

**HIGH COURT OF TRIPURA
AGARTALA**

No.F.3(35)-HC/2018/20672

Dated, Agartala, the 21st December, 2018

NOTIFICATION

**SCHEME FOR LAW CLERKS CUM LEGAL RESEARCH ASSISTANT IN
HIGH COURT OF TRIPURA**

Whereas, the High Court has felt the need of engaging Law Clerks cum Legal Research Assistant on fixed honorarium basis, for their attachment with Hon'ble the Chief Justice and Hon'ble Judges of the High Court, with a view, that the attached Law Clerk cum Legal Research Assistant may assist Hon'ble Judges in Judicial work e.g. Searching out case law, articles, papers; taking down notes of arguments and preparing notes about facts of the case etc.

Therefore, to obtain services of the law graduates and with a view to keep transparency in the mode of engaging such Law clerk cum Legal Research Assistant; and other general conditions of engagement etc. Hon'ble the High Court has been pleased to make the following guidelines:-

- 1. Title** - These guidelines shall be called as **“Scheme for Law clerk-cum- Legal Research Assistant in High Court of Tripura.”**
- 2. Definitions:** Unless there is anything repugnant in the subject or context
 - (i) Chief Justice means Hon'ble Chief Justice of High Court of Tripura.
 - (ii) Judge means Hon'ble Judge of High Court of Tripura
 - (iii) Law Clerk means Law Clerk cum Legal Research Assistant
 - (iv) Schedule means schedule given at the end of these guidelines
 - (v) Website means official website of High Court of Tripura.
 - (vi) Universities/ Colleges / Institutions shall mean the Universities / Colleges / Institutions established by law in India.
- 3. Term and nature of engagement:**
 - (i) Law Clerks shall be engaged on contractual basis for a term of one year.
- 4. Method of Engagement:**

One Law Clerk-cum-Legal Research Assistant shall be engaged by Hon'ble the Chief Justice and each of the Hon'ble Judges of the High Court of Tripura as per their Lordship's choice.
- 5. Nationality:**
 - (i) He must be a citizen of India.
- 6. Qualifications:**
 - (i) A candidate must be a law graduate.

7. Honorarium:

- (i) A fixed honorarium of Rs.15,000/- per month shall be paid to the Law Clerk.

8. Duties of Law Clerks:

(i) To assist the Hon'ble Judge, in discharge of judicial functions, the Law Clerk/Legal Research Assistant shall perform the following duties, under direct control of the Hon'ble Judge with whom he is attached:

(a) To read the case files, and prepare the case, i.e. case summary and notes and chronology of events of such a comprehensive nature, that it may give to the Hon'ble Judge a complete view of the matter, including the legal questions involved, and the latest case-law having bearing on the subject matter,

(b) to search and research legal points and principles under control and guidance of Hon'ble Judge,

(c) to search out case law, articles, papers and other relevant material required in discharge of judicial function

(d) to take down notes of arguments and to prepare notes of cases,

(e) to identify facts, issues and questions that may arise in the course of arguments, or as may be relevant for judgment,

(f) to maintain record of judgments by the Hon'ble Judge alongwith the point of law decided in that particular case, and to maintain it in such a manner, as to be very conveniently retrievable, as and when needed by the Judge, for any purpose whatever,

(g) to perform whatever is directed by Hon'ble Judges as regards research or formulation.

(h) maintenance of record of administrative correspondence, administrative files, and, if specifically entrusted, of particular judicial file(s).

9. Duty Hours:

It is full time engagement, and Law Clerk will be required to attend residential office of concerned Hon'ble Judge, in addition to normal duty during office hours as per direction of the Hon'ble Judge. He may be required to attend office/residential office even on gazetted/local holidays.

10. Conduct during and after term of assignment:

(i) A Law Clerk shall maintain devotion to duty, and high standard of moral, during the term of assignment. He will not disclose any fact which comes to his knowledge on account of such official engagement, during or after completion of term of assignment, unless such disclosure is legally required in discharge of lawful duties.

(ii) The Law Clerk will not accept any other assignment during term of assignment as Law Clerk.

(iii) He will not practice for a period of one year in the High Court of Tripura after the expiry of the tenure.

(iv) he will not leave headquarter without seeking permission from Hon'ble Judge concerned

(v) he will not avail leave without getting it sanctioned. In any case of emergency, he will immediately contact and convey the Secretary of Hon'ble Judge concerned, of his inability to attend office.

11.Undertaking:

Before taking over assignment, Law Clerk shall submit an undertaking in format prescribed in **Schedule I** before Registrar General of the High Court of Tripura.

12.Certificate :

(i) on successful completion of term of assignment, a certificate by the Registrar General shall be issued, in form as is prescribed in **Schedule II**

(ii) If the assignment is terminated before completion of original term, due to pre-mature discharge by High Court, or due to voluntarily giving up assignment, by person concerned, no such certificate shall be given.

13.Publication of the Scheme :

(i) The scheme shall be uploaded on website and intimation of uploading may be given to the Institutions / Universities/ Colleges imparting legal education.

(ii) Hon'ble Chief Justice may, direct for publication of this scheme by any other mode.

SCHEDULE – I

UNDERTAKING

I _____ son of _____ resident of _____ having been assigned with the duties of Law Clerk-cum -Legal Research Assistant, do hereby undertake as follows :

That I have carefully read the **SCHEME FOR LAW CLERKS CUM LEGAL RESEARCH ASSISTANT IN HIGH COURT OF TRIPURA** and have fully understood the provisions contained therein. I understand and do undertake that I am bound by the provisions contained in the said scheme and that I will abide by the provisions of it.

Date

Signature
(Name of Candidate)

Verified
(Registrar General)

SCHEDULE II

CERTIFICATE

To whom so ever it may concern:

It is to certify that Mr./Mrs./Miss./.....
Son/Daughter/wife ofresident of
..... had performed job and
successfully participated in training as Law Clerk cum Legal Research Assistant
w.e.f. to He was attached to Hon'ble Mr. Justice
....., Hon'ble Chief Justice / Hon'ble Judge of
High Court of Tripura and his / her performance was found to be satisfactory/
good/ outstanding.

DATE

REGISTRAR GENERAL

LETTER OF OFFER

Upon selection of Mr. /Mrs./Miss..... Son/Wife/Daughter of.....resident of as Law Clerk cum Legal Research Assistant under the provision of scheme for Law Clerks cum Legal Research Assistant in High Court of Tripura, offer to join within seven days from the date of receipt of this letter is being made broadly on following terms & conditions :-

1 That it is pure temporary contractual assignment for a period of one year which shall not entail you to claim any regular appointment.

2.Premature discharge of the assignment without notice shall be lawful provided Hon'ble Chief Justice / concerned Hon'ble Judge makes written recommendation.

3. A fixed honorarium of Rs.15,000/- per month without any dearness or other allowance/perquisite, shall be paid to you. However, proportionate reduction shall be made on account of unauthorized absence so also, absence beyond permissible period of leave.

4. The provisions contained in scheme for Law Clerks cum Legal Research Assistant in High Court of Tripura are binding upon you.

5. On successful completion of term of assignment, a certificate by the Registrar General shall be issued.

6. You will maintain devotion to duty, and high standard of moral, during the term of assignment. You will not disclose any fact which comes to your knowledge on account of such official attachment, during or after completion of term of assignment, unless such disclosure is legally required in discharge of lawful duties.

7. Your principal duties are as follows:

(a) To read the case files, and prepare the case, i.e. case summary and notes and chronology of events of such a comprehensive nature, that it may give to the Hon'ble Judge a complete view of the matter, including the legal questions involved, and the latest case-law having bearing on the subject matter,

(b) to search and research legal points and principles under control and guidance of Hon'ble Judge,

(c) to search out case law, articles, papers and other relevant material required in discharge of judicial function

(d)to take down notes of arguments and to prepare notes of cases,

(e) to identify facts, issues and questions that may arise in the course of arguments, or as may be relevant for judgment,

(f) to maintain record of judgments by the Hon'ble Judge alongwith the point of law decided in that particular case, and to maintain it in such a manner, as to be

very conveniently retrievable, as and when needed by the Judge, for any purpose whatever,

(g) to perform whatever is directed by Hon'ble Judges as regards research or formulation.

(h) maintenance of record of administrative correspondence, administrative files, and, if specifically entrusted, of particular judicial file(s).

8. You will not be entitled to practice as a lawyer or to take any employment during the term of assignment. If already enrolled, you will intimate Bar Council of Tripura for suspension of Enrollment.

9. You will not practice for a period of one year in the High Court of Tripura after the expiry of the tenure

10. That you will wear a black coat (and in case of male, tie also) during court hours.

11. That you will carry a photo affixed identity card with you so that free access to court room, computer cell and library can be given.

12. Breach of any term / condition or any in discipline by you shall attract termination of assignment without notice.

By Order

Sd/-

(S.G.Chattopadhyay)

Registrar General

This is issued with immediate effect with the approval of the Full Court vide Full Court Resolution dated 20th December, 2018.

**HIGH COURT OF TRIPURA
AGARTALA**

No. F. 3(35)-HC/2018/20673-712 Dated, Agartala, the 21st December, 2018
Copy to:

1. The Principal Secretary to Hon'ble the Chief Justice, High Court of Tripura, Agartala.
2. The Secretaries to Hon'ble Judges, High Court of Tripura, Agartala.
3. The Secretary, Bar Council of Tripura, Agartala.
4. The Secretary to High Court Bar Association and all Bar Associations of Tripura.
5. The LR & Secretary, Law, Government of Tripura, Agartala.
6. The Registrar (Vigilance), High Court of Tripura, Agartala.
7. The Registrar (Judicial), High Court of Tripura, Agartala.
8. The Registrar (Admn. P& M), High Court of Tripura, Agartala.
9. The Head of the Department, Department of Law, Tripura University, Agartala.

10. The Principal, Govt. Law College, Agartala, Tripura.
11. The Principal, ICFAI Law College, Tripura.
12. The Sr. Protocol Officer, High Court of Tripura, Agartala.
13. The Joint Registrar, High Court of Tripura, Agartala.
14. The Deputy Registrar (Judicial)-cum-CPC, High Court of Tripura, Agartala.
15. All Deputy Registrars, High Court of Tripura, Agartala.
16. The Chief Librarian, High Court of Tripura, Agartala.
17. All Assistant Registrars, High Court of Tripura, Agartala.
18. The System Analyst, for uploading the notification in the official website of the High Court of Tripura, Agartala.
19. The Superintendent, Establishment Section/Accounts Section, High Court of Tripura, Agartala.
20. Concerned file(s).


21.12.18
Registrar General