THE HIGH COURT AT GUWAHAT

(THE HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

ADVERTISEMENT

NO.HC.XXXVII-23/2014/ 157 /R.Cell

Dated Guwahati 26 June 2014

1. Applications in the prescribed format are invited **till 5.00 pm of 10-7-2014** from eligible candidates for temporary engagement of 10 (ten) Law Clerks till 28-2-2015 in the Gauhati High Guwahati at a consolidated pay of Rs. 10,000/- (Rupees ten thousand) p.m.

2. Eligibility Criteria:

- (a) Graduates in Law, Post Graduate in Law or Doctorate in Law from any recognized University in India.
- (b) Candidates practicing at the Bar or having professional experience or literary works in Law to their credit would get preference.

3. How to apply:

- a) Candidates are first required to go to the website <u>www.ghconline.gov.in</u>, download and take printout of the "Advertisement" and the "Application Form".
- b) Candidates shall, thereafter fill the Application Form and paste his/her recent passport sized coloured photograph in the given space of the application form and shall sign across the photograph. Two copies of the same photograph should be stapled in the top right corner of the application form and the candidate should write his/her name on the reverse of the stapled photographs. The envelope containing the application form should be super scribed as "APPLICATION FOR TEMPORARY ENGAGEMENT OF LAW CLERKS" and the same should be addressed to "The Registrar(Admin.)-cum-In Charge, Centralized Recruitment, Gauhati High Court, Guwahati, Assam."
- c) The envelope containing the application form along with other relevant documents should be dropped in the DROP BOX labeled "DROP BOX OF APPLICATIONS FOR TEMPORARY ENGAGEMENT OF LAW CLERKS" kept near the establishment section of the High Court premises in the OLD BLOCK.
- d) Applications submitted in any other mode, except as indicated, will be summarily rejected without any communication.
- e) There is no need of submitting photocopy of any document at this stage, except the following, along with the application:
 - (1) Passport photos as indicated in sub-clause (b) above.
 - (2) 2(two) certificates or recommendations from the faculty of the University/College where the applicant had studied.
- **4.** All other matters regarding the recruitment process which are not specifically provided herein shall be as decided by the Gauhati High Court.

5. TERMS OF ENGAGEMENT:

- (a) The tenure of engagement may be extended by Gauhati High Court. The extension of the initial term would be contingent on the recommendation of the Judge or Judges' concerned to whom the Law Clerk had been attached.
- (b) Appointment may at any time be terminated without assigning any reason if so recommended by the Judge under whom the candidate would be working.
- (c) At the time of appointment, every Law Clerk would undertake in writing that he would strictly adhere to the code of conduct and the duties and functions of Law Clerks. In case of any breach thereof, his services may be terminated by the appointing authority after considering his explanation, if any, to the charge of such violation.
- (d) The Law Clerk shall be subject to the Rules as applicable to the employees of the Gauhati High Court as to conduct and in respect of matters not specifically provided.

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(e) The Law Clerk shall not practice Law in any Court or undertake to perform legal service to any client during his tenure as Law Clerk.

6. DUTIES AND FUNCTIONS OF LAW CLERKS:

- (a) The Law Clerk shall conduct such research as to facts and law on any case or cases pending before the Judge to whom he is attached as and when he is entrusted to do so by the judge concerned. The law Clerk would conduct the research in printed or in electronic form, statute, resolution, text etc. on the related question of law and report the result of such research to the Judge orally or in writing as required. In doing so, the Law Clerk would have to analyze various factual aspects and facets of law involved.
- (b) The Law Clerk may participate in the oral discussion of the Judge in the residence of the Judge or in the Judges chamber or at the discussion amongst Judges who are hearing a case or have heard the case to the extent allowed by the Judge or Judges concerned.
- 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 containing a summary of the facts of the case, final decision of the court below if any, the reasons thereof and the issues of fact or law thereon for adjudication. Such Bench memorandum would fairly represent the contentions of the respective parties without any bias in favour of one party or other. The Law Clerk in the memorandum would not express his opinion as to the correctness or otherwise of any plea of any of the parties, but may indicate as to whether a particular plea is supported by or is contrary to any documentary or oral evidence or any precedent of the Supreme Court or any High Court. The Law Clerk would be obliged to keep the contents of the Bench memorandum and his discussions with the Judge absolutely confidential.
- (d) The Registry would also maintain absolute confidentiality of the Bench memorandum and follow a procedure by which even when files of the cases are circulated to the residences or chambers or court halls, the Bench memorandum is kept absolutely confidential. Alternatively, a Bench memorandum would be maintained confidentially at the residence of the Judges only and in case of need for consultation therewith in court, the Judge concerned would issue necessary directive(s) to the Law Clerk and the Court Master for production thereof.
- (e) In any mailer other than final hearing matters, the Law Clerks may prepare such synopsis of facts and conduct research on the law as may be required by the Judge.
- (f) The Law Clerk must conduct necessary research in the Judges library of the High Court or the residential library of the Judge or other 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.
- (g) It will be the duty of the Law Clerk to attend the residence of the Judge concerned in the mornings and evenings or on weekends and during holidays as may be directed by the Judge concerned.
- (h) It shall be the duty of Law Clerk to attend the court of the Judge concerned and take notes of the arguments of the counsel.
- (i) Law Clerk may verify the final Judgment prepared by the Judge to ascertain any omission to refer to some argument of the counsel or the errors as to the fact or grammar or construction of sentences. It shall be his duty to draw the attention of the Judge concerned to such omission or errors, if any.
- (j) Law Clerk shall also verify the citations of the precedents and compare the names of the respective parties therein. He shall also verify the correctness of the quotations from documents or judgments as set out in the final judgment of the judge concerned.

(k) Law Clerk would assist the judge concerned in the preparation of any speech or presentation or address to be delivered by the judge on the legal matters in conferences, seminars, workshops, symposiums etc.

(R. Duarah)
Registrar(Admin)-cum-IC,
Centralized Recruitment
Gauhati High Court.

Memo No. No. HC.XXXVII-23/2014/ 157. A /R.Cell, Dated 26.06.2014

1. Registrar General, Gauhati High Court, Guwahati. 2. Registrar (Vigilance/Judicial), Gauhati High Court, Guwahati. 3. Registrar cum Principal Secretary to Hon'ble the Chief Justice, Gauhati High Court, Guwahati for favour of his lordship's kind information. 4. Joint Registrar (Admin-I/Admin-II/Judicial/Recruitment/PM&P/Vig & Esstt.), Gauhati High Court, Guwahati. 5. Deputy Registrar (________), Gauhati High Court, Guwahati. 6. Assistant Registrar (________), Gauhati High Court, Guwahati. 7. System Analyst for uploading the Notification in the official website of the High Court immediately under the caption "Advertisement for temporary engagement Law Clerk" for Gauhati High Court, Guwahati. 8. PS to Hon'ble Mr. Justice _ Gauhati High Court, Guwahati for favour of his lordship's kind information. 9. PS to Hon'ble Mrs. Justice Gauhati High Court, Guwahati for favour of her ladyship's kind information. 10. CA to the Registrar General, Gauhati High Court, Guwahati.

11. The High Court Notice Board.

12. The Order File.

(R. Duarah)
Registrar(Admin)-cum-IC,
Centralized Recruitment
Gauhati High Court.

The Gauhati High Court at Guwahati
(The High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh)

Application Form for Law Clerk

1. 2.	Name: Gender:				
3.	Category: (Gen/SC/ST(p)/ST(h)/OBC/MOBC/PWD)				
4.	Father's name:				
5.	Mother's name:				
6.	Husband's Name:				
	(In case of married				
	•	candidates)			
7.	Date of Birth:				
8.	Age				
٥.	(As on date of Advertisement):				
9.	Permanent address:				
10.	Address for communication:				
11.	Educational qualifications:				
SI.No.	Name of	Name of	Year of Passing	Division/Class	Percentage
	Exam	Board/Council/University			
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	achieve	ements in College or Univ	versity, if any:		
14.	Particulars of articles and/or Dissertation, if any, published in legal journal(s):				
15.	Past experience, if any, with any law firm, practice at Bar etc. (Full particulars to be furnished):				
16.	Reasons for offering to be a Law Clerk:				
17.	Whether you were debarred from appearing in any examination. If yes, give all details:				
18.	Whether any FIR / criminal case is pending in any police Station/ court etc. If yes, give all details:				
19. 20.	Have you ever been convicted by a criminal court. If yes, give all details: Contact No.:				

Place:

Date:

Full signature of the candidate