

HIGH COURT OF DELHI: NEW DELHI

(ESTABLISHMENT-1 BRANCH)

No. 117/E-VIII/Estt/DHC

Date: 01.12.2022

NOTICE

Call for Applications - Law Researchers (Intellectual Property Division), Delhi High Court

Applications are invited from eligible Indian Citizens for engagement of six Law Researchers at present (also for preparation of Panel for future engagement) in the Intellectual Property Division of this Court, purely on contractual basis. The Details are given hereunder.

About the Intellectual Property Division(IPD)

The IPD is an exclusive division of the High Court of Delhi dedicated to the adjudication of disputes relating to intellectual property rights. The IPD exercises original, appellate and writ jurisdiction over all matters relating to intellectual property rights which include suits for infringement, appeals against orders of intellectual property offices and Writ Petitions.

The IPD also adjudicates matters which have been transferred from the erstwhile Intellectual Property Appellate Board (IPAB).

Role of Law Researcher (Intellectual Property Division)

The IPD adjudicates matters which arise out of traditional intellectual property statutes such as 'The Patents Act 1970', 'The Copyright Act 1957', 'The Trade Marks Act, 1999', among others, as well as matters relating to passing off, unfair competition, trade secrets etc. *(for a complete description of matters covered by the IPD, see Rule 2(i), Delhi High Court Intellectual Property Rights Division Rules 2022).*

A Law Researcher works closely with Judges belonging to the IPD in order to assist them in the adjudication of disputes. Technical knowledge possessed by such Law Researcher(s) are contemplated to provide greater understanding and context to the technical issues which may arise in a given case.

Responsibilities

- A key responsibility of such Law Researcher(s) will be to prepare cases briefs on the technical aspects involved in a given cases. This includes a clear, cogent and concise brief on the science/technology involved and the precise point(s) of dispute;
- Law Researcher(s) will be expected to provide a comparative analysis to indicate the state of the industry within which a given dispute needs to be adjudicated.

Qualification

A degree in any technical field or specialisation in any IPR subject matter or a graduate with a law degree, and have experience for at least 2 years in IPR.

Compensation/ Remuneration

Salary will be commensurate with qualifications and experience and will be at least Rs. 65,000/- per month.

Application and Selection Process

1. All applications may be made by the prospective candidates to the Joint Registrar (Rules) at jr-rules.dhc@gov.in to be forwarded to Hon'ble Committee concerned.
2. All applications shall be accompanied by some piece of work done by the applicant in the field of Intellectual Property Rights in form of write up(s), research paper(s), publication(s) etc.
3. The process of selection will be based on the assessment of written work and interview.
4. The bifurcation of marks will be done by the Committee after evaluation of the submitted work and interview.
5. The Law Researcher(s) shall be finally selected by the Hon'ble Committee Concerned.

Age and Nationality

- (i) The Candidate should not be above 27 years as on the date of making application for LR (This requirement may, in appropriate cases, be relaxed by the Hon'ble Chief Justice).
- (ii) The candidate must be a citizen of India.

Disqualification

- (i) A candidate must not be engaged, or appointed elsewhere on honorarium/ payment basis.
- (ii) A candidate should not have been involved in any criminal case, whether pending or convicted, for an offence involving moral turpitude.
- (iii) A candidate must not be facing any disciplinary proceeding before the Bar Council of India, Bar Council of the State or any other authority.

Conduct during and after term of engagement

- The LR(s) shall maintain absolute devotion to duty and a high standard of morals during the term of engagement. The LR shall maintain the highest standard of integrity commensurate with the responsibilities entrusted to the LR. The LR shall maintain utmost secrecy in respect of matters which come to the LR's notice by virtue of the engagement, and shall ensure that no information, document or any other thing is disclosed, parted or disseminated with others, in any manner. The LR will not disclose any fact which comes to the LR's knowledge on account of such official attachment, even after completion of term of engagement, unless such disclosure is legally required in discharge of lawful duties.
- The LR(s) will not accept any other assignment during the term of engagement as LR. The LR shall not practise as an Advocate in any Court of Law or Tribunal or any other authority during the course of the engagement as LR.
- LRs will follow the dress code as provided under Chapter IV of Part VI of the Bar Council of India Rules.

Declaration/Undertaking

Prior to appointment, a declaration shall be given by the Law Researcher(s) that he or she has no conflict of interest with the subject matter of the dispute and will assist the court fairly and impartially.

Terms and Nature of Engagement

- (i) The Law Researchers shall be engaged on purely short term contractual basis as determined by the Hon'ble IPD Committee/ Bench extendable upto three years. In exceptional circumstances, the term may be extended upto a period of four years subject to performance of Law Researcher being found to the satisfaction of the Hon'ble IPD Bench, concerned.
- (ii) The Law Researcher may be prematurely discharged without any notice. The Law Researcher intending to prematurely leave the engagement shall be required to give at least one month's prior notice in writing through the concerned Hon'ble IPD Committee/ Bench.

Attendance and Leave

- (i) The Law Researcher shall be granted such leave of absence as may be approved by the concerned Hon'ble IPD Bench, subject to a maximum of fraction of 12 days per year, vis-a-vis the period of engagement. The LR should apply for and obtain leave in advance before proceeding on leave. In case of emergency, the LR will immediately convey to the Private Secretary to the Hon'ble Judge of the concerned IPD Bench.
- (ii) No stipend shall be paid for unauthorised absence, as also for days of leave exceeding permissible leave.

Candidates applying for the above posts should ensure that they fulfil all the eligibility conditions. Applications received without proper documents or received after due date, shall be rejected summarily without notice and no inquiry in that regard will be entertained. If on verification at any stage before or after interview, it is found that any candidate does not fulfil any of the eligibility condition(s), or the information furnished by the candidate(s) is found incorrect, his/her candidature for the above posts will be cancelled without any notice or further reference. No TA/DA will be payable to the candidates for appearing in the interview. Candidates should also mention their email and contact/mobile number in their curriculum vitae.

General Instructions

The above engagement though **purely contractual in nature** is a full time job. It would not confer any right of permanent employment in Delhi High Court. It is made clear that Law Researchers duly engaged will not be entitled to practice or take up any other assignment during the period he/she works as Law Researcher in this Court. The maximum term of engagement is three years, depending upon the performance of the Law Researcher, in exceptional circumstances, the term may be extended upto a period of four years.

Law Researchers will not appear before the Hon'ble Judge(s) of the Benches of IP Division with whom they will be attached, for a period of one year after the conclusion of their tenure as Law Researcher.

The requirements above are in addition to those contained in the Scheme for engagement of Law Researchers in the High Court of Delhi bearing Notification No. 38/Rules/ DHC dated 19.01.2018, as amended in so far as there is no inconsistency. A copy of the Scheme is annexed herewith as **Annexure A**.

How to apply

All eligible candidates shall download application form attached with this Notice. Duly filled application form along with necessary documents/papers/write ups etc. should be uploaded and sent to jr-rules.dhc@gov.in till 31st December 2022 by 1700 hrs(5.00 p.m.). Applications uploaded and sent after stipulated date/time and incomplete applications shall not be considered.


(Ravinder Dudeja)
Registrar General

APPLICATION FORM
[For Law Researcher (Intellectual Property Division)]
Applicant's Profile

Please
attach
Recent
Photograph

1	Name:	
2	Father's/Husband's Name:	
3	Postal Addrss:	
4	Phone No. (Res.):	
5	Mobile No.:	
6	Date of Birth (dd/mm/yyyy):	
7	Email address	
8	Qualifications: (Desirable: A Degree in any technical field or specialization in any IPR subject matter or a graduate with a law degree with at least 2 years experience in IPR)	
9	Specialisation, if any	
10	No. and date of enrolment as an Advocate and where enrolled:	
11	Present employer, if any:	
12	Experience:	
13	Write-up(s)/ research paper(s)/ publication(s) etc. on some piece of work done in the field of Intellectual Property Rights.	

Place:

Date:

Signature

Note: Relevent documents pertaining to educational qualification(s), experience, write-ups(s), research paper(s), publication(s) etc. be attached.

HIGH COURT OF DELHI: NEW DELHI

NOTIFICATION

No. 38/Rules/DHC

Dated: 19.01.2018

In exercise of the powers conferred under Article 229 of the Constitution of India, Hon'ble the Chief Justice has approved the following Scheme for engagement of Law Researchers in the High Court of Delhi:-

1. Title:

This scheme shall be called "Scheme for Engagement of Law Researchers in the High Court of Delhi".

2. Entitlement for the Services of Law Researchers:

Hon'ble the Chief Justice and each Hon'ble Judge of Delhi High Court shall be entitled to have services of two Law Researchers (hereinafter referred to as LRs). Hon'ble the Chief Justice may sanction additional LRs in appropriate cases.

3. Eligibility Conditions:

- (i) The candidate should be a graduate in law from a duly recognized law school/college/university/institute established by law in India and eligible for enrolment as an Advocate with the Bar Council of India.
- (ii) Final year students pursuing three/ five year degree in law will also be eligible to apply subject to furnishing proof of acquiring the law qualification at the time of interview/ before taking up the engagement as LR.
- (iii) The candidate must have a good working knowledge of computers.

4. Age and Nationality:

- (i) The candidate should not be above 27 years as on the date of making application for LR. This requirement may, in appropriate cases, be relaxed by the Chief Justice upon the request of the Hon'ble Judge concerned.
- (ii) The candidate must be a citizen of India.

5. Disqualifications:

- (i) A candidate must not be engaged, or appointed elsewhere on honorarium/ payment basis.
- (ii) A candidate should not have been involved in any criminal case, whether pending or convicted, for an offence involving moral turpitude.
- (iii) A candidate must not be facing any disciplinary proceeding before the Bar Council of India and/or the Bar Council of the State concerned or any other authority.

6. Terms and Nature of Engagement:

- (i) LRs shall be engaged on purely short term contractual basis as determined by the Hon'ble Judge concerned extendable upto three years or till the retirement/ cessation of office of the Hon'ble Judge, whichever is earlier. However, in case of retirement of the Hon'ble Judge, the empanelled LR may be engaged by another Hon'ble Judge. In exceptional circumstances, the term may be extended upto a period of four years subject to performance of LR being found to the satisfaction of the Hon'ble Judge with whom the LR is attached.

- (ii) The contractual engagement shall not confer upon the LR any right/ claim for regular appointment or continuance in service beyond the actual period of engagement.
- (iii) The LR may be prematurely discharged without any notice.
- (iv) An LR intending to prematurely leave the engagement shall be required to give at least one month prior notice in writing through the Private Secretary of the Hon'ble Judge.

7. Remuneration:

An LR shall be paid a fixed monthly honorarium of Rs.35,000/- or such honorarium as may be revised from time to time. The LR shall not be entitled to any other allowance or perks.

8. Attendance and Leave:

- (i) The LR shall be granted such leave of absence as may be approved by the Hon'ble Judge with whom the LR is attached, subject to a maximum of fraction of 12 days per year, vis-à-vis the period of engagement. The LR should apply for and obtain leave in advance from the Hon'ble Judge before proceeding on leave. In case of emergency, the LR will immediately convey to the Private Secretary to the Hon'ble Judge concerned of the LR's inability to attend office.
- (ii) No stipend shall be paid for unauthorized absence, as also for days of leave exceeding permissible leave.
- (iii) The LR shall not proceed on leave without seeking prior permission from the Hon'ble Judge concerned.
- (iv) The Private Secretary to the Hon'ble Judge shall maintain a record of attendance and will accordingly intimate the Establishment and the Accounts Branches on last working day of each calendar month.

9. Experience Certificate:

- (i) The LR will be issued an experience certificate as prescribed in Schedule-I on completion of a minimum period of six months' of engagement, subject to the approval of the Hon'ble Judge with whom the LR has worked.
- (ii) If the engagement is terminated before completion of original terms due to premature discharge by the Delhi High Court or due to the LR voluntarily giving up the engagement, no such certificate shall be given unless the Hon'ble Judge with whom the LR was attached directs otherwise.

10. Conduct during and after term of engagement:

- (i) The LR shall maintain absolute devotion to duty and a high standard of morals during the term of engagement. The LR shall maintain the highest standard of integrity commensurate with the responsibilities entrusted to the LR. The LR shall maintain utmost secrecy in respect of matters which come to the LR's notice by virtue of the engagement, and shall ensure that no information, document or any other thing is disclosed, parted or disseminated with others, in any manner. The LR will not disclose any fact which comes to the LR's knowledge on account of such official attachment, even after completion of term of engagement, unless such disclosure is legally required in discharge of lawful duties.
- (ii) The LR will not accept any other assignment during the term of engagement as LR. The LR shall not practise as an Advocate in any Court of Law or Tribunal or any other authority during the course of the engagement as LR.

- (iii) The LR shall not appear before the Hon'ble Judge to whom the LR has been attached for a minimum period of one year after the completion of engagement.
- (iv) An LR, for a period of three years after the completion of the engagement, will not appear in a case handled by the Hon'ble Judge to whom the LR has been attached, regardless of whether the LR worked on that case or not during the period that the LR worked with the Hon'ble Judge.
- (v) LRs will follow the dress code as provided under Chapter IV of Part VI of the Bar Council of India Rules.

11. Access available to a LR:

During the engagement, an LR will have access to the court room, and, at the discretion of the Hon'ble Judge concerned, if necessary, the chamber of the Judge, Library and the Residential Office of the Hon'ble Judge.

12. Process and Method of Selection:

- (i) All applications may be made by the prospective candidates directly to the Hon'ble Judge concerned or to the Court to be routed through the registry. The applications so made, may be called by the Hon'ble Judge who may be looking to engage an LR, and examined. The Hon'ble Judge may, or may not, consider it necessary to call any of the applicants for interview or personal interaction, in his discretion. The LRs will be finally selected by the Hon'ble Judge to whom the LR expects to be attached.
- (ii) Law Schools may recommend their alumni residing in Delhi for being considered for appointment as an LR.

13. Duties and Responsibilities:

An LR will be expected to render assistance to the Hon'ble Judge not only in respect of judicial functions, but also in the administrative functions of the Hon'ble Judge, as may be assigned to the LR.

14. Duty Hours:

The LR may be required to attend the office/ residential office of the Hon'ble Judge to whom the LR is attached even on gazetted/local holidays. The duty hours shall be fixed by the Hon'ble Judge concerned.

15. Undertaking:

Before joining as an LR the selected candidate shall sign an undertaking as prescribed in Schedule-II.

16. Residuary Clause:

For anything not specifically covered by the above clauses, the decision thereon will be taken by the Chief Justice.

NOTE: THIS SCHEME SHALL COME INTO FORCE WITH EFFECT FROM 01.08.2017.

BY ORDER
Sd/-
(DINESH KUMAR SHARMA)
REGISTRAR GENERAL

Schedule-I

CERTIFICATE

This is to certify that Mr./Ms....., Advocate (Enrolment No.....) has worked as an LR with Hon'ble of this Court, w.e.f. to ..
.....

MM DD, YY

Joint Registrar (Estt.I)

Schedule-II

UNDERTAKING

I.....; do hereby undertake that I have read and understood the scheme and will abide by the provisions contained in it during the course of my engagement as Law Researcher and also after expiry of term of the said appointment.

Signature.....

Name.....