

HIGH COURT OF TRIPURA
AGARTALA

No.F.3(35)-HC/2023/307

Dated, Agartala, the 4th January, 2023

NOTIFICATION

Whereas the Hon'ble Supreme Court of India in **Renu and Others Vs. District & Sessions Judge, Tis Hazari & Anr. Civil Appeal No.979 of 2014 [arising out of SLP(C) No.26090 of 2011]** directed all High Courts to re-examine the statutory rules dealing with the appointment of staff in the High Court as well as in the Subordinate Courts and in case any of Rule is not in conformity and consonance with the provisions of Articles 14 and 16 of the Constitution, the same may be modified.

Whereas the Hon'ble Supreme Court of India further directed each High Court to examine and decide whether it is desirable to have centralized selection of candidates for recruitment to the Ministerial Establishment of the Courts subordinate to the High Court and if it finds it desirable, may formulate the rules to carry out that purpose either for the State or on Zonal or Divisional basis.

Accordingly, the High Court of Tripura, in exercise of powers conferred by Paragraph 28(3) of the Tripura (Courts) Order, 1950 and all other enabling provisions in this behalf further amends the Tripura District Courts' Ministerial Establishment (Recruitment & Conditions of Service) Rules, 2014 as follows:

TRIPURA DISTRICT COURTS' MINISTERIAL ESTABLISHMENT
(RECRUITMENT & CONDITIONS OF SERVICE) (3RD AMENDMENT)
RULES, 2023

1. Short Title, Applicability and Commencement:

(1) These Rules will be called TRIPURA DISTRICT COURTS' MINISTERIAL ESTABLISHMENT (RECRUITMENT & CONDITIONS OF SERVICE) (3RD AMENDMENT) RULES, 2023.

(2) They shall come into force with immediate effect.

2. Amendment in Part-I Rule-2

(1) In this Chapter under Rule-2 the following definitions shall be inserted:-

(ee) "Central Recruitment Committee" means a Committee headed by the Chief Justice and shall consist of a Judge of the High Court, a Registrar of the High Court and a Senior Member of Tripura Judicial Service, Grade-I from the Subordinate Judiciary as may be nominated by the Chief Justice from time to time for an overall monitoring of the process of recruitment of all categories of employees on the District Courts' Ministerial Establishment.

(ee) "Central Recruitment Cell" means a cell in the Registry of the High Court created for recruitment of all categories of employees on the District Courts' Ministerial Establishment headed by a Registrar of the High Court and such other Registrars or members of Tripura Judicial Service Grade-I working in the Subordinate Judiciary to be nominated by the Chief Justice from time to time to take initiative for appointment by direct recruitment in various categories of post by inviting applications from candidates and conducting common tests.

(ff) "District Recruitment Cell" means a cell in each district for the purpose of collecting information as to the vacancies arising upon retirement, promotion, resignation, creation of new post and lien vacancy.

This Cell will be headed by the District & Sessions Judge of the concerned district as Chairperson and the senior most Judicial Officers of Tripura Judicial Service in Grade-II and Grade-III posted in that district as members. The Cell shall be assisted by the Chief Administrative-cum-Accounts Officer and 2 senior staff of Group-B along with such other support staff as may be nominated by the District & Sessions Judge time to time.

3. Amendment in Part-II Rule-5

In Part-I, Rule 5 "**Appointment of persons of the Ministerial Establishment of the District Courts**" shall be substituted as follows:-

5. Appointment of persons of the Ministerial Establishment of the District Courts:-

(1) Appointment of Persons of the District Courts' Ministerial Establishment shall be made either by –

(a) Direct Recruitment; or

(b) Promotion; or

(c) Deputation with the prior approval of the High Court.

(2) Appointment to all posts shall be made in the manner as indicated in the schedules.

(3) The Departmental Promotion Committee (DPC) shall meet twice in a year in January and July to work out the number of existing and

anticipated vacancies in various categories of posts on the Ministerial Establishment of the District Courts and submit requisition to the Central Recruitment Cell of the High Court for filling up of such vacant posts. This exercise shall be carried out by DPC by collecting necessary information from the respective District Recruitment Cells with respect to the vacancies arising upon retirement, promotion, resignation, creation of new post and lien vacancy.

(4) Direct Recruitment by Central Recruitment Cell

(a) In order to maintain uniformity in the standard of assessment of merit of the candidates for direct recruitment to various posts on the District Courts' Ministerial Establishment and maintain rationality in preparation of common merit list of the candidates for appointment to various posts, the Central Recruitment Cell shall take necessary steps for selection of candidates by holding common tests for the purpose of filling up of the vacancies.

(b) The Central Recruitment Cell shall publish a list of vacancies (both existing vacancy, anticipated vacancies and 10% additional anticipated vacancy) by 15th June of each calendar year for filling up vacancies by direct recruitment for next calendar year for the entire State by separately showing the number of vacancy in each district as may be prepared by the DPC.

(c) The Central Recruitment Cell shall advertise the vacancies and initiate the process for recruitment by publishing the advertisement in two newspapers of wide circulation in the State, one in English and another in the major vernacular language. Apart from this, the Cell shall upload the advertisement notification in the official website of the High Court and the District Courts of Tripura and shall also send intimation to the District & Sub-divisional Employment Exchanges.

(d) The candidates for direct recruitment for the various posts on the Ministerial Establishment of the District Courts shall have to apply on the prescribed form with the necessary requirements as set out in the advertisement which may vary from time to time. The Central Recruitment Cell may deploy an online portal to facilitate the candidates to submit their application form via online mode along with the facility to make electronic payment of application fees through the payment gateway integrated with such portal.

(e) Type test/Written test/Viva Voce for direct recruitment to the various posts of the Ministerial Establishment of the District Courts shall be conducted by the Central Recruitment Cell after seeking approval of the Central Recruitment Committee.

(f) The Central Recruitment Cell shall, before inviting applications from candidates, communicate to the Central Recruitment Committee through the Registrar General of the High Court, its decision of filling up the vacancies, mentioning the actual number of existing and anticipated vacancies intended to be filled up.

(g) The Central Recruitment Committee may issue such directions/guidelines, as it considers appropriate for regulating the recruitment process conducted by the Central Recruitment Cell.

(h) The Central Recruitment Cell shall thereafter set up the question papers itself and have custody of the same thereof. After the question papers are set up, the Central Recruitment Cell shall take further steps for selection of the candidates by holding Type Test/Written Test/Viva Voce in the manner provided in these rules and the directions / guidelines issued by the Central Recruitment Committee time to time, if any. The Central Recruitment Cell shall also keep the custody of the answer scripts of the candidates with itself.

(i) The Central Recruitment Cell may conduct Computer Proficiency Test and Viva Voce at Agartala or any such other place as may be fixed by the High Court of Tripura.

(j) The Central Recruitment Cell shall, thereafter, publish the merit list of selected candidates with respect to the different categories of posts along with a waiting list.

(k) The Central Recruitment Cell with the approval of the Central Recruitment Committee shall recommend for appointment of the selected candidates to the DPC as per merit list published by Cell for appointment to the vacant posts of various categories in the Ministerial Establishment of the District Courts of Tripura.

(l) The Central Recruitment Committee may formulate guidelines relating to relaxation of marks at all level of examination for SC/ST/Physically challenged candidates.

(m) The issuance of offer letter to the selected candidates, appointment order and all other post-selection processes shall be carried out by such District Recruitment Cell as the DPC may nominate for this purpose and the concerned District & Sessions Judge (Chairperson of the District Recruitment Cell) shall act as the "Appointing Authority" for issuance of appointment order.

(n) The office of the Central Recruitment Cell at the Registry of the High Court shall be manned by such number of support staff of different cadres of the District Courts' Ministerial Establishment as may be nominated by the Chief Justice upon recommendation of the DPC for the purpose of conducting recruitment process for filling up of different categories of posts.

4. Amendment in Schedule A

For paragraph A under the heading "*Instructions to the Appointing authority*" in Schedule A shall be substituted as follows:-

"A: The Central Recruitment Cell in the manner as provided under Rule 5 will set the question papers, conduct the type test on computer, written examination and interview for direct recruitment. The Cell may select a computer expert to assist the Cell in holding the typing speed test of the candidates on computer."

5. Amendment in Schedule B

For paragraph A under the heading "*Instructions to the Appointing authority*" in Schedule B shall be substituted as follows:-

"A: The Central Recruitment Cell in the manner as provided under Rule 5 will set the question papers, conduct the written examination and interview and short hand test. The Cell may select a computer expert to assist the Cell in holding the type test of the candidates on computer."

6. Amendment in Schedule C

For paragraph B under the heading "*General Instruction*" in Schedule C shall be substituted as follows:-

"B: The Central Recruitment Cell in the manner as provided under Rule 5 will conduct the Driving test and Oral interview for selection of drivers by direct recruitment."

6. Amendment in Schedule D

(i) The required minimum qualification for appointment to the post of Group-D "**Class VIII Passed**" shall be substituted with "**Madhyamik/Class X Failed**".

(ii) For paragraph A under the heading "*Instructions to the Appointing authority*" in Schedule D shall be substituted as follows:-

"A: The Central Recruitment Cell in the manner as provided under Rule 5 will set the question papers, conduct the written examination and interview."

By order
Sd/-
(V. Pandey)
Registrar General

No.3(35)-HC/2023/308-368

Dated, Agartala, the 4th January, 2023

Copy to:-

1. The Principal Secretary to Hon'ble the Chief Justice (Acting), High Court of Tripura, Agartala.
2. The Secretary to Hon'ble Mr. Justice A.Lodh, Judge, High Court of Tripura, Agartala.
3. The LR & Secretary, Law, Government of Tripura, Agartala;
4. The Private Secretary to the Registrar General, High Court of Tripura, Agartala.
5. The Director, Tripura Judicial Academy, Narsingarh, Agartala.
6. **The District & Sessions Judge**, Dhalai Judicial District, Ambassa/ North Tripura Judicial District, Dharmanangar/ Sepahijala Judicial District, Sonamura/ West Tripura Judicial District, Agartala/ Gomati Judicial District, Udaipur/ South Tripura Judicial District, Belonia/ Khowai Judicial District, Khowai/ Unakoti Judicial District, Kailashahar for information and compliance.
7. The Registrar (Vigilance), High Court of Tripura, Agartala.
8. The Registrar (Judicial), High Court of Tripura, Agartala.
9. **The Judge**, Family Court, Khowai, Khowai District/ Agartala, West Tripura District/ Kailashahar, Unakoti District/ Sonamura, Sepahijala District/ Ambassa, Dhalai District /

Dharmanagar, North Tripura District/ Belonia, South Tripura District/ Udaipur, Gomati District.

10. The Registrar (Admn.P&M), High Court of Tripura, Agartala.
11. The Joint Registrar, High Court of Tripura, Agartala.
12. The Deputy Registrar(s), High Court of Tripura, Agartala.
13. The Chief Librarian, High Court of Tripura, Agartala for information and necessary action.
14. The Assistant Registrar(s), High Court of Tripura, Agartala.
15. The System Analyst, High Court of Tripura, Agartala for uploading the notification in the official website of the High Court of Tripura, Agartala.
16. The Manager, Government Press, Agartala, Tripura. He is requested to publish the said Notification in the next extra-ordinary issue of the Tripura Gazette and send at least 5(five) copies of the same to the undersigned after publication.
17. The Superintendants, Establishment Section/ Rules & Recruitment, High Court of Tripura, Agartala.
18. Concerned File(s).

Registrar General