

Mir Dara Sheko,

REGISTRAR GENERAL  
HIGH COURT, CALCUTTA



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Dated, Calcutta, the 20<sup>th</sup> February, 2014.

To

1. All the District Judges of West Bengal, (Darjeeling, Jalpaiguri, Cooch Behar, Uttar Dinajpore, Dakshin Dinajpore, Malda, Murshidabad, Nadia, South 24-Paraganas, North 24-Paraganas, Howrah, Hooghly, Burdwan, Birbhum, Bankura, Purulia, Paschim Midnapore, Purba Midnapore).
2. The Chief Judge, City Civil Court, Calcutta,
3. The Chief Judge, City Sessions Court, Calcutta,
4. The Chief Judge Presidency Small Causes Court, Calcutta.

Sir,

I am directed to say that

(A) The Hon'ble Supreme of India in All India Judges' Case has been pleased to accept the recommendations of the Shetty Commission in respect of the staff of the subordinate Courts. The relevant portion of the recommendation of the Shetty Commission (Chapter VI, page 47 under the heading 'Human Resource Management' in respect of recruitment of staff) is reproduced below for your perusal :-

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*"1. SELECTING AUTHORITY*

*We are of the Opinion that the powers of the Public Service Commission to recruit staff to the Subordinate Courts should be taken away and the District Recruitment Committee shall be empowered to make all such recruitments.*

*(b) District Recruitment Committee.*

*The District Recruitment Committee for the District Courts shall consist of :*

- i) Principal District & Sessions Judge ... Chairman.*
  - ii) Senior-most Addl. District & Sessions Judge ....Member.*
  - iii) Civil Judge (Sr. Div.)/CJM/CMM ..... Member.*
- (ii) The Recruitment Committee for Cities with City Civil Courts shall consist of :*
- iv) Principal City Civil & Sessions Judge .... Chairman.*
  - v) Senior-most Judge in the City Civil Court/Metropolitan City .....Member.*
  - vi) Chief Metropolitan Magistrate/Chief Judge, Small Causes Court .....Member.*
- iii) The Recruitment Committee shall make recruitment to all categories of posts excluding the posts for which High Court is the appointing authority.*

iv) Recruitment Cell

*There shall be a Recruitment Cell established in each District Court or the City Civil Court / or in other cities for the purpose of collecting information continuously as to the vacancies arising upon retirement or promotion or resignation. This Cell shall assist the Recruitment Committee, including processing of applications received for the posts, and short-listing them as per the guidelines of the Recruitment Committee. The creation of such Cell with adequate staff has become necessary in view of the fact that applications are received in thousands even for 5 to 6 posts.*

v) *The recruitment shall take place every year well in advance before the vacancies arise. ”*

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(B) The Hon'ble Supreme Court by Order dated 07-10-09 had been pleased to observe inter alia that - *".....this Court, after considering the submission made by the States/UTs/High Courts, has accepted the Shetty Commission recommendations and passed various orders. Finally, on 15-07-08 this Court has directed that*

*(i) the recommendations are reasonable and do not involve any financial burden (ii) the decision to implement the recommendations by all States should be taken within a period of three months.(iii) the recommendations will be implemented w.e.f. 1.4.2003..... ”.*

(C) From above, it transpires that the recommendations of the Shetty Commission were duly accepted by the Hon'ble Supreme Court.

(D) Accordingly, the District Recruitment Committees which were formed with the approval of the Hon'ble the Chief Justice took all necessary steps for filling up the vacancies of staff in their respective judgeships and the Committee of Registrars of this High Court monitored and supervised the same.

(E) The copy of the Minutes of the meeting of the Committee of Registrars constituted in terms of the resolution of the Administrative Committee held on 06-01-11, duly ratified by the Full Court for conducting of examination and interview of the staff at the District Courts in the State of West Bengal held on Saturday, the 15<sup>th</sup> January, 2013 containing inter alia the "Time Schedule" for recruitment of Staff of different categories at the District Courts in the State of West Bengal was sent to all the District Court in West Bengal for their information and necessary action.

It is expected that the processes initiated for recruitment of staff of different categories in the District Courts by the District Recruitment Committees for the year 2013 have been completed giving strict adherence to the time schedule framed by the Committee of Registrars.

(F) In the meantime, few Districts have sought for clarification from this end upon giving reference of the matter to the State Government regarding applicability of "The West Bengal Services (Appointment, Probation and Absorption of Group-C Employees) Rules, 2013"

