MADHYA PRADESH JUDICIAL SERVICE (RECRUITMENT AND CONDITIONS OF SERVICE) RULES, 1994

1. Short title, Commencement and Application.-

(1) These rules may be called **The Madhya Pradesh Judicial Service (Recruitment and conditions of Service) Rules, 1994**.

(2) They shall come in to force on the date of their publication in the "Madhya Pradesh Gazette".

(3) They shall apply to all the members of the Madhya Pradesh Judicial Service.

[1][**2. Definitions.-** In these Rules, unless the context otherwise requires.-

(a) **"Appointing Authority"** means the Governor of Madhya Pradesh;

(b) **"Commission"** means the Madhya Pradesh Public Service Commission;

(c) **"Direct Recruitment"** means direct recruitment to the posts in category (i) of sub-rule (1) of rule 3 in manner prescribed in sub-rule (1) of rule 5 of the rules;

(d) **"Disorderly conduct or using unfair means"** refers to any means by exercising or attempting to influence the examination at any stage i.e., Preliminary Examination, Main Examination or Viva Voce Examination;

(e) **"Economically Weaker Section (EWS)"** means a citizen of economically weaker section, as specified by Circular No. F-07-11/2019/आ0प्र0/one dated 2nd July, 2019 and Circular No. F-07-11/2019/आ0प्र0/one dated 18th July, 2019 of the Government of Madhya Pradesh, General Administration Department and any other order issued in this behalf, from time to time.

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1. Substituted by Notification Published in M.P. Gaz, 4(Ga), dt. 18.09.2026, Page 364-365.

(f) **"Government"** means the Government of Madhya Pradesh;

(g) **"Governor"** means the Governor of Madhya Pradesh;

(h) **"High Court"** means the High Court of Madhya Pradesh;

(i) **"Other Backward Classes"** means the Other Backward Classes of citizens as specified by the State Government vide Notification F-8-5-XXV-4-84, dated 26th December, 1984, as amended from time to time;

(j) **"Person with Benchmark Disability"** shall have the same meaning as assigned to it under the Rights of Persons with Disabilities Act, 2019 (49 of 2016);

(k) **"Person with Disability"** shall have the same meaning as assigned to it under the Rights of Persona with Disabilities Act, 2016 (49 of 2016);

(l) **"Recruiting Authority"** means the Examination Cell of High Court;

(m) **"Scheduled Castes"** means a member of any caste, race or part of or group within a caste, race specified as Scheduled Castes with respect to the State of Madhya Pradesh under article 341 of the Constitution of India;

(n) **"Scheduled Tribes"** means a member of any tribe, tribal community or part of, or group within such tribe or tribal community specified as Scheduled Tribes with respect to the State of Madhya Pradesh under article 342 of the Constitution of India;

(o) **"Service"** means the Madhya Pradesh Judicial Service;

(p) **"State"** means the State of Madhya Pradesh ;**]**

[1]**[3. Constitution of Service.-**

(1) The Service shall consist of the following categories, namely:-

(i) **Civil Judge, Junior Division [Entry Level]**

Rs. 77480-136520 level J-I

(ii) **Civil Judge, Junior Division Grade-II, Ist ACP**

Rs. 92960-136520 level J-II

[non-functional, after completion of 5 years]

(iii) **Civil Judge, Junior Division Grade-I, IInd ACP**

Rs. 111000-163030 level J-III

[non-functional, after completion of 5 years]

(iv) **Civil Judge, Senior Division – (Promotion Cadre)**

Rs. 111000-163030 level J-III

(v) **Senior Civil Judge (Grade-II) Senior Division/Chief Judicial Magistrate/Additional Chief Judicial Magistrate** (Ist ACP Grade after completion of 5 years in the cadre in the Senior Civil Judge)

Rs. 122700-180200 level J-IV

(vi) **Senior Civil Judge Grade-I/Chief Judicial Magistrate/ Additional Chief Judicial Magistrate** (IInd ACP Grade after completion of another 5 years in the cadre of Senior Civil Judge)

Rs. 144840-194660 Level J-V

(2) The Service shall consist of following persons:-

(a) A person who, at the time of commencement of these rules, is holding substantially or in officiating capacity, the post of Civil Judge.

(b) Persons entitled to the service in accordance with the provision of these rules.**]**

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1. Substituted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 573-574.

4. Strength of Service.- The strength of Service shall be as determined by the Government from time to time in consultation with the High Court:

Provided that the number of posts in categories (iv), (v) and (vi) taken together in the cadre of Civil Judge, Senior Division shall be 40 percent of the total number of posts in the cadre of Civil Judges.

[1][5. Method of Appointment and the Appointing Authority.-

(1) All appointments to category (i) of Rule 3(1) shall be made by the Governor by direct recruitment in accordance with the recommendation of the High Court on selection.

(2) The candidates shall be considered on the basis of the preliminary examination, main examination and viva-voce/interview conducted by the High Court. The procedure and curriculum for holding examinations/viva-voce/interview for the selection of the candidates shall be as prescribed by the High Court.

[2][(3) The candidates belonging to the General and Other Backward Classes category must secure at least 45% marks and the candidates from the reserved category (Scheduled Castes and Scheduled Tribes) and eligible category of Persons with Disabilities, as specified in these rules must secure at least 40% marks in the preliminary examination.

(4) The candidates belonging to the General and Other Backward Classes category must secure at least 45% marks in each paper and atleast 50% in aggregate and the candidates from the reserved category (Scheduled Castes and Scheduled Tribes) and eligible category of Persons with Disabilities, as specified in these rules must secure at least 40% marks in each paper and at least 45% in aggregate in the main examination.**]**

[3][(5) * * * * **]**

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1. Substituted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 574-575.
2. Substituted by Notification Published in M.P. Gaz, 4(Ga), dt. 18.09.2026, Page 365.
3. Omitted by Notification Published in M.P. Gaz, 4(Ga), dt. 18.09.2026, Page 365.

(6) The order of merit shall be prepared on the basis of the marks obtained by the candidates in the main examination and the viva-voce/interview.

(7) Examinations shall be conducted by the High Court each year as far as possible on the basis of availability of vacancies for selection of candidates.

(8) Appointment to the cadre of Civil Judge, Senior Division shall be made by the High Court by selection on the basis of merit-cum-seniority from amongst the Civil Judges who have completed 5 years of continuous service.

(9) Appointment to the post of Chief Judicial Magistrate/Additional Chief Judicial Magistrate under Section 12 of the Code of Criminal Procedure, 1973, (2 of 1974) shall be made from amongst the Civil Judges, Senior Division by the High Court, on the basis of Merit-Cum-Seniority.

(10) Assured Career Progression scales as provided in categories (ii), (iii), (v) and (vi) under Sub-Rule (1) of Rule 3, may be granted by the High Court to the Members of the service on appraisal of their work and performance and on completion of the requisite continuous period of service as indicated in that Sub-Rule.]

[1][**(5A). Duration of validity of the select list.-**

In case of appointment under category (i) of Rule 3(1), the select list of the successful candidates in the examination in any recruitment year shall be valid upto 12 months from the date of declaration of the select list.]

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1. Inserted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 575.

[1][6. Reservation of posts for Scheduled Castes, Scheduled Tribes, Other Backward Classes, Economically Weaker Section (EWS) and Persons with Disabilities.-

(1) Posts for direct recruitment shall be reserved fro the candidates belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes in accordance with the provisions of the Madhya Pradesh Lok Seva (Anusuchit Jatiyon, Anusuchit Janjatiyon Aur Anya Pichhade Vargon Ke Liye Arakshan) Adhiniyam, 1994 (No. 21 of 1994).

(2) 10% of the posts shall be reserved for the candidates belonging to Economically Weaker Section of Madhya Pradesh who are not included in ambit of reservation conferred for Scheduled Castes, Scheduled Tribes and Other Backward Classes.

(3) 6% of posts shall be horizontally reserved, only at the time of initial recruitment for the following persons, as per the provisions of section 34 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016), namely: -

(a) 1.5% for the persons with low vision and blindness;

(b) 1.5% for the persons with hard of hearing and deaf;

(c) 1.5% for the person suffering from locomotors disability including cerebral palsy, leprosy cured, dwarfism, muscular dystrophy and acid attack victims;

(d) 1.5% for autism, intellectual disability, specific learning disability and mental illness:

Provided that in case of multiple disabilities from amongst persons under clauses (a) to (d), the person may be appointed in any of the above category:

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1. Substituted by Notification Published in M.P. Gaz, 4(Ga), dt. 18.09.2026, Page 365-367

Provided further that if such reserved posts or any of them are not filled in a given recruitment year due to non-availability of suitable candidates, such vacancy shall be carried forword into the succeeding recruitment year and if in the succeeding recruitment year also suitable candidate with disability in a particular category is not available, it may first be filled by interchanging among the four categories and only when no person with disability is available for the post in that year, the same shall then be filled up by appointment of a person other than a person with disability:

Provided also that the person with higher disability percentage in a particular category and/or multiple categories shall be given preference in appointment.

(4) The person with Disability candidates who wants to avail the benefits of reservation should be capable of efficiently discharging his/her duties as Judicial Officer, as per the satisfaction of the Medical Board. Such disability certificate in the event of selection of such person, shall be subject to such verification/re-verification/re-evaluation, as may be decided by the competent authority.

(5) Any candidate except Person with Benchmark Disability, who is not a bonafide resident (domicile) of the State of Madhya Pradesh, shall be treated as belonging to the general category in all respects.**]**

[1][7. Eligibility.-

No person shall be eligible for appointment by direct recruitment to posts in category (i) of Rule 3(1) unless: -

(a) he is a citizen of India;

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1. Substituted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 576-577.

(b) he has good character and is of sound health and free from any bodily defect which renders him, unfit for such appointment;

(c) he has attained the age of 21 years and not completed the age of 35 years on the first day of January of the following year in which the applications for appointment are invited;

(d) the upper age limit shall be relaxable up to a maximum of three years, if a candidate belongs to the Schedule Caste, Schedule Tribe or Other Backward Classes and Specially Abled Persons;

(e) the upper age limit of a candidate who is a Government Servant (whether permanent or temporary) shall be relaxable up to the age of 38 years;

(f) the upper age limit of a candidate shall be relaxable by the appropriate number of years, if no recruitment takes place for one year or more, to the Madhya Pradesh Judicial Service;

(g) he possesses a Bachelor Degree in Law from a university recognized by the Bar Council of India;

[1][* * * *]

Note:-The eligibility criteria for seeking benefits under rule 7, for Specially Abled Persons shall be as under: -

(i) For the purpose of getting benefit of this provision, the certificate issued only by the Medical Board of Central/State Government shall be valid;

(ii) On the date of submitting the application for the post, the applicant's Specially Ableness shall not be less than 40%.**]**

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1. Omitted by Notification Published in M.P. Gaz, 4(Ga), dt. 18.09.2026, Page 367.

[1][**8. Disqualification.-**

(1) A candidate who is or has been declared by the Recruiting Authority or the Appointing Authority, as the case may be, guilty of impersonation or of submitting fabricated or tempered documents or of making statements which are incorrect or false or of suppressing material information or using or attempting to use unfair means in the examinations or interview or otherwise resorting to any other irregular or improper means for obtaining admission to the examinations or appearance at the interview shall, in addition to rendering himself liable to criminal prosecution, be debarred either permanently or for a specified period,-

(a) by the Recruiting Authority or the Appointing Authority, as the case may be, from admission to any examination or appearing at any interview held by the Recruiting Authority for selection of candidates; or

(b) by the Government from employment under the Government.

(2) A person shall be disqualified for appointment by direct recruitment, if he or she.-

(a) has more than one spouse living;

(b) has been dismissed or removed from service by any High Court, Central or State Government, Statutory Body or Local Authority;

(c) has been convicted of an offence involving moral turpitude or has been permanently debarred or disqualified by any High Court or Union Public Service Commission or any State Public Service Commission or any State Public Service Commission or any Services Selection Board or Staff Selection Commission constituted under statutory provisions by the Government;

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1. Substituted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 577-578.

(d) has been involved in such other criminal case which in the opinion of the Appointing Authority is not suitable to discharge the functions as a Judicial Officer;

(e) has been found guilty of professional misconduct under the provisions of the Advocates Act, 1961 or any other law for the time being in force;

(f) has accepted or accepts dowry at the time of his marriage.

Explanation.- In this clause, the word "dowry" shall have the same meaning as assigned to it in Dowry Prohibition Act, 1961 (No. 26 of 1961).**]**

9. Finality of High Court's decision about the eligibility of a candidate.-

The decision of the High Court as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

10. List of the candidate recommended by the High Court.-

(1) The High Court shall forward to the Government a list arranged [1]**[**in the order**]** of merit of the candidates selected for recruitment by the High Court. The list shall be published for general information.

(2) Subject to the provisions of these rules and the Madhya Pradesh Civil Services (General Conditions of Service) Rules, 1961, the candidates will be considered for appointment to the available vacancies, in the order in which their names appear in the list.

11. Probation.-

(a) A person appointed to category (i) of Rule 3(1) shall, from the date on which he joins duty, be on probation for a period of two years.

(b) The High Court may, at any time, extend the period of probation, but the total period of probation shall not exceed Four years.

[1][(c) It shall be competent for the High Court at any time during the period of probation, in the cases of Civil Judge, Junior Division (Entry Level) to recommend discharge from service.]

(d) On successful completion of probation, the probationer shall, if there is [1][a permanent] post available [2][,] be confirmed [1][to] the service or post to which he has been appointed and if no permanent post is available, a certificate shall be issued by the High Court to the effect that he would have been confirmed, but for the non-availability of the permanent post and as soon as permanent post become available, he will be confirmed, if the High Court decides that he has successfully completed the period of probation and he is suitable to hold the post

[2][(e) A probationer shall continue as such until confirmed or discharged from service, as the case may be.]

12. Postings and transfers.-

All postings and transfers of persons appointed in the service shall be made by the High Court.

13. Seniority.-

The seniority of persons appointed to the service shall be determined in accordance with the provisions of the M.P. Civil Services (General Conditions of Service) Rules, 1961.

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1. Substituted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 578 & 579
2. Inserted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 579.

[1][14. Pay, allowances and other conditions of service.-

The dearness allowance of the members of Madhya Pradesh Judicial Service shall be governed by the Madhya Pradesh Judicial Services Revision of Pay (Revision of Pay, Pension and Other Retirement Benefits) Rules, 2003 and the Madhya Pradesh Judicial Services (Revision of Pay, Pension and Other Retirement Benefits) Rules, 2022 as amended from time to time and the same Dearness Allowance formula as being adopted by the Central Government shall be followed.**]**

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[3][15]. Superannuation Age.-

(1) (a) Subject to the provisions of sub-rule (2) and (3) every member of the service shall retire from the services in the afternoon of the last day of the month, in which he attains the age of 60 (Sixty) years provided he is found fit and suitable to continue after 58 (fifty eight) years of age in service by the High Court.

Provided that a member of service whose date of birth is the first day of a month shall retire from service in the afternoon of the last day of the preceding month on attaining the age of 60 (Sixty) years.

(b) Without prejudice to the provisions contained in sub-rule (2) a member of the service not found fit and suitable shall be compulsorily be retired on his attaining the age of 58 years.

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1. Substituted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 579
2. Deleted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 579.
3. Renumbered by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 579

(2) Notwithstanding anything to the contrary contain in these Rules or any other rules for the time being in force, a member of the service may, in public interest, be retired at any time after he has completed 10 years of service, or on attaining the age of 50 years, whichever is earlier.

(3) For the purpose of the sub-rule (1) and (2), the Chief Justice may constitute a Screening Committee for the scrutiny and assessment of such member of the service, based on his past record of service, character rolls, quality of judgments/orders and other relevant matters like his integrity, reputation and utility to the Service etc.

[1][16. Resignation and Execution of Bond.-

The candidate on appointment on probation, shall execute a 'Bond' in the prescribed format for a sum of Rs. Ten Lakhs and also give an undertaking that, after joining service he shall serve for a minimum period of five years. In case he resigns from service or leaves service in any other manner, before the above mentioned period or in case of breach of any of the conditions of the 'Bond', the 'Bond' would be liable to be forfeited and he shall pay the 'Bond' amount of Rs. Ten Lakhs:

Provided that where the officer with prior permission tenders resignation, for accepting a job in the Central Government or the State Government of Madhya Pradesh, he may not be required to pay the 'Bond' amount.**]**

[2][16. A * * *]

[2][16. AA * * *]

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1. Substituted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 579 & 580.
2. Deleted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 580.

17. Oath of Affirmation.-

Every person, appointed to the service, shall make and subscribe before such person as may be specified by the Chief Justice, Oath of affirmation in the following form: -

> "I ……, having been appointed as a Civil Judge in the Judicial Service of the State of Madhya Pradesh, do swear in the name of God/solemnly affirm, that I will bear true faith and allegiance to the Constitution of India as by law established, that I will duly and faithfully and to the best of my ability, knowledge and judgment perform the duties of my office without fear or favour, affection of ill-will and that I will uphold the Constitution and the Law."

[1][18. Deputation.-

Any member of the service, with the concurrence of the High Court, may be appointed on deputation, for a period not exceeding four years continuously, to perform the duties and obligations of any posts of the Central Government or the State Government, or for the post/service of any other organization, which is wholly or partly owned or controlled by the Central Government or the State Government.**]**

[1][19. Power to relax.-

Where the Hon'ble Chief Justice is satisfied that the operation of any of these rules causes undue hardship in any particular case or class of cases, he may for reasons to be recorded in writing dispense with or relax the particular rule to such an extent and subject to such exceptions and conditions as may be deemed necessary:

Provided that as and when any such a relaxation is granted by the Hon'ble Chief Justice, the Governor shall be informed of the same.**]**

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1. Substituted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 579 & 580.

[1][**20. Interpretation.-**

If any question arises relating to the interpretation of these rules, the decision of the High Court shall be final.**]**

[2][**21. Repeal and Saving.-**

The Madhya Pradesh Judicial Service (Classification, Recruitment and Conditions of Service) Rules, 1955 are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.**]**

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1. Substituted by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 579 & 580.
2. Added by Notification Published in M.P. Gaz, 4(Ga), dt. 23.06.2023, Page 580 & 581.