. The papers will be set, answers examined, and marks awarded by Examiners appointed by Government from time to time.

3. The Examiners will submit their awards of marks to the Secretary to the Central Committee of the Examinations. The Committee will consist of:-

(i) the Chief Justice of the Punjab and Haryana High Court;

(ii) the Senior Financial Commissioner; and

(iii) the Chief Secretary to Government;

and with them will rests the final decision as to the passing of candidates.

4. (1) The Secretary to the Central Committee will be appointed by Government.

(2) Under the orders of the Central Committee the Secretary shall receive the question papers from the Examiners and:-

(a) cause them to be printed;

(b) superintend the examination;

(c) transmit the answer papers to the Examiners concerned;

(d) receive and compile the marks awarded;

(e) report the result to the Central Committee; and

(f) generally conduct the whole correspondence and business of the examination not expressly allotted to any other authority.

(3) The examiners shall send their award of marks to the Secretary to the Central Committee within two weeks from the date on which the examination closed and the Secretary shall submit his report on the examination to the Chief Secretary, Government, Haryana within one week from the date of receipt of the last statement of award of marks.

5. There shall be five subjects for examination which are classified in groups as follows:-

(1) Criminal Law	Group A-I
(2) Civil Law	Group A-II
(3) Revenue Law (two parts)	Group-B
(4) Accounts (including Indian Accounts and and Income Tax)	Group-C
(5) Constitutional Law of India (Two parts).	Group-D

6. Papers shall be set and marks assigned in each subject as follows:-

Subject	Maximum Marks
(1) Criminal Law	120
(2) Civil Law	120
(3) Revenue Law, 1st Paper	120
(4) Revenue Law, 2nd Paper	120
(5) Accounts (Including Indian Accounts and Income Tax)	160
(6) Constitutional law of India as follows:-	100
(i) Theory of Constitutional Law	30
(ii) Constitutional Law of India	70

Note-- The books, etc. from which questions will be set in each subject are enumerated in the schedule which is published separately and will be modified and republished as occasion requires.

7. The paper in Accounts and the first paper in Revenue Law will be answered with the aid of books which will be provided by Government in the Examination Hall for use by candidates. The questions in the papers with books shall not be such as can be answered by copying a passage from a book, but shall be designed to test the practical knowledge of the candidates, and shall be confined, as much as possible, to cases arising in ordinary practice, facts of probable occurrence being stated, and the candidates being required to find and apply the law or rules bearing on them. The papers in Criminal Law, Civil Law, the second paper in Revenue Law, paper on the Constitutional Law will be answered without reference to books. The maximum time allotted for each written paper will be three hours.

8. (1) All candidates are required to pass each group by the Higher Standard.

(2) candidate who obtains at least -

(a) 2/3rd of the maximum marks in a group, will be held to have passed it by the Higher standard;

(b) half of the maximum marks in a group, will be held to have passed it by the lower standards;

(3) Candidates will be held to have passed "with credit" if they obtain at least 3/4th of the maximum marks allotted to the group or groups, taken together as mentioned below, at one examination:-

(a) Group A-I and A-II

(b) Group B and C

(c) Group D.

9. A candidate shall have the option of appearing in one or more groups at one examination.
10. After each examination the names of those candidates who have passed by either standard or with credit will be communicated as soon as possible to the Registrar, Punjab and Haryana High Court, and also published in the Gazette.
11. When, in accordance with rule 1 of this part the date of the departmental examination is fixed and notified in the Haryana Government Gazette every candidate intending to appear in the examination in any or all the subjects must give notice direct to the Secretary to the Central Committee of Examinations, care of the Haryana Civil Secretariat, Chandigarh, in the form below at least a fortnight before the date of examination.

Name of the examination	Subjects or groups already passed with number and date of Gazette notification in each case	Subjects in which the candidate will appear

12. Should a candidate be unable to appear after having intimated his intention to appear under the foregoing rule, he should give notice to the Secretary to the Central Committee of Examination of his inability to appear before the commencement of the examination and should sickness be the cause of his absence, he should also furnish a medical certificate to the Secretary to the Central Committee of Examination.
13. Every candidate will at the time of examination, present to the Secretary to the Central Committee of Examinations, a certificate from the District and Sessions Judge of his district to the effect that he is an accepted Sub -Judge candidate.
14. (1) A person who is appointed under rule 7 of part "A" shall not be required to pass the departmental examination prescribed for members of the Haryana Civil Service (Judicial Branch), if, before, being so appointed, he had already passed, by the higher standard the departmental examination prescribed for members of the Haryana Civil Service (Executive Branch).

(2) Where such a person has passed, by the higher standard only some of the papers of the departmental examination prescribed for members of the Haryana Civil Service (Executive Branch), he shall not be required to pass the corresponding papers of the departmental examination prescribed for members of the Haryana Civil Service (Judicial Branch), but shall have to pass, by the higher standard, such other papers and within such period as the High Court may direct:

Provided that such period shall not be less than the period within which he would have been entitled to complete the departmental examination prescribed for members of the Haryana Civil Service (Executive Branch) if he had not been appointed to the Haryana Civil Service (Judicial Branch).

(3) Where such a person has not passed, by the higher standard, any paper of the departmental examination prescribed for members of the Haryana Civil Service (Executive Branch) before his appointment to the Haryana Civil Service (Judicial Branch), he shall pass the departmental examination prescribed for members of the Haryana Civil Service (Judicial Branch), by the higher standard, within a period in which he would have been entitled to pass the former departmental examination if he had not been appointed to the Haryana Civil Service (Judicial Branch).

PART F - DISCIPLINE, PENALTIES AND APPEALS

In matters relating to discipline, penalties and appeals including orders specified in Appendix B members of the Service shall be governed by "The Punjab Civil Services (Punishment and Appeal) Rules, 1952" as amended from time to time.

Provided that the nature of penalties which may be inflicted, the authority empowered to impose such penalties or pass such orders and the appellate authority shall be as specified in Appendix "A" and "B" below:-

APPENDIX 'A'

Nature of penalty	Punishing Authority	Appellate Authority
(a) Censure	Judge of the High Court	Division Bench of the High Court
(b) Withholding of increments or promotion, including stoppage at an efficiency bar.	Ditto	Ditto
(c) Reduction to a lower post or time scale or to a lower stage in the time scale.	Government	...
(d) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligency or breach or order.	Judge of the High Court	Division Bench of the High Court
(e) Suspension	Government	...
(f) Removal from the service which does not disqualify from future employment,	-do-	...
(g) Dismissal from the service which ordinarily disqualifies from future employment.	-do-	...

APPENDIX 'B' – OTHER ORDERS

Nature of order	Authority competent to pass an order	Appellate Authority
(a) Reducing the maximum pension admissible under the rules	Government	...
(b) Terminating the appointment of a member of the Service otherwise than upon his reaching the age fixed for superannuation.	-do-	...

PART G - POWER TO RELAX

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

PART H – RETIREMENT

A Member of the Service shall retire from the Service in the afternoon of the last day of the month in which he/she attains the age of sixty years:

Provided that a Member of Service, whose date of birth is the first day of the month, shall retire on the afternoon of the last day of the preceding month:

Provided further that the High Court shall assess and evaluate the service record of the member of the Service at the age of fifty years, fifty five years and before he attains the age of fifty-eight years to find his continued utility in the Service by following the procedure for compulsory retirement under the service rules applicable from time to time before he is allowed to continue beyond the age of fifty-eight years:

Provided further that the High Court in the public interest may recommend the premature retirement of a Member of Service on completion of fifteen years of service or at any time thereafter, subject to the condition that in the event of such retirement, the Member of Service shall be entitled to the benefit of pension and other retiral benefits of the actual Service rendered by him/her.

[SCHEDULE]

Deleted [Form "A"]

Deleted [Form "B"]

APPENDIX 'C'

(see rule 11 in part C)

Regulations for the medical examination of candidates for admission to the Haryana Civil Service (Judicial Branch)

These regulations are intended merely for the guidance of Medical Examiners and are not meant to restrict their discretion in any way.

1. To be passed as medically fit for admission to the Haryana Civil Service (Judicial Branch), a candidate must be in good mental and bodily health, and free from any physical defect likely to interfere with the efficient performance, of the duties of his appointment.
2. The candidate's height will be measured as follows:-

He will remove his shoes and be placed against the standard with his feet together and the weight thrown on the heels and not on the toes or outer sides of the feet. He will stand erect without rigidity, and with the heels, calves, buttocks, and shoulders touching the standard; the chin will be depressed to bring the vertex of the head level under the horizontal bar, and the height will be recorded in inches and parts of an inch to quarters.

3. The candidate's chest will be measured as follows:-

He will be made to stand erect with his feet together, and to raise his arms over his head. The tape will be so adjusted round the chest that its upper edge touches the inferior angles of the shoulder blades behind, and its lower edge the upper part of the nipples in front. The arms will then be lowered to hang loosely by the side, and care will be taken that the shoulders are not thrown upwards and backwards so as to displace the tape. The candidate will then be directed to take a deep inspiration several times, and the maximum expansion of the chest will be carefully noted.

The range of expansion should not be less than 2".

The minimum and maximum will then be recorded in inches, 33-35, 34-36, etc.

In recording the measurements, fractions of less than $\frac{1}{2}$ inch should not be noted.

4. The candidate will also be weighted, and his weight recorded in pounds. Fractions of a pound should not be noted.

5. The following conditions should be observed in connection with acuteness of vision:-

Vision of Candidates:-

(a) No candidate will be accepted whose vision is less than :-

Better eye

V-6/6 and reads 0.6

Worse eye

V-6/12 reads 1.

Spectacles will be allowed for either eye up to +5.0D or -5.0D, provided that there are no morbid changes in fundus.

(b) In myopia if there is a posterior at phyloma the spectacles must not exceed-2.5D in either eye.

(c) In cases of astigmatism the combined lenses must not exceed 5 Dioptres and there should be no fundus changes.

(d) Squint or any other morbid condition of the eyes or of the lids of either eye liable to the risk of aggravation or recurrence will cause the rejection of the candidate.

(e) Each eye must have a full field of vision as tested by hand movements.

(f) Any defect in colour vision will be noted, but will not cause rejection of the candidate.

(g) In cases of doubt or of serious abnormality the opinion of the Ophthalmic Specialist will be obtained.

(h) No candidate will be accepted whose standard of vision does not come up to the specified requirements without the use of contact glasses.

6. The urine (Passed in presence of the Examiner) should be examined and the result recorded.

7. The following additional points should be observed:-

(a) that the candidate's hearing in each ear is good and that there is no sign of the disease of the ear;

- (b) that his speech is without impediment;
- (c) that his teeth are in good order and that he is provided with dentures where necessary for effective mastication (well-filled teeth will be considered as sound);
- (d) that his chest is well formed and his chest expansion sufficient, and that his heart and lungs are sound;
- (e) that there is no evidence of an abdominal disease;
- (f) that he is not ruptured;
- (g) that he does not suffer from hydrocele, a severe degree of varicocele, varicose veins or piles;
- (h) that his limbs, hands and feet are well formed and developed and that there is free and perfect motion of all his joints;
- (i) that he does not suffer from any inveterate skin disease;
- (j) that there is no congenital malformation or defect;
- (k) that he does not bear traces of any acute or chronic disease pointing to an impaired constitution;
- (l) that he bears marks of efficient vaccination and evidence of revaccination within the last 12 months.

When any defect is found it must be notified in the certificate and the Medical Examiner should state his opinion whether or not it is likely to interfere with the efficient performance of the duties which will be required of the candidate. If the condition is remediable by operation it should be so stated.

8. The following intimation is made for the guidance of the Medical Examiner:-

- (1) In the medical examination of candidates Medical Officers are especially required to use fact and judgment and to take proper precaution to secure privacy, with the object of removing any objection which may be made by individuals to stripping.
- (2) Should a candidate object to the exposure of his person for the detection of hemorrhoids, venereal disease, hernia and disease of the testicles, scrotum and rectum, the candidate must, if this examination in his case is in the opinion of the Board necessary, be rejected.
- (3) the opinion of the Board accepting or rejecting a candidate is final and cannot be questioned on any ground. The Board is debarred from disclosing to any candidate, permanently unfit, the reasons for his rejection. In these cases their opinion and report is to be treated as strictly confidential and for the information of Government only. Where however, the Board detects a temporary defect amenable to treatment the candidate may be so informed in order that he may have the defect remedied and present himself for re-examination.
- (4) No person will be deemed qualified for the admission to the Public Service who shall not satisfy the Haryana Government that he has no disease, constitutional affection or bodily infirmity unfitting him, or likely to unfit him, for that service.
- (5) It should be understood that the question of fitness involves the future as well as the present, and that the main object of medical examination is to secure continuous effective service, and in the case of candidates for

permanent appointment to prevent early pension or payments in case of premature death. It is at the same time to be noted that the question is one of the likelihood of continuous effective service, and that the rejection of a candidate need not to be advised on account of the presence of a defect which in only a small proportion of cases is found to interfere with continuous effective service.

(6) The candidate must make the statement required below prior to his medical examination and must sign the declaration appended thereto. His attention is specially directed to the warning contained in the note below:-

- (1) State your name in full _____
- (2) State your age and birth place _____
- (3) (a) Have you ever had smallpox, intermittent or any other fever, enlargement or suppuration of glands, spitting of blood, asthma, inflammation of lungs, heart disease, fainting attacks, rheumatism or appendicitis?

Or

(b) Any other disease or accident requiring confinement to bed and medical or surgical treatment?

Or

(c) Suffered from any illness, wound or injuries sustained while on active service with His Majesty's Forces during the last Great Wars.

(d) Have you ever been rejected by a Medical Board or duly constituted Medical authority?

- (4) When were you last vaccinated?
- (5) Have you or any of your near relations been afflicted with consumption, scrofula, gout, asthma, fits, epilepsy, or insanity?
- (6) Have you suffered from any form of nervousness due to over work or any other cause?

(7) Furnish the following particulars concerning your family:-

Father's age, if living, and state of health	Father's age at death and cause of death	Names of brothers living, their ages and state of health	Number of brothers dead, their ages at, and cause of death
(1)	(2)	(3)	(4)

Mother's age if living and state of health	Mother's age at death and cause of death	Number of sisters living, their ages and state of health	Number of sisters dead, their ages at and cause of death
(5)	(6)	(7)	(8)

I declare all the above answers to be, to the best of my belief, true and correct and accept the finding of the Board as final.

Candidate's Signature _____

Note. The candidate will be held responsible for accuracy of the above statement. By willfully suppressing any information he will incur the risk of losing the appointment and if appointed forfeiting all claims to superannuation allowance or gratuity.

MEDICAL EXAMINER'S REPORT

Sr. no.	Questions	Answers	Remarks
1.	Has the declaration above been signed by the candidate?		
2.	Are there any evidence of malformation, congenital or acquired?		
3.	Is he free from scars and has he the full use of all limbs?		
4.	Are there any indications of decided cachectic or diathetic state of constitution		
5.	Has the candidate been vaccinated within the last twelve months?		
6.	Are there any signs of disease of the nervous system?		
7.	Is the hearing good? Is there any sign of disease of the		
8.	What is the candidate's vision?		REV-With glasses – Reads spectacles if any R.E. – L.E.
9.	Is the candidate free from stammer or other serious defect of Speech?		
10.	Are there any signs of disease of the bones, joints or parts connected therewith?		
11.	Is there any important affection of the skin?		
12.	Are the heart and arteries healthy?		
13.	Has the candidate haemorrhoids, varicocele, or other affections of veins?		
14.	Is there any evidence of disease of the respiratory organs?		
15.	Are there any signs of disease of the digestive organs?		
16.	Is the candidate free from rupture?		
17.	Is there any indication of disease of the genital organs?		
18.	Is the urine free from (1) albumen, (2) sugar? Is the urine otherwise normal?		1. _____ 2. _____
19.	Is there any thing in the health of the candidate likely to render him unfit for the efficient		

	discharge of his duties in the service for which he is a candidate?		
20.	Do you consider the candidate in all respects qualified for the efficient and continuous discharge of his duties in the service for which he is a candidate?		

Height (without shoes)

.....

Girth of chest

(full inspiration)

.....

Weight

President

Member

Member

Dated.