

INDIAN JUDICIARY

INTRODUCTION

Acquiring knowledge promptly and accumulating wealth are emphasized as essential pursuits, with a belief that seizing every moment and valuing even the smallest elements contribute to success. In the context of Indian democracy, the judiciary stands as one of the three crucial pillars alongside the legislature and executive. In the complex landscape of a multi-party democracy like India, the judiciary holds a unique role in fortifying the other pillars while respecting its own boundaries. Therefore, the selection of guardians for the judiciary is paramount, requiring individuals of high caliber, extensive knowledge, and commendable standing within the legal community.

The Judicial Service Examination, also known as the Judiciary Exam or State Civil Services Exam, serves as the gateway for fresh graduates to enter the legal realm. Administered by the Public Service Commission of each state, these exams are conducted under the oversight of the respective high courts for the appointment of lower judiciary positions based on the state's needs.

Commencing their career as Judicial Magistrates 2nd Class Officers within the civil judge (junior division) cadre, these judicial officers undergo a probationary or training period. Upon completion, they are designated as Judicial Magistrates (1st Class Category). While aspiring for higher judiciary positions demands seven years of bar practice, the lower judiciary examination can be pursued immediately after completing an undergraduate degree.

ELIGIBILITY CRITERIA

For aspiring candidates eyeing a career in the lower judiciary as Civil Judges, specific eligibility criteria must be met. An essential prerequisite is the possession of an LLB degree, either through a 5-year or 3-year program, duly recognized by the Bar Council of India (BARC). To be eligible for consideration, individuals must meet the minimum age requirement, typically set above 21 years and below 35 years, though the specific age limits can vary from state to state.

Furthermore, age relaxation provisions are extended to certain categories such as Scheduled Tribes (ST), Scheduled Castes (SC), Other Backward Classes (OBC), and Persons with Disabilities (PWD). It is imperative that the candidate holds Indian citizenship to be considered for the lower judiciary.

On the other hand, eligibility criteria for higher judiciary positions demand a candidate to be an advocate with not less than 7 years of continuous practice at the bar. Age limits for higher judiciary appointments typically range from a minimum of 35 years to a maximum of 45 years, with variations across states. Similar to the lower judiciary, age relaxation is provided, with a standard provision of 3 years for candidates belonging to SC, ST, and OBC categories. These stringent eligibility criteria are in place to ensure that individuals assuming responsibilities within the judiciary possess the necessary legal expertise, experience, and commitment to uphold the principles of justice.

Position	Eligibility Criteria	Age Limit	Age Relaxation
Lower Judiciary	LLB degree (5 or 3 years) recognized by BARC (BAR COUNCIL OF INDIA)	Minimum: Above 21 years Maximum: Below 35 years	Varies by state
	Minimum age requirement - Above 21 and below 35 years (age limit varies from state to state)	Age relaxation for ST/SC/OBC/PWD candidates	Must be an Indian citizen
Higher Judiciary	Must be an advocate with not less than 7 years of continuous practice	Minimum: 35 years Maximum: 45 years (varies state to state)	3 years of relaxation for SC/ST and OBC candidates

APPLICATION PROCESS

The process of applying for Judicial Service Exams unfolds in a somewhat unexpected manner, underscoring the importance for candidates to stay vigilant and track the announcements for upcoming exams, such as the anticipated Judicial Service Exam in 2024. Each state independently releases its application forms, adding a layer of complexity to the application process.

Typically, after the unveiling of the application form, the preliminary exams for Judicial Services follow suit within a month. The method of releasing application forms varies from state to state. In certain instances, states make the forms available on the official website of their High Court. For instance, the High Court of Haryana communicates information about the judicial service examination on its dedicated official website - highcourtchd.gov.in.

Conversely, some states opt to release their application forms on the respective Public Commission State websites. As an illustration, in the state of Maharashtra, the application forms for Judicial Services Examinations are disseminated by the state public service commission through its website - *mpsc.gov.in*.

Once candidates complete the application form, the subsequent step involves the payment of a prescribed fee. It is noteworthy that the fee structure may vary for general and reserved categories, emphasizing the need for applicants to be cognizant of the specific requirements and procedures dictated by the respective state's Judicial Service Exam process.

EXAM STRUCTURE

The Judicial Services Examination is a multi-stage process that encompasses Preliminary, Mains, and an Interview. In the Preliminary stage, objective-type questions are presented, serving as a screening mechanism for candidates before they proceed to the Mains. Notably, the marks obtained in the Preliminary stage do not factor into the final selection.

Moving on to the Mains, this second stage occurs approximately 20 to 40 days after the declaration of Prelims results. Aspirants often commence their preparation for judicial service examinations during their college days due to this time gap. The Mains exams are subjective, typically featuring three to four papers, and the marks obtained in this stage significantly contribute to the final selection process.

The final stage of the selection procedure is the Interview, where candidates are evaluated on aspects such as general interest, intelligence, and personality. Successful candidates who navigate through all stages and qualify for the merit list proceed to join their respective state's judicial academy for a year of intensive training to become Judges.

During this training period, individuals receive instruction on legal and judicial procedures, the conduct expected of a judge, as well as the duties and powers associated with the position. Upon successful completion of training, candidates are appointed as judges of lower courts or tribunals, marking the culmination of their journey from examination to training and ultimately assuming the responsibilities of a judicial role.

Examination Stage	Description	Significance
-------------------	-------------	--------------

Preliminary	Comprises objective-type questions. Serves as a screening stage before Mains. Marks in this section are not considered for final selection.	Screens and shortlists candidates for the more in-depth Mains examination.
Mains	Subjective exams are held 20 to 40 days after Prelims results. Typically includes three to four papers. Marks in Mains contribute significantly to final selection.	Offers a comprehensive evaluation of candidates' understanding and application of legal concepts.
Interview	Final stage of the selection process where candidates are evaluated on general interest, intelligence, and personality.	Holistic assessment, considering qualities beyond academic knowledge.
Training at Judicial Academy	Successful candidates join the respective state's judicial academy for a year of training covering legal and judicial procedures.	Essential preparation for assuming the role of a judge, imparting knowledge about legal procedures, conduct, duties, and powers.
Appointment as Judges	After completing training, candidates are appointed as judges of lower courts or tribunals.	Marks the transition from aspirants to fully qualified judges, equipped with the necessary skills and knowledge.

SYLLABUS

The syllabus for Judicial Services Examinations is intricately designed, exhibiting a dynamic and nuanced approach that caters to the diverse legal landscapes of individual states in India. While there exists a foundational overlap in procedural and substantive laws, the divergence in local languages and the presence of state-specific regulations necessitate a comprehensive and tailored examination structure.

The Preliminary Examination serves as the initial filtering stage, encompassing a wide array of subjects. The emphasis is placed on Civil Law, Criminal Law, and a Language paper, with the language component carrying a substantial weightage ranging from 20 to 35 percent. This phase covers Constitutional Law, Contract Law, Tort Law, General

Knowledge, Current Affairs, IPC, CPC, CrPC, Indian Evidence Act, Proficiency in English Language, Aptitude, and Transfer of Property Law.

The questions in the General Knowledge section span various domains, including Communications and Space, Current National Issues, Geography of India, History of India, Indian Culture, Indian Economy, Indian Polity, International Affairs, Science, and Technology. It's noteworthy that specific state judiciary exams introduce additional subjects in their preliminary exams to align with the unique legal requirements of each jurisdiction. For instance, the Delhi Judicial Service Examination incorporates Principles Governing Arbitration Law and the Partnership Act into its preliminary syllabus.

The Mains Examination is a more in-depth phase, comprising six to seven papers that predominantly focus on different legal subjects. Approximately 70 percent of the questions delve into various legal domains, reinforcing the candidate's comprehensive understanding of the law. The syllabus for the Mains Examination is bespoke for each state, reflecting the unique legal intricacies and frameworks within that jurisdiction.

As an illustrative example, the Delhi Judicial Services Examination Mains includes papers on General Knowledge, Language, Civil Law I and II, and Criminal Law. Each state tailors its Mains syllabus, with topics varying from Substantive Law, Procedure and Evidence, to Penal, Revenue, and Local Laws across different papers. This meticulous tailoring ensures that aspiring judges not only possess a solid foundation in universal legal principles but also acquire a nuanced understanding of state-specific legal nuances.

This intricate examination process is designed to prepare aspiring judges for the multifaceted responsibilities associated with judicial roles across different regions of the country. The detailed and diverse syllabi reflect the complex nature of legal practice in India, where judges are required to navigate and adjudicate cases within diverse legal frameworks.

More detailed information-

Examination Stage	Subjects
Preliminary Examination	- Constitutional law - Contract Law and Tort Law - General Knowledge and Current Affairs - IPC, CPC, CrPC, and The Indian Evidence Act - Proficiency in English Language and Aptitude - Transfer of Property law

	- Language Paper (20-35% weightage)
	- Additional subjects as per state-specific requirements
Mains Examination Delhi Judicial Services Examination	- Paper I: General Knowledge and Language (Current affairs, Essay, Translation, and precise writing) - Paper II: Civil Law I (Indian Sale of Goods Act, Indian Partnership Act, Indian Contract Act, Specific Relief Act, Hindu Law, Muslim Law, Delhi Rent control Act, and Law of Torts) - Paper III: Civil Law II (Law of Evidence, Law of Limitation, Civil Procedure Code, and Law of Registration) - Paper IV: Criminal Law (Criminal Procedure Code, Indian penal code, and Indian Evidence Act)
UP Judicial Services Syllabus	- Paper 1: General Knowledge - Paper 2: Language - Paper 3: Law –I (Substantive Law) - Paper 4: Law – II (Procedure and Evidence) - Paper 5: Law – III (Penal, Revenue and Local Laws)
West Bengal Judicial Service Exam Syllabus	- Compulsory Papers: English composition, essay and precis writing, Bengali/Hindi/Urdu/Nepali/Santali composition, essay & translation, general knowledge and current affairs, civil procedure code, criminal procedure code and Indian penal code, Indian evidence act, law of contracts and torts, transfer of property act - Optional Paper: Candidates choose any three papers from Hindu law, Mohammedan law, Jurisprudence and principles of legislation, Indian law relating to companies & insurance, principles of equity including the law of trusts and specific relief, partnership act, law of limitation and law of prescription, the Indian constitution & constitutional law
Bihar Judicial Service exam syllab	- Part 1 (Compulsory Paper): General knowledge including current affairs, elementary science, general Hindi, general English, law of evidence and procedure (Hindi and English are compulsory papers but only qualifying in nature) - Part 2 (Optional Paper): Constitutional law of India and England, Hindu and Muslim law, transfer of property, principles of equity, law of trusts and specific relief act, law of contract and torts, commercial law

MP Judiciary Exam Syllabus	<ul style="list-style-type: none"> - Paper I: Civil Law and procedure - Paper II: Criminal law and procedure - Paper III: Writing skill, court practice, translation, and current legal knowledge - Paper IV: Judgment writing
Jharkhand Judiciary syllabus	<ul style="list-style-type: none"> - Paper I: Indian penal code, code of criminal procedure code, Indian evidence act, limitation act - Paper II: Civil procedure code, transfer of property, Indian contract act, sales of goods act, arbitration and conciliation act - Paper III: Hindu law, Muslim law, rent control law, specific relief act, and jurisprudence - Paper IV: Hindi and English
Goa Judicial services examination syllabus	<ul style="list-style-type: none"> - Paper I: The Indian contract act, 1872, the specific relief act, 1963, the limitation act, 1963, sales of goods act, 1930, Indian partnership act, 1932, the code of civil procedure code, 1908, transfer of property act, 1882, the easement act, 1882, family laws in Goa, land laws in Goa - Paper II: The code of criminal procedure code, 1973, the Indian penal code, 1860 the evidence act, 1872, the scheduled castes and scheduled tribes (prevention of atrocities) act, 1989, the negotiable instruments act, 1881, essay on current legal topics

Haryana and Punjab judiciary syllabus	<ul style="list-style-type: none"> - Paper I: Civil law I (Code of Civil Procedure, Punjab Courts Act, Indian Contract Act, Indian Sale of Goods Act, Indian Partnership Act, Specific Relief Act) - Paper II: Civil law II (Hindu law, Muslim law and Customary law, Law of Registration and Limitation) - Paper III: Criminal law (Indian Penal Code, Code of Criminal Procedure, Indian Evidence Act) - Paper IV: English (Essay, Words and Phrases, Comprehension, Corrections) - Paper V: Language (Hindi in Devanagari script)
Odisha judicial service exam syllabus	<ul style="list-style-type: none"> - Paper I: General English - Paper II: Procedural laws - civil procedure code, criminal procedure code, Indian evidence act - Paper III: Optional papers - Law of crime and law of torts, Hindu and Muslim law, law of property, law of contract, jurisprudence, and constitution of India

<p>Karnataka judicial service exam syllabus</p>	<ul style="list-style-type: none"> - Paper I: Translation Paper – Depositions, judgments, and documents - Paper-II: Law paper I – Civil procedure code, criminal procedure code, Indian evidence act, principles of pleading and Indian constitution - Paper III: Law paper II – Framing of issues and writing judgments in civil cases - Paper IV: Law paper III -Framing of charges and writing judgments in criminal cases
<p>Himachal Pradesh Judicial Service Exam Syllabus</p>	<ul style="list-style-type: none"> - Paper I: Civil law I -code of civil procedure, Indian stamp act, Indian evidence act, Himachal Pradesh courts act, Specific Relief Act - Paper-II: Civil Law II - Indian contract act, Hindu law, transfer of property act, Himachal Pradesh urban rent control act, Indian limitation act - Paper III: Criminal law - Indian penal code, code of criminal procedure, chapter xvii of negotiable instruments act, HP excise act, Wildlife Protection Act, Indian Forest Act - Paper IV: English composition - Paper V: Language (100 Marks)
<p>Rajasthan judiciary syllabus</p>	<ul style="list-style-type: none"> - Paper I: Law paper I- Constitution of India, civil procedure code, contract law, tort laws, motor vehicle law, rent control law, personal laws, law of transfer of property - Paper-II: criminal law, narcotic law, law relating to cybercrimes and electricity theft, law of probation, law on juvenile delinquency - Paper III: Language paper I- Hindi essay writing and grammar - Paper IV: Language paper II- English essay writing, translation, and grammar
<p>Sikkim judicial service exam syllabus</p>	<ul style="list-style-type: none"> - Paper I: Procedural law, local law, Indian evidence act, limitation act - Paper-II: Hindu law, contract law, sales of goods act, partnership act, specific relief act, general clauses act, transfer of property act, Indian penal code, constitutional law
<p>Uttarakhand judicial service exam syllabus</p>	<ul style="list-style-type: none"> - Paper I: Substantive law - Paper-II: Evidence and procedure - Paper III: Revenue and criminal law - Paper IV: The present-day- current affairs and general knowledge - Paper V: Language

Kerala judicial service exam syllabus	<p>- Paper I: English grammar, general essays, translation of Malayalam documents and depositions to English, precise writing</p> <p>- Paper-II: Indian Contract Act, Transfer of Property, Limitation Act, Specific Relief Act, Easements Act, Kerala Building Act, Hindu Succession Act, Indian Succession Act, Dissolution of Muslim Marriage Act, Kerala Court Fees and Suits Valuation Act, Kerala Stamp Act, Legal Services Authorities Act, The Kerala Panchayat Raj Act, Kerala Municipality Act, Negotiable Instruments Act, and Registration Act</p> <p>- Paper III: Indian Penal Code, Indian Evidence Act, Abkari Act, Negotiable Instruments Act, The Protection of Women from Domestic Violence Act, Juvenile Justice Act, Kerala Police Act, Probation of Offenders Act, Forest Act, NDPS Act - Paper IV: Code of Civil Procedure, Civil Rules of Practice, Kerala Civil Courts Act Code of Criminal Procedure, Criminal Rules of Practice, Framing of Charges and Issues, Judgment Writing</p>
Other states judicial exam syllabus	<p>Assam, Arunachal Pradesh, Manipur, Nagaland, Mizoram, Maharashtra, and Jammu & Kashmir Judicial Service Exam Syllabus</p> <p>- Paper I: Essay, precise writing, grammar</p> <p>- Paper-II: Objective test, aptitude test</p> <p>- Paper III: Transfer of property, civil procedure code, Indian Contract Act, Constitution of India - Paper IV: Indian Penal Code, CrPC, Law of Torts, Indian Evidence Act - Chhattisgarh Judicial Service Exam Syllabus: Framing of issues and writing of judgment in civil cases, framing of charges and writing of judgment in criminal cases, translation: English to Hindi, Hindi to English</p>

Here's a breakdown of the subjects and their respective weightage:

1. Civil Law:

- Code of Civil Procedure (CPC) – 25%
- Indian Contract Act – 20%
- Specific Relief Act – 5%
- Limitation Act – 5%

2. Criminal Law:

- Indian Penal Code (IPC) – 35%
- Criminal Procedure Code (CrPC) – 25%
- Indian Evidence Act – 15%

3. Constitutional Law:

- Constitution of India – 10%
- Transfer of Property Act – 5%
- Land Acquisition Act – 5%

4. Evidence Law – 15%

5. General Knowledge:

- Current Affairs – 10%
- Indian Legal and Constitutional History – 10%

This distribution reflects the emphasis placed on different branches of law and general awareness. Candidates preparing for the Judicial Service Examination should allocate their study time based on these weightages to ensure comprehensive preparation across all relevant topics. Understanding the importance of each subject category will contribute to a well-rounded and effective study strategy for success in the examination.

RESTRICTIONS

Law graduates who wish to participate in Judicial Service Examinations can apply individually for each state they are interested in. There are generally no restrictions on the number of states a candidate can choose to appear in. However, candidates should be mindful of certain restrictions imposed in judicial service examinations:

1. Age Restriction:

- The upper age limit for filling application forms varies among states. Some states may have an upper age limit of 32 years, while others may set it at 48 years.
- Candidates need to carefully review and consider the age restrictions specified by each state before submitting their application forms.

2. Attempts Restriction:

- The number of attempts allowed may vary from state to state. In some states, candidates might be allowed a maximum of 6 attempts, while in others, it could be limited to 4 attempts.
- Candidates should thoroughly assess the number of attempts permitted by the respective states before participating in the examination.

It's crucial for candidates to be well-informed about the specific age and attempts restrictions set by the individual states where they plan to appear for the Judicial Service Examination. This awareness will enable them to make informed decisions and maximize their chances of success in the examination process.

PREPARATION TIPS

Preparation for Judicial Service Examinations demands a strategic and disciplined approach. Here are some valuable tips to guide candidates through their preparation:

1. Understand the Exam Pattern and Syllabus Thoroughly:

Before diving into preparation, gain a comprehensive understanding of the exam pattern and syllabus. This will help in structuring your study plan more effectively.

2. Read and Revise Bare Acts, Case Laws, and Legal Concepts Regularly:

Since the examination primarily tests legal knowledge, make a habit of reading and revising bare acts, relevant case laws, and fundamental legal concepts regularly. This will enhance your grasp of legal principles.

3. Solve Previous Year's Papers and Take Mock Tests:

Practice with previous year's question papers and take mock tests to simulate exam conditions. This will not only improve your time management skills but also enhance accuracy and boost confidence.

4. Stay Updated with Current Affairs:

Dedicate time to stay abreast of current affairs, particularly those related to the legal field. Many examinations include a section on current affairs, and being informed can provide an edge.

5. Practice Writing Answers and Presenting Arguments:

Develop the skill of articulating your thoughts clearly and concisely. Practice writing answers in a structured manner, focusing on presenting arguments effectively. This will not only improve your writing speed but also enhance the quality of your responses.

Remember, consistent and focused preparation is key. By following these tips and maintaining a disciplined study routine, you can approach the Judicial Service Examination with confidence and increase your chances of success.

WHY TO START EARLY?

1. Commencing Early Preparation:

Commencing preparation for the Judicial Service Examination at an early stage provides several advantages. Initiating the groundwork after completing 1.5 years of a 5-year LLB program or during the 1st semester of a 3-year LLB program allows candidates to settle into the intricacies of law. This early start provides an extended

preparation window and facilitates the creation of a backup plan, essential given the competitive nature of the exam.

BACK UP

Given the competitiveness of the exam, with thousands of candidates vying for a limited number of seats, having a backup plan is crucial. Potential backup options include pursuing litigation, working in dispute resolution at a law firm, serving as an in-house counsel, or exploring LLM entrance exams.

MANAGING ACADEMICS

Managing academics while preparing for the judiciary exam involves focusing on exam-relevant topics, practicing effective time management, and not overwhelming oneself by preparing for multiple states simultaneously.

ROLE OF INTERNSHIP

Skipping internships is not advisable, as practical experience is valuable for acquiring skills, acting as a backup, and enhancing performance in interviews. Internships should not be pursued merely for certificates; rather, they should be viewed as opportunities to gain practical knowledge.

SUGGESTION FOR SUCCESS

- Consistent learning, regardless of the internship's scale, as skills will make a difference in the long run.
- Emphasize the importance of daily effort and a well-thought-out plan to achieve desired results.

CONCLUSION

In conclusion, the key ingredients for success in judiciary preparation are consistency, self-confidence, and a love for the learning process. As the saying goes, "Rome was not built in a day," emphasizing the importance of daily effort and a well-thought-out plan to achieve desired results.

