

GOVERNMENT OF ODISHA

LAW DEPARTMENT

NOTIFICATION

The ..... 12<sup>th</sup> October, 2022

E-Dy - 28469/OA&PO

13.10.2022

No. VI 96/2022 ..... /L. In exercise of the powers conferred by the proviso to article 309 read with articles 233, 234 and 235 of the Constitution of India, the Governor of Odisha, after consultation with the Odisha Public Service Commission and the High Court of Orissa, hereby makes the following rules further to amend the Odisha Superior Judicial Service and Odisha Judicial Service Rules, 2007, namely:-

1. **Short Title and Commencement.**— (1) These Rules may be called the Odisha Superior Judicial Service and Odisha Judicial Service (Amendment) Rules, 2022.

(2) They shall come into force on the date of their publication in the Odisha Gazette.

2. In the Odisha Superior Judicial Service and Odisha Judicial Service Rules, 2007 (hereinafter referred to as the said rules), in rule 9,

(a) in Clause-(b), for the words "in which the advertisement for receipt of application is published", and the words "for which vacancy has been determined" shall be substituted;

(b) in clause (c),-

(i) for the words "in which the advertisement for receipt of application is published", the words "for which vacancy has been determined" shall be substituted; and

(ii) before the "Explanation" thereto, the following proviso shall be inserted, namely:-

"Provided that, the maximum age limit shall be relaxed by five years in case of candidates belonging to Scheduled Caste, Scheduled Tribe, SEBC and Women and subject to the notification issued under sub-section (3) of section 34 of the Rights of the Persons with Disabilities Act, 2016 by ten years, in case of Persons with Disabilities as referred to in sub-rule (5) of rule 9-A".

3. In the said rules, after rule 9, the following rules shall be inserted, namely:-

**"9-A. Reservation.**- (1) The percentage of vacancies to be reserved in favour of the following reserved categories in the post of District Judges which are to be filled up under sub-rule (4) of rule 6, shall be as follows:-

(a) Scheduled Tribes ... 22.50%

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(b) Scheduled Castes ... 16.25%

(c) SEBC ... 11.25%

(2) From out of the vacancies reserved for the categories mentioned in sub-rule (1) and for the unreserved categories, as nearly as 33.33 per centum of the vacancies may be reserved for women belonging to each of such category and in the event of non-availability or availability of insufficient number of eligible women belonging to any particular category, the vacancies or, as the case may be, the remaining vacancies shall be filled up by male candidates of that category.

(3) In case of non-availability or availability of insufficient number of candidates of any reserved category of S.C., S.T. and S.E.B.C., the vacancy shall be filled up by the candidates of the unreserved category.

(4) Appointment in respect of vacancies reserved under sub-rule (1) and (2) shall be made in the order in which the names appear in the merit list.

(5) To the extent of four per centum of the vacancies in the cadre of District Judge which are required to be filled under sub-rule (4) of rule 6 shall be reserved for persons with benchmark disabilities having physical disability as specified in the Schedule to the Rights of Persons with Disabilities Act, 2016 (49 of 2016) excluding cerebral palsy :

Provided that in case of non-availability of suitable persons with benchmark disability or for any other sufficient reasons, such vacancy shall be carried forward to the subsequent recruitment year and if in the subsequent recruitment year also suitable person with benchmark disability is not available, such vacancy shall be filled by appointing person other than a person with disability in accordance with merit list.

(6) The candidates belonging to the category of Scheduled Caste or Scheduled Tribe or SEBC shall furnish the certificate from the competent authority indicating their respective category.

(7) The candidates with benchmark disabilities having physical disability shall furnish medical certificate or disability certificate from the competent Medical Board or Authority indicating their benchmark disability".

4. In the said rules, in rule 18, in clause (b), for the words "in which applications are invited", the words "for which the vacancy has been determined" shall be substituted.

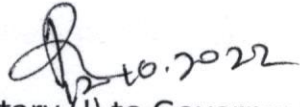
By order of the Governor  
(Satyapira Mishra)

Principal Secretary to Government (I/c).

Memo No. 11326 /L, dt. 12/10/2022

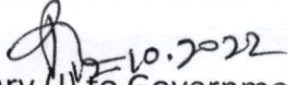
Copy forwarded to the Deputy Director, Secretariat Branch Press, Unit-III, Bhubaneswar (dpsp@ori.nic.in) with a request to publish the Notification in an extra-ordinary issue of Odisha Gazette on dated **14.10.2022** positively. He is requested to furnish 30 copies of the Notification to this Department and 30 copies to Orissa High Court, Cuttack and 30 copies to O.P.S.C., Cuttack for reference.

The Notification is statutory.

  
Additional Secretary (J) to Government

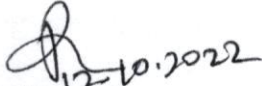
Memo No. 11327 /L Dt. 12/10/2022

Copy forwarded to Registrar (Admn.), Orissa High Court, Cuttack for information and necessary action with reference to Court's letter No. 11104, dt.22.07.2022.

  
Additional Secretary (J) to Government

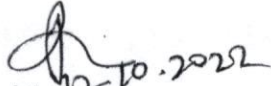
Memo No. 11328 /L Dt. 12/10/2022

Copy forwarded to the Secretary, OPSC, Cuttack for information and necessary action with reference to his letter No. 7911, dated 26.08.2022.

  
Additional Secretary (J) to Government

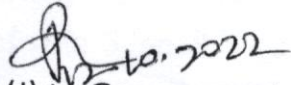
Memo No. 11329 /L Dt. 12/10/2022

Copy forwarded to the Home (High Court)/ Finance/  G.A. Department for information and necessary action.

  
Additional Secretary (J) to Government

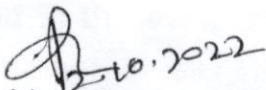
Memo No. 11330 /L Dt. 12/10/2022

Copy with 5 spare copies to Judicial-I Section Guard File for information.

  
Additional Secretary (J) to Government.

Memo No. 11331 /L., Date 12/10/2022

Copy forwarded to Head of Portal Group, IT Centre, Secretariat, Odisha for information. He is requested to lunch the said Notification in the Website of Law Department for information.

  
Additional Secretary (J) to Government

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