



HIGH COURT OF MADHYA PRADESH: JABALPUR
(Exam Cell)

ADVERTISEMENT

LAW CLERK-CUM-RESEARCH ASSISTANTS-2021-22

(For High Court of Madhya Pradesh on Short Term Contractual Assignment)

Advertisement No. - **08/Exam/Law Clerk/2021_22** Dated- **17.02.2021**

Start Date of submission of Application Form – 26/02/2021 (12:00 PM)

Last Date of submission of Application Form – 18/03/2021 (11:55 PM)

Date & Time of Online Examination – to be notified later

Only Online Applications through the official website of www.mphc.gov.in, are being invited for 32 posts of Law Clerk-cum-Research Assistants for High Court of Madhya Pradesh on Short Term Contractual Assignment on a consolidated stipend of Rs. 20,000/- p.m. by Direct Selection. Selection to these posts and conditions of service will be governed by Rules and regulations applicable regarding contract appointment and by “Scheme for engaging Law Clerk-Cum-Research Assistants in the High Court of Madhya Pradesh”.

The numbers of aforesaid vacancies are likely to be varied, depending upon the requirement of the High Court and exigency of the situation as and when arises.

Note- 1. Law Clerks shall be engaged purely on short-term contractual basis initially for the duration of the assignment session which may be extended further for such period as may be considered appropriate subject to his/her performance. The contractual assignment shall not confer upon the Law Clerk any right/claim for regular appointment or continuance in service beyond the initial period of engagement in the High Court of Madhya Pradesh.

Note- 2. A Panel of selected Candidates eligible for the aforesaid posts shall be prepared from amongst the suitable candidates in number more than the vacancies on the basis of merit prepared including the marks obtained in Online Examination & Interview and the appointment shall be made from amongst the candidates of such panel merit-wise i.e. if any candidate relinquishes or does not desire to join, at any stage, his vacancy shall be filled up by other candidate who is next in merit.

Note- 3. The assignment of Law Clerk shall be liable to premature discharge at any time without prior notice.

Note- 4. A Law Clerk who wants to leave the assignment before expiry of assignment session shall be required to give one month's prior notice in writing through the Private Secretary of the Hon'ble Judge.

2. Eligibility/Essential Qualifications:-

- (i) He/she is citizen of India;
- (ii) The candidate must be a law graduate (as on the date of appearing at interview) having a Bachelor Degree in Law (including Integrated Degree Course in Law) from any School/College/University/Institute established by law in India and recognized by the Bar Council of India for enrolment as an Advocate.
- (iii) Candidate studying in the fifth year of the Five-Year Integrated Law Course will also be eligible to apply subject to furnishing proof of acquiring Law qualification at the time of interview for Law Clerk-cum-Research Assistant.
- (iv) The candidate must have basic knowledge of computer M.S. Office/Open Office/Ubuntu including retrieval of desired information from various search engines/processes such as Manupatra, SCC Online, LexisNexis and Westlaw etc.

Note :- Applicants studying fifth year of the five-year integrated law course will have to submit attested copies of their grade-sheet/marks card/transcripts until the end of the fourth year.

3. Age Limit :-

The candidate must not be below the age of 18 years and above 30 years as on the last date of receipt of applications.

4. Examination Fees –

Examination Fee of High Court shall be **Rs.922.16/-** for all candidates as Examination Fees including **Rs.722.16/-** portal charges of Service Provider per candidate for publication of Advertisement, instructions Inviting online application, conducting Online Exam, generating and preparing the Result, publication of the Result of Online Exam, providing data of applicants, generating sitting plan and Admit Cards for Online Examination. There shall be no provision for the refund of examination fees. Examination fees may be subject to increase and in case of increase candidate, has to pay the increases fees and no objection as to increase in fees shall be entertained.

Only those forms shall be treated as successfully submitted where the examination fees is credited in the account of service provider/High Court as the case may be, within prescribed time. **It shall be the duty of candidate to fill all the details correctly in Online Application Form, once fees is paid no corrections will be allowed and any representation received in this behalf shall be summarily rejected.**

5. Disqualifications :-

In any of the following cases, Applicants/Candidates may be liable for prosecution and/or their candidature for selection may be cancelled and/or he may be prohibited, temporarily or for any specific time period to appear in any Examination conducted by M.P. High Court: –

- (i) A candidate must not be a practicing advocate nor engaged/appointed elsewhere on honorarium/payment basis.
- (ii) A candidate should not have been involved in any criminal case, whether convicted or against whom criminal trial is pending. A declaration in this behalf shall be made by the candidate.
- (iii) If he or she takes or attempts to take any favour in any form at any state of Examination, practical or interview, or,

- (iv) Impersonation by or for the candidate/applicant, or,
- (v) Making or submitting any forged document in support of his or her candidature, or,
- (vi) If he or she conceals any material information or provides any false information at any stage of selection process, or,
- (vii) If he or she uses or attempts to use, improper or illegal means, either for purpose of being permitted to appear in Examination at any stage of Examination or practical or during interview room/hall, or,
- (viii) If he or she, during Online Examination or interview, harasses or threatens or causes physically injury to or misbehaves with, any Officer or employee engaged there for, or,
- (ix) If he or she, disobeys any directions relating to Examination including oral directions by the invigilator or observer or any other Officer or employee engaged in conduction of Examination, practical or Interview.
- (ix) If at any stage of selection or appointment or post appointment stage, it is found that candidate not fulfill the all qualifications, his or her candidature / selection or appointment may be cancelled without any prior notice.

Moreover Canvassing in any form will also lead to disqualification. Similarly, any attempt on the part of a candidate to enlist support for his candidature through persons of influence or officers of Government will also disqualify him for appointment.

6. Character : –

The candidate must have absolute integrity, honesty and good moral character, for which he/she will submit, certificate of two responsible persons at the time of interview.

7. The Terms and Place of Employment :-

Initially for one year on contract basis which may be increased or decreased, at sole discretion of the High Court of M.P. The place of employment will be High Court of Madhya Pradesh.

8. Duty Hours :-

A Law Clerk shall be required to attend office of the concerned Hon'ble Judge from 10:00 A.M. to 6.00 P.M. with recess period of half an hour. Law Clerk may also be required to attend office on a Gazetted/Local holiday, if so required, for performing official duties.

9. Job Responsibilities (Work Profile and Duties):-

(A) Duties and functions related to Court processes to be performed by Law Clerk-cum-Research Assistant (from 10:00 a.m. to 1:30 p.m. on Court working days and full day for other working Saturdays)

- (i) Being aware of court procedures viz., method of filing of various categories of cases, provisions of law, processing of cases from the stage of filing to disposal including updation of cases and also digitization and elimination thereof as per rules;
- (ii) Checking of the Final and Motion hearing cause list cases as per instruction of the Registrar (IT) to ensure listing as per Roster/Assignment.
- (iii) Physical verification of Final Hearing cases to ensure listing of cases in weekly list as per the categorization/prioritization of cases in Listing Scheme.
- (iv) Special attention to be given to verify cases in the following categories -
 - (a) *Supreme Court Expedited/Direction Cases*
 - (b) *High Court Expedited Cases – Special Humanitarian reason*
 - (c) *High Court Expedited Cases – Short Question, Arguments not exceeding 30 minutes*
 - (d) *Cases of Senior Citizens more than 75 years old*
- (v) To examine the cases, which have been covered by any Judgments /Orders, previously passed by Hon'ble Supreme Court / Hon'ble High Court.

- (vi) To prepare a list of such case, which have been wrongly updated/ Prioritized/categorized/listed and get them dropped from the Cause List for proper updation by the Concerned Dealing Assistants under intimation and approval by the Concerned Registrar (Judicial), so that the error is rectified timely.
- (vii) To submit a monthly Bench wise report of the Cases, in which Judgments/Orders have been passed by Hon'ble Courts, but the same have not been uploaded in the CMIS.
- (viii) Other para-legal duties as may be assigned by the Registrar General/Principal Registrar (Judicial)/Registrar (Judicial).

(B) Duties and functions related to Legal Research in the Hon'ble Court where Law Clerk-Cum-Research Assistant is attached (2:00 p.m. onwards)

- (i) In any matter listed for final hearing before the Court the Law Clerk shall have to read the file in advance and prepare a brief summary of the facts of the case, final decision of the Court below if any, the reasons thereof enhance their understanding of Court processes including listing, categorization and prioritization of cases.
- (ii) Identify facts, issues and questions that may arise in the course of arguments, or as may be relevant for judgment,
- (iii) Presence in the Court during the hearing of cases, taking notes of arguments and citations;
- (iv) The Law Clerk must conduct necessary research under the guidance and directions of the Hon'ble Court, in the Judges chamber Library or the High Court Library or through Internet and must keep themselves abreast with the latest precedents of the Supreme Court and of the High Courts, more particularly of this Court so as to be of maximum assistance to the judge concerned as and when necessary.
- (v) Research legal points and principles under the guidance of Hon'ble Judge relevant in the preparation of judgments;
- (vi) Prepare summary of Judgments passed by the Hon'ble Judge alongwith the point of law decided in that particular case, in such a

manner, as to be very conveniently retrievable, as and when require in future.

- (vii) Prepare statistical reports including chronological dates of delivery of judgments.
- (viii) Maintenance of record of administrative files, if specifically entrusted.
- (ix) Perform other duties as directed by the Hon'ble Judge or Registrar General or Principal Registrar/Registrar (Judicial).

10. Conduct during and after terms of assignment :-

- (i) The Law Clerk shall maintain devotion to duty and a high standard of moral during the term of assignment. The Law Clerk shall also maintain a high standard of reputation and integrity commensurate with the responsibilities entrusted to him/her. He/she shall maintain utmost secrecy in respect of matters which come to his/her notice by virtue of the assignment and shall ensure that no information, document or any other thing is leaked out because of mishandling of papers or his/her deliberations with other, or in any manner. He/she will not disclose any fact which comes to his/her knowledge on account of such official attachment even after completion of term of assignment unless such disclosure is legally require in discharge of lawful duties.
- (ii) The Law Clerk will be governed by the provisions of the Indian Penal Code and the Indian Official Secrets Act, 1923 as applicable to any public servant.
- (iii) The Law Clerk will not accept any other assignment during term of assignment as Law Clerk. He/She shall not practice as an Advocate in any Court of Law During the course of assignment as Law Clerk.
- (iv) He/She will not leave headquarter without seeking permission from the Hon'ble Judge concerned.
- (v) He/She will not avail leave without getting it sanctioned, in advance. In any case of emergency, he/she will immediately contact and convey to the Private Secretary, to the Hon'ble Judge concerned of his/her inability to attend office.
- (vi) He shall maintain punctuality in attending to his duties.

11. Certificate:-

- (i) On successful completion of term of assignment, a Certificate will be issued by the Registrar General.
- (ii) If the assignment is terminated before completion of original term due to pre-mature discharge by the High Court of M.P. or due to voluntarily giving up assignment by person concerned, no such Certificate shall be given unless the Hon'ble Judge with whom he/she was attached directs otherwise.

12. Procedure and Direction for submitting Online Application Form :-

Candidates are required to log on website of www.mphc.gov.in and to click on "Recruitment/Result" tab, then click on Online Application forms / Admit Cards and then **Law Clerk-cum-Research Assistants-2021-22**. Now the candidate can see three links :-

- (1) Advertisement
- (2) Registration
- (3) Application

Click on Advertisement/Instructions and read instructions carefully contained in Advertisement /Instructions, thereafter click on "Registration" link and after filling the required information candidate will get the User ID and Password on their Registered Mobile No. and E-mail ID to fill up the Application Form and to upload signature and recent Colour Photo in the last "Document Upload" tab and after preview the form details click on "Submit" button and pay the Application Fee.

Mode of Payment – After completing form details and uploading photo and signature candidate can preview the form by clicking on Preview button then click on Submit button to make the payment by – **Debit Card or Internet Banking**. After making payment successfully, the candidates are required to take a print out of Application Form by clicking on "Print" tab and keep safely with them for further requirement if and when needed.

Notes :- Before Calling for any help read Advertisement carefully –

- (i) For any help regarding Online Application candidate may call on Helpline No. 022-61306271.
- (ii) For any help regarding Advertisement candidate may call on Helpline No. 0761-2622395.

13. Admit Cards :-

Admit Cards/Hall Tickets for Online Examination as well as for Personal Interview containing necessary instructions shall be generated by Service Provider and the candidate may download the same and take print of Admit Card by login with same User Id and Password. Breach of any necessary instruction by candidate shall disentitle him/her to further participate in examination process. It shall be ensured that Admit Cards are generated by Service Provider atleast **07 days prior** to the date of Examination/Interview on the official website of M.P. High Court (www.mphe.gov.in).

14. Practice/Mock Test :-

A Mock test/exam link will be hosted by Service Provider on the official website of M.P. High Court (www.mphe.gov.in) for the candidates, sufficient time prior to the date of actual examination, so that they may get used and feel of the exam and be aware of the steps and system of Online Examination.

15. ONLINE EXAMINATION :-

(a) Date, Time & Venue –

Date and time of examination shall be intimated via notification. Online Examination will be held on scheduled date and time at one center in district Jabalpur in one or more colleges as may be identified by the Service Provider for the purpose. In case the number of candidates exceed the maximum strength of Service provider at Jabalpur, then, or for any other reason examination may be conducted in other district(s) Bhopal, Indore, Gwalior also as the case may be.

In case, online examination is conducted at more than one district then allotment of centre shall be done by Service Provider and effort shall be made to allot nearest centre to candidate(s) subject to availability.

(b) Pattern and Syllabus -

The Online Examination shall be conducted by Service Provider, through the portal, website and system of Service Provider and there shall be objective multiple choice Questions wherein the candidates shall have 4 options to select the most appropriate/right answer to be given in Online Examination.

The Question Paper shall be accessible only on the date and at the provided time of Online Examination, on the screen of Machine/computer of the candidates and after second logging by using Unique I.D. & Password provided to each candidate. The KEY Board of such computers/machines shall remain inactive during whole examination period.

Once the candidate gives the answer of one question and seal the option by applying Save & Next button, the next question with options, will appear on the computer screen and so on, till the last question of the question paper and unless the opted answer of any question is marked for review, after the answer opted and saved and Next button is applied, the next question with its options will appear on the screen and thereafter, no change in options of the question so answered, may be made. After completing Online Examination, the candidates shall be required to seal/submit the answered Question Paper, thereafter no addition or amendment of answer/option can be made. The Data and activity of each candidate taking Online Examination shall be stored in the server of Service Provider.

Question paper for Online Examination shall contain 150 multiple choice objective type questions to be solved within a period of Two hours (120 Minutes). **There shall be negative marking for incorrect answer and 0.25 mark shall be deducted for each incorrect answer.**

The Syllabus with proportionate marks shall be as given hereinafter :-

PART - I

Question relating to General English and General aptitude / awareness including computer knowledge.	50 Marks
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PART - II

Question relating to Constitution of India, Indian Penal Code, 1860, Code of Criminal Procedure, 1973, Code of Civil Procedure, 1908, Limitation Act, 1963, Indian Evidence Act, 1872, including leading and/or latest case laws.	100 Marks
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The Data and activity of each candidate shall be stored in the server of the Service Provider. Examination centers would be equipped with CCTV cameras with video recording.

(c) Objections & Finalization of Model Answers -

After completion of Online Examination, the proposed Model Answers/Keys intended to be used for generating result and valuation of online answer-sheet of online exam shall be uploaded/published on the website of the M.P. High Court with the notice, that if any candidates wishes to make any objection/clarification *etc.* regarding any Model Answer/Key, he/she may, submit it in writing & signed by him, to the Registrar (Exam), M.P. High Court, Jabalpur, via e-mail (examcell@mphc.in) within 07 days from the date of uploading/publication of the proposed Model Answers/Keys, during working hours (10:00am to 5:00pm), mentioning his/her Name & Application no., along with self attested photo copies of source document(s)/proof, on the basis of which he/she has submitted the objection/clarification.

Objections received within aforesaid time and in aforesaid mode shall be taken into consideration. However, any objection/clarification received without any authentic proof/source or any objection/ clarification received after aforesaid stipulated period/time shall not be entertained / considered on any ground whatsoever, it may be and shall stand rejected

without assigning any reason. If no objection is received within prescribed period then Proposed Model Key shall be treated as final and result shall be prepared accordingly.

(d) Valuation & Result –

After completion of Online Examination, result shall be prepared by Service Provider and provided to the High Court.

Candidates who secure 55% or above marks shall be eligible for interview. However, the number of candidates to be called for interview shall not exceed thrice the number of posts in order of merit. Candidates in the ratio of 1:3 shall be declared eligible to appear in the Interview. Candidates securing equal marks shall also be eligible to appear in the Interview irrespective of the fact that by inclusion of such candidates, ratio 1:3 exceeds.

(e) Online Examination Result -

The Result of candidates and a notice to the effect that the result has been declared and is available on the website of M.P. High Court shall be published. Marks shall be disclosed with the Final Result.

16. Personal Interview :-

The candidates who have been declared eligible/successful for appearing in the Personal Interview shall have to submit print-out of online application form alongwith payment status receipt and also self-attested photocopy of all documents/testimonials relating to their eligibility as shown in online application form. Candidates are also required to disclose in writing the fact regarding their physical inability, temporary or permanent, if any, to Examination Cell via E-mail before Interview, this fact shall be mentioned in Admit Card issued for Interview as one of the condition/direction.

Candidates who have qualified for interview their computer proficiency test shall be taken on the same day prior to Interview. They shall go under an assessment regarding basic knowledge of computer M.S. Office/Open Office/Ubuntu including retrieval of desired information from various search engines/processes such as Manupatra, SCC Online, Lexis Nexis, Westlaw etc.

After computer proficiency test of the qualified candidates, Interview shall be conducted. **The Interview will carry 30 marks.** Interview shall be held in High Court Campus at Jabalpur and/or its benches at Indore & Gwalior, as the case may be.

17. Final Select Panel / Result : –

After the process of Interview/Viva voce is over, the Final Select Panel & Waiting List shall be prepared as early as possible and Result shall be declared and published in order of Merit. The Result shall be put on the Website of M.P. High Court.

Marks List to the candidates shall be ported on Website of M.P. High Court, after declaration of Result. Candidates can see their marks and download their Score Card / Mark Sheet by Log-in with their I.D. & Password and O.T.P. generated on their Mobile.

18. Travelling Expenses : –

No Travelling Expenses or allowances will be payable to any candidate for appearing in Online Examination and Interview.

19. Rechecking/Revaluation/Reexamination : -

There is no provision for Rechecking of Marks or Revaluation of Answer Sheet/Books at any stage of examination. Any representation /application in this regard shall not be entertained and shall stand rejected without assigning any reason.

20. Undertaking : -

Before taking over assignment, Law Clerk shall submit an undertaking, in the format as may be prescribed in Schedule-I from time to time, before Registrar (Admn.)

21. RTI : -

As the data of Online Exam shall be available with the Service Provider, the information in PDF form as to answer-sheet of the candidates of Online Examination, shall be made available, only to the candidate concerned, by the High Court through Service Provider, on payment of prescribed fee, after declaration of result & before expiry of a period of 03

months from the date of declaration of result of Online Exam, and the candidates may download his/her answer-sheet of Online Examination and can take print out by login and after providing necessary information and password. After, expiry of period of 03 months from the date of declaration of result of online examination, the data regarding answer-sheets of online examination shall be eliminated.

22. Elimination/disposal of Used Examination Materials :-

After lapse of six month from the date of declaration of Final Result/Select List of the selection process all examination material & Application Forms (except Application Forms for Main Exam of finally selected candidates) and other Examination Material, shall be eliminated/ disposed of.

23. Corrigendum :- At any time after the recruitment process has started if any Clarification, Modification *etc.* is required to be made on the part of High Court then it may be done by porting a corrigendum on the official website of MP High Court. Porting of corrigendum on official website shall be deemed as sufficient notice to all candidates / aspirants and no objection shall be entertained on the ground that candidate was having no information of such corrigendum.

Jabalpur
Dated - 17.02.2021


17.2.21
(RAJENDRA KUMAR VANI)
REGISTRAR GENERAL

UNDERTAKING

(for candidates)

I, do hereby undertake and accept the following terms and conditions of my assignment as Law Clerk-cum-Research Assistant :-

- a) I have been engaged purely on contractual basis and no claim as an employee of the Court shall be made by me.
- b) My period of assignment can be terminated without any notice. I shall not give up my assignment as Law Clerk-cum-Research Assistant before completion of my term of assignment. If I give up the assignment before completing my term, I shall not be entitled to any experience certificate.
- c) I shall render duty at the Court/Chambers of Hon'ble Judge according to the convenience of His Lordship. I shall be punctual in attending to my duties.
- d) I shall be granted such leave of absence as may be approved by the Hon'ble Judge to whom I am attached, subject to a maximum of fraction of 8 days per year, vis-à-vis my period of assignment.
- e) I shall not absent myself from duty without prior permission of the Hon'ble Judge. In case of absence due to sudden illness or some other unforeseen circumstances beyond control, I shall give intimation thereof at the Residential Office of Hon'ble Judge without delay. I understand that no stipend will be paid for any unauthorized absence from duty as also for days exceeding permissible leave.
- f) I shall maintain a high standard of reputation and integrity commensurate with the responsibilities entrusted to me. I shall maintain utmost secrecy in respect of matters which come to my notice by virtue of the assignment and shall ensure that no information, document or any other thing is leaked out because of mishandling of papers or my deliberations with others, or in any manner.

- g) At all times *i.e.* even after the completion of the assignment, I shall maintain complete secrecy regarding the work assigned to me by the Hon'ble Judge.
- h) I understand that I shall be governed by the provisions of the Indian Penal Code and the Indian Official Secrets Act, 1923 as applicable to any public servant.
- i) I shall not practice as an Advocate in any Court of Law during the course of assignment as Law Clerk-cum-Research Assistant.

In addition, I do hereby affirm that I have carefully read the ADVERTISEMENT FOR ENGAGING LAW CLERK-CUM-RESEARCH ASSISTANTS ON SHORT-TERM CONTRACTUAL ASSIGNMENT IN THE HIGH COURT OF M.P. and have fully understood the provisions contained therein. I understand and do undertake that I am bound by the provisions contained in the above-said Advertisement and that I will abide by the provisions contained in it during the course of my assignment as Law Clerk-cum-Research Assistant as also after end of the said assignment.

Signature :

Name :