

CHAPTER-I JUDICIAL OFFICERS

(I) ADVANCES

C.E. No. 9/VIIIe-42 dated 17th January, 1969

Invites attention to G.O. No. B-2-3170/x-l(4)-68 dated September 24, 1968, which provides that the applications of only those employees will be considered for the advances of house building, purchase of car, motor cycle or a cycle, as have limited their family to three children. In case they already have more than three children, on 1.1.1969, their applications would be considered only if they restrict their family to the present numbers.

The District Judges and Additional District Judges not at head quarters should mention this fact in all the applications for such advances before forwarding them to the Court.

C.L. No. 5/Xb-29Admn.(A) dated 12th January, 1979

To implement government office memorandum no. B-3-2560/ X-128/57 dated September 11, 1978, the Court has laid down following guidelines:-

1. In future, Motor Car/Motor Cycle/Scooter advance to all the officers subordinate to the District and Sessions Judges, such as Additional District & Sessions Judges, Additional Sessions Judges, Civil Judges, Chief Judicial Magistrates, Judicial Magistrates and Munsifs etc. shall be sanctioned by the District & Sessions Judges themselves in terms of the aforesaid G.O. The applications for such advances shall be registered serially according to their dates and shall, as far as possible, be dealt with in the same priority. In case, an officer applying for such an advance is transferred to another judgeship before his application matures for payment, his application and other connected papers shall be sent to the District Judge of his new station and his application at the new station shall be deemed to have been registered on the same date on which it was registered in the judgeship from which he has been transferred and he will be given priority accordingly.
2. The District and Sessions Judges will place their demands for funds for such advances directly with the Government quoting the G.O. under reference. No request for funds for such advances will henceforth be entertained by the Court.
3. The District Judges will continue to send their own applications for such advances to the Court. Advances to them will be granted by the Court.

C.L.No.39/XB-29/Admn. (A), dated 12th April, 1994

Empowering the District & Sessions Judges to grant House Building and Motor Vehicle Advances

I am directed to refer to the Court's Circular Letter No. 5/XB-29/Admn. (A), dated Allahabad January 12, 1979, on the above subject, and to say that in pursuance of the suggestion and request of the Government contained in Government Letter No. B-3-923/X-1992, dated February 13, 1992 for streamlining and to eliminate the complications of the procedure for grant of House Building and Motor Vehicle Advances by the Court as well as by the District and Sessions Judges, the Court has been pleased to resolve in this connection as follows:-

- (i) That the Registrar, High Court, Allahabad shall sanction House Building and Motor Vehicle Advances to officers of the Subordinate Judiciary except those posted in the Secretariat for whom the sanction is made by the appointment section (6) of the Secretariat; and
- (ii) That the District & Sessions Judges shall sanction advances to the subordinate Court staff working under them in the Judgeship.

It is therefore, requested that the above resolution of the Court maybe strictly complied in future and the contents of this circular letter may also be brought to the notice of all concerned for their information.

C.L.No.33/Admn. (A), dated 19th August, 1995

Sanction of advances and final withdrawals from the G.P. Fund to the Judicial Officers

I am directed to refer to Rules 13(4) and 17(1) (a) of G.P. Fund Rules, 1985, on the above subject, and to say that special reasons are required for sanctioning temporary advances and final withdrawals from G.P. Fund, as a special case, beyond the prescribed limit. It has, however, been noticed by the Court that while applying for sanction of temporary advance or final withdrawal from G.P. Fund, as a special case, the Judicial Officers generally do not mention the special reasons.

I am, therefore, to request you kindly to ask all the Judicial Officers working under your control to mention invariably special reasons, if any, also while making application for sanction of temporary advances or final withdrawals from their G.P. Fund by this Court as a special case.

C.L.No.12/ Main-A/Admn. (D) /Dated 8th July, 1999

Making of correct entries of G.P.F. account number in future of G.P.F. advances.

It has come to the notice of the Hon'ble Court that Drawing and Disbursing Officers while drawing the advances from the G.P.F. of employees do not make correct entries of the G.P.F. account number in their debit voucher. The incomplete entries in the debit voucher make it difficult to the office of Accountant General to make the said entries in the correct account of the employees. Because of incomplete details such entries are made in the master card and they remain in suspense account. The possibility of over-payment to such employees cannot be ruled out because the amount so drawn from G.P.F. is not entered. Hon'ble Court has directed that in future Drawing and Disbursing Officers before signing the debit vouchers shall ensure that all the entries are complete so that in future no such deficiencies are reported by the Accountant General.

I am, therefore, required to inform you that while sanctioning advance from G.P.F. complete entries in debit voucher should be made.

C.L. No. 6/Xb-28/Admin (A)/Dated 5th March, 2004

Regarding "No Dues Certificate" in respect of advances of House Building/House Repair/Motor Car/Scooter/Computer relating to Judicial Officers of UP Nyayik Sewa.

I am directed to invite your attention to the GO No. 4599/II-6-2001-19(24)/2001 dated 03-01-2002 which states that all the PCS (J) Officers of the State are sanctioned house building/house repair/motor car/scooter/computer etc. advances and after repayment of the principal amount of the advance along with interest of such advance, the No Dues Certificate is

issued by the office of Accountant General, UP Allahabad. It is often seen that even after the repayment of such advance with interest much delay is caused in issuing No Dues Certificate on account of non-availability of the statements of deductions of installments from salary for repayment of the advances much delay is caused in issuing No Dues Certificate by AG UP Allahabad.

I am also to refer to the GO No. B-3-3758/X-92-20 (8)-92 dated 17-8-92 which states that as and when any advance is sanctioned, the applicant who is self Drawing Disbursing officer should inform the details of withdrawal such as name of the Treasury, Voucher No., date of amount of voucher to the office of AG UP Allahabad as well as to the sanctioning authority immediately and then verified statement of detail of repayment of the advance in each year should also ensured to be made available by him to the office of AG UP Allahabad and to the sanctioning authority in the first month of the new financial year and on the basis of such informations /papers submitted by the officer/applicant, the sanctioning authority will examine to satisfy that the account in this respect has been opened by obtaining informations from the Office of AG UP Allahabad and the informations of details are being maintained in AG UP Allahabad to enable them to issue “No Dues Certificate” of such advances. But generally this practice is not adopted by the borrower applicants. It is essential that they should submit the verified statement of deductions from salary for repayment of advances, duly verified by the reasury Officer to the office of AG UP, Allahabad and the sanctioning authority accordingly.

I am, therefore, to request you to comply with the above directions and submit therequired verified statements as stated above to the AG UP, Allahabad and to the Hon’ble Court/Sanctioning Authority regularly.

[2] ANNUAL CONFIDENTIAL REPORTS:

(i) Self Assessment Form

C.L. No. 77/ivh-14 dated 5th April, 1977 asmodified by

C.L. No. 153/77/IVh-14 dated 6th October, 1977 and

C.L. No. C-7/IVf-45/78 dated 16th January, 1978

The self-assessment form shall have to befilled intriplicate by every officer yearly. One copy may be retained by the officer and the other two copies be submitted by him to the District Judge who shall in turn retain one copy with him and send the other copy to the court.

The self-assessment form in respect of each officer shall be sent by the District Judge to the Court along with the annual remarks.

SELF-ASSESSMENT FORM

19.....19.....

(To be filled by the officer reported upon)

1. Name of Officer.
2. Designation.
3. Place of posting.
4. Any other charge held by you.
5. Fill the following for each category of cases separately.

(a) Original suit		Year-wise break up _____.
Pending on 1 st April		19.... 19.... 19.... 19.....
Additions during the year	:	
Disposal (after contest)	:	
Disposal (otherwise)	:	
Pending on next 31 st March	:	
(b) _____	:	
(c) _____		
and so on		

NOTE: The yearwise break-up to begin with oldest cases pending.

6. In how many cases have you framed issues?
7. Number of cases in which judgment was not delivered within 15 days of conclusion of argument?
8. (For officers deciding civil appeals)
Percentage of appeals remanded by the officer.
9. Inspections made:
 Quarter
 Dates
10. Remarks, if any, received during the year from the High Court/Appellate Courts (whether commendatory or critical should be included.)

C.L. No. C-52/IVf-45 dated 27th April, 1979

The District Judges, while filling in their self-assessment form for being submitted to the Court, should indicate therein that they have discharged their responsibilities effectively in achieving the representation of Scheduled Castes/Scheduled Tribes in the ministerial services of the subordinate courts and in implementing the various Government Orders on the subject.

For the above purpose, a column may please be added at the end of the self-assessment form.

C.L. No. C-63/1981 dated 15th October, 1981

The District Judges, while sending their self-assessment form, should make it a point to attach to it a statement pertaining to Column No. 9 "Inspections made", and in that statement they should fill in the particulars in the following proforma:

Courts and Offices existing in the Judgeship during the year or the period under report	Name of Courts and offices inspected by the District Judge, with dates of inspections.	Name of Courts and offices inspected by the Additional District Judges as authorised by the District Judge, with dates of inspections.	Remarks, if any
1	2	3	4

(ii) Annual remarks

G.L. No. 2/2(a)-4 dated 30th January, 1942 as modified and amended by

G.L. Nos. 5 and 68 of 1950 and 23 of 1951 read with

C.L. No. 34 dated 4th April, 1959

C.L. No. 11 dated 21st March, 1967 and

C.L. No. C-32 dated 24th March, 1969

Annual confidential remarks concerning the work and reputation of each judicial officer who worked in the judgeship during the previous year, should cover the period from April 1, to March 31, and be submitted in the prescribed form in duplicate so as to reach the Court positively by second week of April.

C.L. No. C-30/77 dated 13th February, 1977

The year for the purpose of annual remarks is changed to June May w.e.f. the year 1976-77.

C.L. No. C-163/77-IV-f-45 dated 16th February, 1977

Revokes the aforesaid circular, and reverts back to previous practice namely that the financial year (from the first day of April to the 31st day of March of the following year) shall be the year for the purposes of recording annual remarks, as also for the statement of out-turn and inspections of court and offices. It applies to the year 1977-78, and onwards.

C.L. No. C-132/75 dated 17th October, 1975

In supersession of the instructions to the contrary contained in previous General/Circular letters, the following revised form is prescribed for recording annual confidential remarks on the work and conduct of Judicial Officers :-

Annual Confidential Remarks

Year.....

Name of Officer.

Length of service.

Posts held during the year.

1. Remarks by the District Judge regarding:

- (a) Integrity of the officer - whether beyond doubt, doubtful or positively lacking.
- (b) If he is fair and impartial in dealing with the public and bar.
- (c) If he is cool-minded and does not lose temper in court.
- (d) His private character, if such as to lower him in the estimation of the public and adversely affects the discharge of his official duties.
- (e) Control over the file in the matter of.
 - (i) Proper fixation of cause list;
 - (ii) Avoidance of unnecessary adjournments;
 - (iii) Disposal of old cases;
 - (iv) Progress and disposal of execution cases;

- (v) Interim orders, injunctions being granted, refused or retained for sufficient reasons;
 - (vi) cases being remanded on substantial grounds.
 - (f) Whether judgments on facts and law are on the whole sound, well-reasoned and expressed in good language.
 - (g) Whether disposal of work is adequate (Give percentage and reasons for short disposal, if any).
 - (h) Control over the office and administrative capacity and tact.
 - (i) Relations with members of the Bar (Mention incidents, if any).
 - (j) Behaviour in relation to brother Officers (Mention incidents, if any).
 - (k) Whether the officer has made regular inspections of his court and the offices in his charge during the year and whether such inspections were full and effective.
 - (l) His punctuality in sitting in the court.
 - (m) Whether amenable to advice of District Judge and other superior Officers.
2. Overall assessment of the merit of the officer, outstanding, very good, good, fair, poor.
 3. Other remarks, if any.

C.L.NO.C-2 /2003 dated. Allahabad. 27th January, 2003

With reference to the Court's C.L.No. C- 132/75 dated October 17, 1975, I am directed to say that the Court has been pleased to change in Column No.2 of the prescribed proforma attached therewith regarding recording Annual Confidential Remarks of the Judicial Officers as under:-

“Out standing”,
 “Very Good”;
 “Good”;
 “Average”; and
 “Poor”.

I am, therefore to send herewith a revised prescribed proforma and to request that this proforma may kindly be used by you for the purpose henceforward.

Annual Confidential Remarks

Year.....

Name of the Officer	:
Length of Service	:
Post held during the Year	:
(1) Remarks by the District Judge regarding	:
(a) Integrity of the Officer whether beyond doubt, doubtful or positively lacking.	:
(b) If he is fair and impartial in dealing with the public and Bar?	:

- (c) If he is cool minded and does not loose temper In court? :
- (d) His private character if such as to lower him in the estimation of the public and adversely effects the discharge of his official duties? :
- (e) Control over the files in the matter of :
 - (i) Proper fixation of cause list :
 - (ii) Avoidence of unnecessary adjournments. :
 - (iii) Disposal of old cases. :
 - (iv) Progress and disposal of execution cases. :
 - (v) Whether interim orders, injunctions granted, refused or retained for sufficient reasons? :
 - (vi) Are cases remanded on substantial grounds? :
- (f) Whether Judgments on facts and law are on the whole sound, well-reasoned and expressed in good language? :
- (g) Whether disposal of work is adequate? (Give percentage and reasons for short disposal, if any). :
- (h) Control over the office and administrative capacity and tact. :
- (i) Relations with members of the bar (mention incidents, if any) :
- (j) Behaviour in relation to brother Officers (mention, Incidents, if any) :
- (k) Whether the officer has made regular Inspections of his court and offices in his charge and whether such Inspections were full and effective? :
- (l) His punctuality in sitting in court. :
- (m) Whether amenable to the advice of the District Judge and other superior Officers? :
- (2) Over all assessment of the merit of the officer, (out standing, Very good, good, Average, Poor). :
- (3) Other remarks, if any :

District Judge

C.L. No. 86 dated 19th September, 1957

The instructions with regard to the remarks to be given about the work and reputation of Judicial Officers contained in G.O. No. CR-259/II-A-38-56, dated July 16, 1957, should be strictly complied with.

C.L. No. 17 dated 5th March, 1965

While furnishing figures about themselves and the subordinate Officers for annual remarks the District Judges should thoroughly check them and ensure that only correct figures are furnished to the Court.

C.L. No. C-54/71 dated 16th April, 1971

Annual remarks recorded by the District Judges should give a correct and full picture of the work, conduct and reputation of the Officers. In case annual remarks do not properly assess the

work of the Officers, administrative lapse on the part of the District Judge concerned would be presumed.

C.L. No. 42 dated 25th April, 1968

District Judges should send their annual remarks about the work and conduct of Judicial Magistrates after obtaining the remarks of Chief Judicial Magistrates. Further, the annual remarks about each individual Judicial Magistrate should be sent on separate sheets along with the remarks of the Chief Judicial Magistrates.

C.L. No. C-32 dated 12th March, 1976

Annual remarks about the criminal work of Munsif Magistrates are to be given by the Chief Judicial Magistrate who will submit them to the District Judge and the District Judge will transmit them to the Court along with his annual remarks.

C.L. No. 45 dated 7th August, 1963

C.L. No. C-36/70, dated 31st March, 1970

C.L.No. C-5/73 dated 15th January, 1973 and

C.L. No. 40/74 dated 16th March, 1974

Annual remarks about all Officers who have worked for three months or more should invariably be recorded and sent to the Court.

C.L. No. 17/78 dated 2nd February, 1978

In evaluating the Judicial work of an officer, the number of his judgments, orders reversed or modified in appeal or revision will not be taken into account. The assessment of Judicial work of an officer will be based on the quality of his judgment or orders and not on the result of the appeals or revisions. Henceforth the work of an officer will be assessed on the basis of quality of his judgments or orders and not on the basis of the number of judgments or orders reversed or modified in appeal or revision.

C.L. No. C-60/81 dated 19th September, 1981

The District Judge, while inspecting the Courts of Additional District Judges & Additional Sessions Judges and also while recording annual remarks in respect of Additional District Judges and Additional Sessions Judges should examine some records handled by them as well as the judgements delivered by them in the cases and should assess the quality of their judicial work and form his opinion. The District Judge should also record his opinion on the basis thereof in the column l(f) at the time of recording the annual remarks.

C.L. No. C-10/85 dated 22nd March, 1985 and

C.L. .No. C-14/89 dated 10th March, 1989

The District Judge shall ensure that the following instructions as contained in various C.Ls. issued by the Court from time to time are followed strictly in recording the annual remarks in respect of the Judicial Officers.

- (a) The annual remarks should be recorded in respect of all the Officers whose work and conduct was seen for three months or more during the year.

- (b) Even if an officer has worked at the station for period of less than three months during the year, the District Judge should send the figures of his disposal for that part of the year, so that his full figures of disposal during the whole year may be worked out.
- (c) In case the annual remarks in respect of any officer are adverse, wholly or in part, the whole of the remarks should be communicated to the officer concerned and a note to that effect should be incorporated at the end of the annual remarks before despatching the same to the Court.
- (d) While recording annual remarks about Additional District Judges and additional Sessions Judges, the District Judge should also express his specific opinion about the quality of their judicial work in column 1 (f). In this connection please refer to Court's Circular Letter No. 60/81 dated September 19th, 1981.
- (e) While sending his own self-assessment form, the District Judge should attach to it a statement pertaining to column no. 9 'Inspections made', and in that statement he should fill in the particulars in the proforma sent with Court's Circular Letter No. G-63/81 dated October 15th, 1981.
- (f) While recording annual remarks about Chief Judicial Magistrate, Additional Chief Judicial Magistrate and Munsif Magistrate, the District Judge should mention specifically in column no. 1(g) whether or not the officer was provided with stenographer and whether he was required to give increased disposal at the rate of 30% in case of Chief Judicial Magistrate/ Additional Chief Judicial Magistrate and 20% in case of Munsif Magistrate.

C.L. No. C-24/69 dated 21st February, 1969

The information conveyed to District Judges by District Officers about the quality of work done in connection with elections by a Judicial officer and Officials need not be incorporated in the character rolls.

C.L. No. 82 dated 29th August, 1961

The District Judges should invariably mention the station of their posting below their signatures at the bottom of the annual confidential reports given by them about the work and reputation of their subordinate Officers.

C.L. No. 5 dated 28th January, 1950 as modified by

C.L. No. 44 dated 19th August, 1960

The remarks and the integrity certificates are to be sent confidentially with a D.O. letter addressed to the Registrar by name.

C.L. No. 44 dated 19th August, 1960 read with

G.O. No. C.R. 583/ii-A-38, 1956 dated 5th December, 1959

Adverse remarks made on the work and conduct of Judicial Officers should be communicated by District Judges, as early as possible, in writing, and acknowledgement obtained.

C.L. No. 57/68, dated 31st May, 1968

Directions contained in aforesaid circular regarding communication of adverse remarks are applicable to Chief Judicial Magistrates and Judicial Magistrates as well.

When the adverse remarks are to be communicated, the whole remark for the same officer, whether commendatory or critical, should be communicated.

C.L. No. 45 dated 7th August, 1963

Adverse remarks should invariably be communicated to the Officers concerned so that they may not be ignorant of the shortcomings pointed out therein.

C.L. No. C-5/73 dated 15th January, 1973

C.L. No. C-36/73 dated 19th April, 1973 and

C.L. No. 37/75 dated 19th March, 1975

A note that the adverse remarks have been communicated to the Officers concerned should be made at the end of the remarks and this should be done before despatching the same to the Court.

C.L. No. C-76/79 dated 10th July, 1979 and

C.L. No. C-126/79 dated 30th October, 1979

The representations made by the Officers to the Court against adverse remarks and in other matters should be submitted in duplicate.

C.L. No. 11/1988 dated 11th February, 1988

The Court has noticed that the annual remarks about the Judicial Officers are often not received from the District Judges within the stipulated period i.e. by April 15.

It has also been noticed that comments on the representations made by the Officers against adverse remarks are not sent by the District Judges early, with the result that such representations remain pending for a long time.

The Court views with concern the delay caused in aforesaid matters. Therefore, it is impressed upon all the District Judges that henceforth the annual remarks about the Judicial Officers should invariably be sent to the Court within the period fixed. Comments on representations made by the Officers should also be furnished to the Court positively within one month from the date of receipt of the communication from the Court in that regard otherwise a serious view will be taken in the matter.

C.L. No. C-8/1990, dated 2nd February, 1990

Representation against an Adverse Remark given to the Judicial Officers by the Court

I am directed to say that the Court has decided that the time limit for filing the representation made by the Judicial Officers against an adverse entry given by the Court will be 30 days from the date of communication to the Officer concerned. No second representation will be entertainable by the Court.

All the Officers concerned may kindly be informed accordingly.

C.L. No.C-22/1993, dated 24th April, 1993

Communication of Adverse Entries to the Judicial Officers

I am directed to say that while considering the representations of the Judicial Officers against the adverse remarks recorded by the District Judges, it has been come to the notice of the Court that the adverse remarks given to the concerned Judicial Officers are not communicated to them inspite of instructions issued by the Court from time to time in various Circular Letters.

The Court has, therefore, taken a serious view in the matter and has decided that the District Judges will communicate their adverse entries to the concerned Officers immediately after awarding the adverse entry and that while communicating such entries to the High Court, they will indicate the date of communication thereof and also certify that the entry has been communicated to the concerned Officer.

The said direction of the Court may kindly be followed strictly.

C.L. No. C-6 /2003, 28 February, 2003

ANNUAL REMARKS FOR THE YEAR 2002-2003.

I am directed to request that the Annual Remarks about the work and conduct of the Officers of your Judgeship for the year 2002-2003 may kindly be sent to the Court in requisite proforma latest by 15th of April 2003.

In this connection I am to emphasize that the following instructions as contained in various Circular Letters issued by the Court from time to time may be followed strictly in recording the annual remarks in respect of the Officers working in your Judgeship:

- (a) The annual remarks should be recorded by you in respect of the Officers whose work and conduct was seen by you at least for three months or more during the aforesaid year.
- (b) To avoid the confusion, full name of the Officer with his designation about whom report is being sent, should be mentioned along with No. I, II, III if any attached to his name.
- (c) In case the annual remarks in respect of any officer is adverse, wholly or in part, the whole of the remarks should be communicated to the officer concerned and a note to that effect should be incorporated at the end of the annual remarks before dispatching the same to the Court.
- (d) While recording annual remarks about Additional District Judges and Additional Sessions Judges you SHOULD also express your specific opinion about the quality of their Judicial work in column I(f), in this connection please refer to Court's Circular Letter No. 60/81, dated September 19,1981.
- (e) While recording annual remarks about Chief Judicial Magistrate, Additional Chief Judicial Magistrate and Civil Judges (Junior Division), you should mention specifically in column No. 1 (g) whether or not the officer was provided with stenographer. (Refer to Court's G.L. No. 1/IV-h-14/90 dated. 8.11. 1990 and G.L. No. 28/IV-h- 14/96 dated June 1, 1996).

C.L. No. C- 5 /2004, Allahabad 3rd March, 2004

ANNUAL REMARKS FOR THE YEAR 2003-2004.

I am directed to request that the Annual Remarks about the work and conduct of the Officers of your Judgeship for the year 2003-2004 may kindly be sent to the Court in requisite proforma latest by 15th of April, 2004.

In this connection I am to emphasize that the following instruction as contained in various Circular letters issued by the Court from time to time may be followed strictly in recording the annual remarks in respect of the Officers working in your Judgeship:-

- (a) The annual remarks should be recorded by you in respect of the Officers whose work and conduct was seen by you at least for three months or more during the aforesaid year.
- (b) To avoid the confusion, Full name of the Officer with his/her designation about whom report is being sent, should be mentioned along with No. I, II, III, if any attached to his/her name.
- (c) In case the annual remarks in respect of any Officer is adverse, wholly or in part, the whole of the remarks should be communicated to the Officer concerned and a note to that effect should be incorporated at the end of the annual remarks before dispatching the same to the Court.
- (d) While recording annual remarks about Additional District Judges and Additional Sessions Judges you should also express your specific opinion about the quality of their Judicial work in column I (f), in this connection please refer to Court's Circular Letter No. 60/81, dated September 19, 1981.
- (e) While recording annual remarks about Chief Judicial Magistrate, Additional Chief Judicial Magistrate and Civil Judges (Junior Division), you should mention specifically in Column No. I(g) whether or not the officer was provided with stenographer. (Refer to Court's G.L. No. 1/IV- h-14/90 dated 08.11.1990 and G.L. No. 28/IV-h-14/96 dated June I, 1996).

C. L. No. C- 9/2007, Allahabad: March 13/2007

ANNUAL REMARKS FOR THE YEAR 2006-2007

I am directed to request that the Annual Remarks about the work and conduct of the Officers of Your Judgeship for the year 2006-2007 may kindly be sent to the Court in requisite proforma latest by 15th of April, 2007.

In this connection I am to emphasize that the following instructions as contained in various Circular letters issued by the Court from time to time may be followed strictly in recording the annual remarks in respect of the Officers working in your Judgeship:-

- (a) The annual remarks should be recorded by you in respect of the Officers whose work and conduct was seen by you at least three months or more during the aforesaid year.

- (b) To avoid the confusion, Full name of the Officer with his/her designation about whom report is being sent, should be mentioned alongwith No. I, II & III, if any attached to his/her name.
- (c) In case the annual remarks in respect of any Officer is adverse/critical, wholly or in part, the whole of the remarks should necessarily be communicated to the Officer concerned and a note to that effect should be incorporated at the end of the annual remarks before dispatching the same to the Court,
- (d) While recording annual remarks about Additional District Judges and Additional Sessions Judges you should also express your specific opinion about the quality of their judicial work in column I(f), in this connection please refer to Court's Circular Letter No.60181, dated September 19, 1981.
- (e) While recording annual remarks about Chief Judicial Magistrate, Additional Chief Judicial Magistrate and Civil Judges (Junior Division), you should mentioned specifically in Column No.1 (g) whether or not the officer was provided with stenographer. (Refer to Court's G. L. No.1/IV-h-14/90 dated 08.11.1990 and G. L. No. 28/IV-h-14/96 dated June 1, 1996).

C.L. No. 23/CF(C)/2007 Dated: Allahabad: May 19, 2007

I am directed to say that in super session of instruction to the contrary contained in previous General/Circular letters, Hon'ble Court has been pleased to prescribe the following revised Proforma for recording Annual Confidential Remarks on the work conduct of Judicial Officers: -

ANNUAL CONFIDENTIAL REMARKS

Year.....

(Period From-----To-----)

Name of the officer

Length of Service

Post(s)/Office(s) held during the year under report

1. Remarks by the District Judge regarding

- a. Integrity of the Officer whether beyond doubt, doubtful or positively lacking.
NOTE: If the officer's integrity is doubtful or positively lacking, it may be so stated with all relevant facts, reason(s) & supporting material.
- b. If he is fair and impartial in dealing with the public and Bar?
- c. If he is cool minded and does not loose temper in court.
- d. His private character is such as to lower him in the estimation of the public and adversely affects the discharge of his official duties?
- e. Control over the files in the matter of
 - i. (a) Proper fixation of cause list.
(b) Whether sufficient number of cases are fixed by him to keep him engaged during full Court hours.
 - ii. Avoidance of unnecessary adjournments.

- iii. Disposal of old cases. (Give number and year of old cases decided)
 - iv. Progress and disposal of execution cases.
 - v. Whether interim orders, injunctions granted, refused or retained for sufficient reasons?
 - vi. Are cases remanded on substantial grounds?
 - vii. Performance with regard to decision of motor accident claims related to death/injury.
 - f. Whether judgement on facts and law are on the whole sound, well reasoned and expressed in good language?
NOTE: The following factors should also be indicated in filling up this column:
 - (i) Marshalling of facts;
 - (ii) Appreciation of evidence;&
 - (iii) Application of law.
 - g. Whether disposal of work is adequate? (Give percentage and reasons for short disposal. (if any)).
NOTE: The following factors should also be Indicated In filling up this column:
 - (i) Number of cases decided after actual full contest;
 - (ii) Number of cases decided wherein all witnesses of fact turned hostile and the case ended in acquittal.
 - (iii) Number of civil cases decided on compromise/alternate dispute resolution.
 - (iv) Number of cases wherein after conclusion of arguments and reserving them for judgment rehearing was ordered.
 - h. Control over the office and administrative capacity and tact.
 - i. Relations with members of the Bar (mention incidents. if any)
 - j. Behaviour in relation to. brother officers (mention, incidents, if any).
 - k. Whether the officer has made regular inspections of his court and offices in his charge and whether such inspections were full and effective?
 - l. His punctuality and regularity in sitting on dais in court during Court hours.
 - m. Whether amenable to the advice of the District Judge and other superior officers'?
2. Over all assessment of the merit of the officer,
(Outstanding, Very Good, Good, Average, Poor)
3. State of health with remarks, if any.
4. Other remarks. if any

DISTRICT & SESSIONS JUDGE
District

DATE.....

Certified that the annual confidential report having adverse/critical remarks in regard to the work and conduct of the officer have been communicated to him in writing, as whole, vide demi official letter number..... dated.....Receipt in token thereof is enclosed herewith.

DISTRICT & SESSIONS JUDGE

The above revised proforma will be given effect from 01.04.2007. I am, therefore, to request you to use the revised/modified proforma for the purpose of recording of Annual Confidential Remarks of Judicial Officers.

C.L. No. C-8/2008; Allahabad: March 5, 2008
ANNUAL REMARKS FOR THE YEAR 2007-2008

I am directed to request that the Annual Remarks about the work and conduct of the Officers of your judgeship for the year 2007-2008 may kindly be sent to the Court in requisite proforma latest by 15th of April, 2008.

In this connection I am to emphasize that the following instructions as contained in various Circular letters issued by the Court from time to time may be followed strictly in recording the annual remarks in respect of the Officers working in your Judgeship:-

- (a) The annual remarks should be recorded by you in respect of the Officers whose work and conduct was seen by you at least three months or more during the aforesaid year.'
- (b) To avoid the confusion, Full name of the Officer with his/her designation about whom report is being sent, should be mentioned alongwith No. I, II & III, if any attached to his/her name.
- (c) Incase the annual remarks in respect of any Officer is adverse/critical, wholly or in part, the whole of the remarks should necessarily be communicated to the officer concerned and a note to that effect should be incorporated at the end of the annual remarks before dispatching the same to the Court.
- (d) While recording annual remarks about Additional District Judge and Additional Sessions Judges you should also express your specific opinion about the quality of their judicial work in column I(f), in this connection please refer to Court's Circular Letter No. 60/81, dated September 19, 1981.
- (e) While recording annual remarks about Chief Judicial Magistrate, Additional Chief Judicial Magistrate and Civil Judges (Junior Division), you should mention specifically in Column No. 1(g) whether or not the officer was provided with stenographer. (Refer to Court's G.L. No. 1/IV-h-14/90 dated 08.11.1990 and G.L. No. 28/IV-h-14/96 dated June 1, 1996).

Annual Remarks for the Year 2008-2009
C.L. No. C-4/2009: Allahabad: March 04, 2009

I am directed to request that the Annual Remarks about the work and conduct of the Officers of Your Judgeship for the year 2008-2009 may kindly be sent to the Court in requisite proforma latest by 15th of April, 2009.

In this connection I am to emphasize that the following instructions as contained in various Circular Letters issued by the Court from time to time may be followed strictly in recording the annual remarks in respect of the Officers working in your Judgeship:-

- (a) The annual remarks should be recorded by you in respect of the Officers whose work and conduct was seen by you at least three months or more during the aforesaid year.
- (b) To avoid the confusion, Full name of the Officer with his/her designation about whom report is being sent, should be mentioned alongwith No. I, II & III, if any attached to his/her name.
- (c) In case the annual remarks in respect of any Officer is adverse/critical, wholly or in part, the whole of the remarks should necessarily be communicated to the Officer concerned and a note to that effect should be incorporated at the end of the annual remarks before dispatching the same to the Court.
- (d) While recording annual remarks about Additional District Judge and Additional Sessions Judges you should also express your specific opinion about the quality of their judicial work in column I(f), in this connection please refer to Court's Circular Letter No. 60/81, dated September 19, 1981.
- (e) While recording annual remarks about Chief Judicial Magistrate, Additional Chief Judicial Magistrate and Civil Judges (Junior Division), you should mentioned specifically in Column No. 1(g) whether or not the officer was provided with stenographer. (Refer to Court's G.L. No. 1/IV-h-14/90 dated 08.11.1990 and G.L. No. 28/IV-h-14/96 dated June 1, 1996).

Annual Remarks for the year 2009-2010

C.L. No. 7/2010/Cf.(C); Dated 24.02.2010

Annual Remarks for the year 2009-2010, I am directed to request that the annual remarks about the work and conduct of the officers of your judgeship for the year 2009-2010 may kindly be sent to the Court in requisite proforma latest by 15th of April, 2010.

In this connection I am to emphasize that the following instructions as contained in various Circular letters issued by the Court from time to time may be followed strictly in recording the annual remarks in respect of the Officers working in your Judgeship.

- (a) The annual remarks should be recorded by you in respect of the Officers whose work and conduct was seen by you at least three months or more during the aforesaid year.
- (b) To avoid the confusion, Full name of the officer with his/her designation about whom report is being sent should be mentioned alongwith No. I, II and III, if any attached to his/her name.

- (c) In case the annual remarks in respect of any officer is adverse/critical, wholly or in part, the whole of the remarks should necessarily be communicated to the officer concerned and a note to that effect should be incorporated at the end of the annual remarks before dispatching the same to the court.
- (d) While recording annual remarks at Additional District Judge and Additional Sessions Judges you should also express your specific opinion about the quality of their judicial work in column 1(f), in this connection please refer to courts Circular Letter No. 60(83), dated September 19, 1981.
- (e) While recording annual remarks about Chief Judicial Magistrate, Additional Chief Judicial Magistrate and Civil Judges (Junior Division) you should mentioned specifically in Column No. 1(g) whether or not the officer was provided with stenographer. (Refer to Court's G.L. No. 1/IV-h-14/90, dated 08.11.1990 and C.L. No. 28/IV-h-14/96, dated June 1, 1996).

Annual Remarks for the Year 2010-2011

C.L. No. 9/2011/Cf.(C) dated March 03, 2011

I am directed to request that the Annual Remarks about the work and conduct of the Officers of Your Judgeship for the year 2010-2011 may kindly be sent to the Court in requisite proforma latest by 15th of April, 2011.

In this connection, I am to emphasize that the following instructions as contained in various Circular Letters issued by the Court from time to time may be followed strictly in recording the annual remarks in respect of the Officers working in your Judgeship:-

- (1) The annual remarks should be recorded by you in respect of the Officers whose work and conduct was seen by you at least three months or more during the aforesaid year.
- (2) To avoid the confusion, Full name of the Officer with his/her designation about whom report is being sent, should be mentioned alongwith No. I, II & III, if any attached to his/her name.
- (3) In case the annual remarks in respect of any Officer is adverse/critical, wholly or in part, the whole of the remarks should necessarily be communicated to the Officer concerned and a note to that effect should be incorporated at the end of the annual remarks before dispatching the same to the Court.
- (4) While recording annual remarks about Additional District Judges and Additional Sessions Judges you should also express your specific opinion about the quality of their judicial work in column No. I, (f), in this connection please refer to Court's Circular Letter No. 60/81, dated September 19, 1981.
- (5) While recording annual remarks about Chief Judicial Magistrate, Additional Chief Judicial Magistrate and Civil Judges (Junior Division), you should mention specifically in Column No. 1(g) whether or not the officer was provided with stenographer. (Refer to Court's G.L. No. 1/IV-h-14/90 dated 08.11.1990 and G.L. No. 28/IV-h-14/96 dated June 1, 1996).

RECORDING OF ANNUAL REMARKS IN RESPECT OF PROBATIONERS OF CIVIL JUDGE (JR. DIV)

C.L. No. 31/2010/GR(C) Dated 20.10.2010

I am directed to inform you that the Hon'ble Court has been pleased to order that the first Annual Confidential Remarks of newly appointed Addl. Civil Judge (Junior Division) shall be written by the Director of the Institute of the Judicial Training Research, Lucknow after assessing the performance during training period.

I am, therefore, to request you to kindly ensure the strict compliance of the aforesaid order of the Hon'ble Court.

(iii) Register of confidential reports

G.L. No. 14/2(a) dated 24th February, 1933

District Judges should maintain a confidential register in which they should record their opinion, as opportunity occurs, about the work of Judicial Officers posted in the judgeship. When they are transferred from the judgeship they should record therein for the use of the successor, their impressions about each officer in the judgeship.

When a District Judge is not in a position to give his own opinion about an officer, he should obtain the opinion of the District Judge under whom the officer served last.

G.L. No. 51 dated 4th September, 1934 read with

C.L. No. 9 dated 17th January, 1958

Each District and Sessions Judge shall maintain a confidential register in which separate leaves will be given to each Magistrate 1st Class and Assistant Collectors, in his jurisdiction. Every criminal case that comes before him in appeal or on committal should be noted in that register with his remarks on the quality of the criminal work of the Magistrate as shown in each particular case. These individual notes will then be summed up in a general confidential note either on the Judge's transfer or at the end of the year. The register will remain with the District and Sessions Judge's successor after his transfer. District and Sessions Judges should also maintain a note of revenue cases which call for special approbation and disapprobation.

Each District and Sessions Judge should submit annually his confidential report on the work of each magistrate in his jurisdiction to the Commissioner direct sending a copy to the Court.

C.L. No. 461/IVf-44 dated 16th May, 1956, read with

C.L. No. 9 dated 17th January, 1958

Similar registers should also be maintained by Additional District and Sessions Judges for recording their opinion on the work of presiding Officers against whose decisions, appeals or revisions are heard by them.

The remarks should not be very brief consisting of only a single word or phrase like "good", "average", "below average" or "bad" etc. In order that the registers serve the object of containing a full record of the quality of Judicial work done by the Subordinate Officers, the remarks should be more informative and comprehensive. They should deal with different aspects of the Judicial work; it is not necessary that in every case something should be said about various aspects of the work but whatever noteworthy comes to light about any aspect of the work, it should be mentioned in the remarks. For example, the remarks should deal with anything noteworthy about delay of a case or trial, adjournments being granted unjustifiably or frequently, discussions of questions of fact and law in the judgment, legality and soundness of finding on the questions of fact and law, and of interlocutory and final orders passed, correctness of the procedure and the charge, adequacy of the examinations of the accused and the sentence imposed, etc.

Remarks should be made not only on the disposal of an appeal but also on receipt of a case on commitment.

C.L. No. C-63/71 dated 6th May, 1971

District Judges while assessing the work of Chief Judicial Magistrates and Judicial Magistrates should examine the records of some of the cases at random decided by them and then report on the quality of their work stating in particular whether the Magistrate had properly dealt with the cases and had a proper understanding thereof.

(iv) Help to Officers found deficient in work

G.L. No. 3/IVf-80 dated 1st April, 1953

When an officer, particularly a junior one, is deficient in his work, it is not always enough to make an entry to that effect in his character roll and to communicate it to him. Efforts should rather be made to give such officer an opportunity of learning and for effective improvement in his work. A District Judge should, therefore, take more personal interest in the work of Judicial Officers subordinate to him and in case the work of any one is not up to the mark, he should point out to him his failings and defects at a personal interview and either help him with personal advice or put him in touch with one of the more experienced Officers at the station. Junior Officers should also be encouraged to take advantage of any help and guidance that senior Officers in the judgship may be able and willing to give them and should not hesitate to consult them and seek their guidance.

[3] CONDUCT OF JUDICIAL OFFICERS IN COURT

(i) Punctuality

C.L. No. 135/VIIId-20 dated 21st October, 1975

District Judges should see that the Officers and officials working under them attend the office in time. If any official fails to attend the office at 10 a.m. the following punishment may be awarded.

- | | | |
|----|--|-----------------------------------|
| 1. | For one day's late attendance. | Verbal warning. |
| 2. | For two days' late attendance. | Written warning. |
| 3. | For three days' late attendance. | One day's C.L. may be deducted. |
| 4. | For four days or more late attendance. | Disciplinary action may be taken. |

It should also be ensured that officials should not take more than half an hour as lunch interval. Officers should take their lunch in their chambers instead of going to their residences.

5. Officers and officials should abide by the time schedule prescribed for work.

C.L. No. 2/Admn.(B) dated 27th February, 1971

Court-hours should be maintained in respect of all offices strictly in accordance with rule 10 of General Rules (Civil), 1957. The system of lunch room where the Judicial Officers go during the lunch hours should be stopped forthwith even though the officer has no chamber of his own unless the District Judge is satisfied that the court hours are being adhered to.

C.L. No. 36/VIIIb-4/Admn. (G) dated 21st June, 1989

Invites attention to rule 10 of the General Rules (Civil), 1957, and also to Court's Circular Letter No. 21/Admn.(B), dated February 27, 1971, and directs that punctuality be observed by the Officers in sitting in court and that court hours should be observed strictly as prescribed.

Circular Letter No.64/2007Admin(G) : Dated :13.12.2007.

Subject: Punctuality to be observed by the Judicial Officers.

Late coming of Judicial Officers to the Court is highly discouraging for the litigants and the witnesses which also amounts to their harassment in present time when every minute of a person is of extreme importance. The court must realize that the litigants coming from far off places attend the Court leaving their important work, therefore, punctuality must be observed by them in sitting in Courts on time. It requires a self imposed discipline by the Presiding Officers to stick to Court timing. A number of Circular Letters have already been issued to all the District & Sessions Judges in past for ensuring that the Judicial Officer sit on dias on time and to ensure this the District Judges should make Surprise rounds.

1. C.L.No. 8/VIII-b-4 dt.11th January 1952.
- 2.C.L.No. 24/VIII-b-4 dt.9th February 1971.
- 3.C.L.no.47/VIII-d-20-Admn.(G)(B) dt 21st July 1983.
- 4.C.L.No. 36/VIII-b-4/Admn(G) dt. 21st June 1989.
- 5.C.L.No. 66/VIII-d-20/Admn(G) Dt. 14th Nov.,1991.
- 6.C.L.No. 44/2003 dated 20-12.2003.

Therefore, in continuation of Circular Letters quoted on the margin, I am directed to request you to kindly direct all the Judicial officers under your administrative control to observe punctuality in sitting on dias and Surprise rounds may be taken by you from time to time to ensure that punctuality is being observed by all concerned.

Punctuality in attending courts and offices

C.L. No. 66/ VIIIId-20/Admn. (G), dated November 14, 1991

I am directed to invite a reference to Court's Circular Letters No. 2/Admn. (B), dated 27.2.1991, No.135/VIIIId-20 dated 21.10.1975 and No. 36/VIIIb-4/Admn (G) dated 21.6.1989, on the above subject and to say that the Government of Uttar Pradesh vide its D.O.No. 3004/111-91-55 G/58 Sa-Pra-Anu, dated 9.7.1991 has issued certain directions for strict compliance by all concerned with some modifications for disciplinary action to be taken against those who are not punctual in attending the office for 3 days in a month. The relevant extract of Government Order dated July 9, 1991, which in principle has been adopted by the Court is enclosed herewith for information and necessary compliance by all concerned.

I am, therefore, to request you kindly to bring the above contents to the notice of all Officers/officials working under your supervision for strict compliance.

अर्द्धशा.पत्र सं.-3004/ तीन-91-55जी/58:सा.प्रा.अनु., उत्तर प्रदेश शासन, सामान्य प्रशासन अनुभाग, लखनऊ दिनांक 9 जुलाई, 1991

वर्तमान शासन कार्यालयों में प्रशासकीय कार्य के सुचारु रूप से सम्पादन, प्रशासन में दक्षता लाने, विकास एवं कल्याणकारी योजनाओं का लाभ जनता तक पहुंचाने एवं जनता की शिकायतों को दूर करने हेतु अधिकारियां एवं कर्मचारियों द्वारा कार्यालय समय के पालन को सर्वाधिक महत्व देता है। यह खेद की बात है कि शासन द्वारा समय-समय पर कार्यालयों में समयबद्धता का अनुपालन के सम्बन्ध में कड़े आदेश जारी किये जाने के बाद भी राज्य सरकार के नियंत्रणाधीन विभिन्न कार्यालयों में निर्धारित कार्यालय समय के अनुपालन में ढिलाई बरती जा रही है एवं कई अवसरों पर अधिकारी तथा कर्मचारीगण समय से कार्यालय में उपस्थित नहीं होते हैं। मध्यान्ह भोजन हेतु भी निर्धारित आधे घंटे की अवधि से अधिक

समय लेने के साथ अनेक अधिकारी व कर्मचारी नियमित रूप से अपने कार्यालय में नहीं बैठते हैं। इस बात को भी वर्तमान शासन गंभीरता से देखता है। कार्यालय समय का अनुपालन न किये जाने से जहाँ एक ओर कार्य के निस्तारण में विलम्ब और जनता को असुविधा होती है, वहीं दूसरी ओर जन सामान्य में यह भी भावना उत्पन्न होती है कि सरकारी अधिकारी व कर्मचारी निष्ठा एवं उत्तरदायित्व के साथ अपना कर्तव्यपालन नहीं कर रहे हैं। जनता की सुविधा तथा सरकारी कार्य के सुचारु रूप से संचालन एवं प्रशासन में दक्षता के लिये यह अनिवार्य है कि सरकारी अधिकारी व कर्मचारी अपने कार्यालयों में नियमित रूप से उपस्थित हों एवं पूर्ण निष्ठा एवं समर्पण की भावना से अपने कार्यों का सम्पादन करें।

2. इस सम्बन्ध में शासन की यह अपेक्षा है कि सभी अधिकारी एवं कर्मचारी प्रातः ठीक 10-00 बजे (लखनऊ स्थित विभागाध्यक्ष कार्यालयों के अधिकारियों/ कर्मचारियों हेतु 9-30 बजे प्रातः) कार्यालय में उपस्थित होकर एवं मध्याह्न भोजन हेतु निर्धारित अवधि में केवल आधे घण्टे का समय लेते हुये निष्ठा एवं वास्तविक जन-सेवा की भावना से अपने कर्तव्यों का सम्पादन करें। इसके लिये आवश्यक होगा कि सभी कार्यालयाध्यक्ष एवं पर्यवेक्षकीय अधिकारी निर्धारित समय से पहले ही कार्यालय में उपस्थित हों, जिससे उनके अधीनस्थ अधिकारियों व कर्मचारियों पर उदाहरणात्मक प्रभाव पड़े और अधिकारी और कर्मचारियों में समय-बद्धता तथा पूरे समय दत्त-चित्त होकर कार्य करने की आदत पड़े। यद्यपि इस सम्बन्ध में पूर्व में देर से कार्यालय आने वाले अधिकारियों व कर्मचारियों के विरुद्ध कार्यवाही करने के सम्बन्ध में निर्देश जारी किये गये हैं, किन्तु उनका पालन नहीं हो रहा है। अब शासन ने निश्चय किया है कि जो अधिकारी व कर्मचारी एक माह में तीन दिन से अधिक देरी से कार्यालय उपस्थित हो, उनके विरुद्ध अवश्य अनुशासनिक कार्यवाही की जाय। विभागाध्यक्षों मण्डलीय अधिकारियों एवं जिला अधिकारियों तथा जनपद स्तरीय अधिकारियों से यह भी अपेक्षा है कि वह प्रत्येक माह में अपने विवेकानुसार कर्मचारियों की समय से उपस्थिति का नियमित रूप से आकस्मिक निरीक्षण करते रहें एवं समयबद्धता का अनुपालन न कर अनुशासनहीनता दिखाने वाले अधिकारियों/ कर्मचारियों के विरुद्ध कार्यवाही करें। जिला स्तरीय अधिकारी-मण्डलस्तरीय अधिकारियों को एवं विभागाध्यक्ष, विभागीय सचिवों को अपने तथा अधीनस्थ अधिकारियों द्वारा किये गये आकस्मिक निरीक्षणों एवं इस सम्बन्ध में कुल अन्य कार्यवाही की सूचना प्रत्येक त्रैमास के अन्त में भेजें जिसमें इस प्रकार के आकस्मिक निरीक्षणों एवं कृत्यों का पूर्ण विवरण हो।

3. शासन यह आशा करता है कि सभी अधिकारी तथा कर्मचारी शासन की भावनाओं के अनुरूप कार्यालय के लिये निर्धारित समय का पालन करते हुये निष्ठा एवं परिश्रमपूर्वक अपने कर्तव्यों का सम्पादन करेंगे और उपरोक्त निर्देशों का सभी स्तर पर अनुपालन किया जायेगा।

(ii) Court dress

(a) For Presiding Officers

G.L No.23/4513 dated 19th August, 1941

The provisions contained in rule 615, Chapter XXVII of the General Rules (Civil), 1957, which provide for the wearing of proper dress in court are mandatory and it is the duty of each presiding officer not only to see that he is properly dressed according to the rule but also that all legal practitioners appearing before him are so dressed.

C.L. No. 1514/Admn.(B) dated 9th November, 1970

The Chief Judicial Magistrates and Judicial Magistrates shall put on the same dress in court as is prescribed for the members of the Civil Judicial Service.

(b) For civilian officers appearing as witness

C.L. No. 55/VIIIb-223 dated 15th May, 1972

There should be no objection if a civilian officer appearing in court as witness wears a dress including a full-sleeved bush-shirt of sober colour and plain design.

C.L. No. 31/VIIIb-223/Admn.(G) dated 20th June, 1989

Invites attention to the provisions of rule 615, General Rules (Civil), 1957 and rule 42, General Rules (Criminal), 1977, and directs that all Presiding Officers should strictly follow the instructions regarding wearing of court-dress as prescribed.

(iii) Smoking or chewing betel nuts

G.L. No. 11/67-4 dated 23rd April, 1942

Smoking in court and chewing the betel nuts are undignified practices which should cease not only in Judges' courts but also in Magistrates' courts.

The Court has, of course, no concern with what an Executive Magistrate does in the execution of administrative business nor is it concerned with the way in which Collectors and Deputy Collectors conduct their revenue cases but when District Magistrates, Joint Magistrates and Deputy Magistrates are sitting as Presiding Officers of Criminal Courts, the High Court has the strongest objection both to their smoking and to their chewing betel nuts. These directions apply with equal force to legal practitioners appearing in court, and the Court expects Judges and Magistrates to see that they are carried out.

C.L. No. 13 Dated 23rd March, 2002

As you are aware that the smoking cigarette is harmful habit and in course of time can lead to grave chronic health hazards. Researches carried out in various parts of the world have confirmed that there is a relationship between the smoking of cigarettes and lung cancer, chronic bronchitis; certain diseases of the heart and arteries; cancer of bladder, prostate, mouth, pharynx and esophagus; peptic ulcer etc., are reported to be among the ill-effects of cigarette smoking. Even in the Objects and Reasons of the Cigarettes and Other Tobacco products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Bill, 2001 thrust has also been given that tobacco is universally regarded as one of the major public health hazards and is responsible directly or indirectly for an estimated eight lakh deaths annually in the country. Considering all these aspects, the Hon'ble Supreme Court in the case of *Murli S. Deora vs. Union of India and others* [(2001) 8 SCC, 765] was pleased to assess the perils and evils of smoking and gave the following directions:

“Realising the gravity of the situation and considering the adverse effect of smoking on smokers and passive smokers, it is directed that smoking be prohibited in public places which also includes court premises”.

I am, therefore, directed to request you that the aforesaid directions be brought to the notice of all the Judicial Officers, members of the Bar and also to all other personnel attached thereto for necessary compliance within the premises of the courts.

(iii-a) Use of Mobile either by Lawyers or by any Presiding Judges or by any of the Clients is prohibited in the Subordinate Court.

C.L. No. 20/2010/Admin. 'G-II' Section: Dated 24.07.2010

I am directed to say that the Hon'ble Court, has banned the use of mobile phones in subordinate court either by the Presiding Officers or by Lawyers or by Clients. This direction be displayed before all courts, prominent places and the office bearers of the Local Bar be also intimated to enforce the directions that all alike, be it lawyers or clients should enter the Court

after switching off their respective sets (mobile), failing which the same shall be liable to be seized besides being liable to pay a certain amount as fine for disturbing the serenity of the court.

I am further directed to add that the District Judges shall impress upon all the presiding officers that they shall leave their mobile sets in the chambers in silent mode. If any of the presiding officers is found using mobile phone or talking on mobile phone while holding courts, it would entail disciplinary action against them. The District Judge, either himself or by appointing any one on his behalf, should conduct random checking to ensure that the directions so issued by the Court are being observed in compliance by all and sundry.

I am, therefore, to request you kindly to bring the contents of this Circular Letter to the notice of all concerned and also strict compliance of these directions be ensured.

(iv) Judicial Integrity

G.L. No. 37/67-8 dated 22nd October, 1932

A few instances have come to the notice of the Court in which a subordinate court hearing an appeal, secure in the belief that its findings of facts cannot be scrutinized by the High Court in second appeal, exhibited a lack of Judicial integrity and arrived at a finding which was quite inconsistent with the evidence before it. Judicial integrity has always been high among the judges of the courts subordinate to the High Court and the reputation of the courts in general should not suffer owing to the conduct of a few. To deal with cases where want of judicial integrity is suspected, it has been decided that, for administrative purposes, the Court may in certain cases carefully examine the evidence on the record and satisfy itself whether the suspicion is well founded. Those Officers who depart from the rule of Judicial honesty for the sake of avoiding a slight trouble or to satisfy a whim of their own cannot be trusted to hold the very responsible position of the presiding officer of a court. The Court expects that subordinate courts will cooperate with it in upholding the high standard of justice that has always prevailed in the State.

[4] CONDUCT IN GENERAL

(i) Observance of conduct rules

C.L. No. 71 dated 12th May, 1971

(i) As required by rule 3 of the U.P. Government Servants Conduct Rules, Judicial Officers are expected to maintain absolute integrity and devotion to duty. They should avoid mixing freely with the members of the public and the Bar, dining or drinking with them or going with them on picnics and outings, nor should they attend too many social functions. They should also avoid sitting in clubs till late in the night and playing bridge, etc. with high stakes. Rule 4-A of the aforesaid rules prohibits habitual use of intoxicating drinks and drugs and appearance in public places in a state of intoxication. Conveyance belonging to private persons or subordinate Officers or legal practitioners must also not be used too often.

C.L. No. 63/VIII-f-2-Admn. (f) dated 15th September, 1984

Encloses G.O. No. 13/14/1984(1) 'Karmik' dated 19.5.1984, regarding strict enforcement of provisions contained in Government Servants Conduct Rules relating to use of intoxicated liquors and medicines and directs all the Officers and officials to comply with the same.

C.L. No. 63/VIIIF-21 dated 2nd November, 1985

The members of the Judicial Service generally rush to the press with all sorts of statements pertaining to the conditions of service including those relating to the High Court, though in fact some of those are meant to remain confidential. The Court views with displeasure the recent trend among certain members of the subordinate judiciary to voice in public, without the prior permission of the Court, their claims in connection with the matters pertaining to their service, and, sometimes even on matters not related directly thereto. This not only contravenes the Conduct Rules but also engineers' controversy in other circles. The Court enjoins upon them to act with utmost restraint which has been the tradition of the Service and of which they can be legitimately proud.

C.L. No. 114/VIII-f-21 dated 27th September, 1979

To avoid confusion amongst the Judicial Officers as to whether attending or participating in farewell parties or entertainments arranged by the Bar or a private individual is, inconsistent with rule 14 of Government Servants Conduct Rules, 1956, the Court has issued following guidelines :-

- (i) Entertainment and parties, even of a strictly private character, are not immune from public criticism and are often given undue publicity in newspapers causing embarrassment not only to the officer concerned but also to the Court.
- (ii) The public is generally opposed to such parties which in prevailing conditions of high prices and acute scarcity are looked upon with special disfavour and tend to create a certain amount of irritation and even prejudice against the Officers associated with them.
- (iii) It would be a safe rule to abstain from participating in all entertainments which can not be considered as being personal, informal and private,
- (iv) Farewell parties by the Bar Association to Judicial Officers on the eve of their transfer or retirement are not substantially private or informal in character and require previous permission of the Court, but the Officers have an option to visit the Bar Association on such occasions to informally meet the members of the Bar.

C.L. No. 10/Admn. (B) dated 16th December, 1971

Approaching the Members of the Legislature and other political workers in respect of matters pertaining to their service conditions by Chief Judicial Magistrates and Judicial Officers is highly objectionable and contravenes rule 27 of the U.P. Government Servants Conduct Rules. The Court disapproves of this practice and serious notice will be taken of such lapses on the part of the Officers in future.

(ii) Coordination amongst Officers

C.L. No. 56 dated 17th April, 1974

With a view to tone up relations amongst Judicial Officers they should associate with brother Officers. It is obligatory for the Judicial Officers newly posted to the district to call on and meet other Officers posted at the station.

C.L. No. 33/Ve-58 dated 4th May, 1965

District Judges will not allow the Officers subordinate to them to join Samyukta Sadachar Samities.

(iii) Receptions

C.L. No. 46/Xf-30-49 dated 29th July, 1949

District Judges and other Judicial Officers are not required to be present at railway stations or aerodromes to receive Ministers.

C.L. No. 43/Xf-30 dated 5th August, 1954

They should not go to the aerodrome or railway station to receive or see of the Minister of Justice or any other Minister.

(iv) Meetings

D.O. No. 11255-A/IVh-15 dated 19th October, 1959 and

C.L. No. 97 dated 13th November, 1959

Judicial Officers should not attend meetings in which the political situation is surveyed or press conferences convened by the Collectors.

Any statistical data or information with regard to matters which are not confidential or sub-judice should be furnished to the Collector when required by him in connection with a press conference.

G.L. No. 26/4640-55 dated 28th July, 1931

On the occasion of a political conference held within his jurisdiction at which not only a presidential address is to be delivered but resolutions are to be moved and discussed involving criticism of the Government's policy, the presence of a Judicial officer on the dais is likely to be misconstrued. It is in the best tradition of the judicial service that Officers should not only keep themselves aloof from political activities but that they should avoid creating an impression that they belong to any political camp.

(v) Functions in civil court

C.L. No. 95/16-S(b) dated 24th September, 1953

No member of the Government or of the Legislature should be invited to preside at any function held in a court building or to perform an opening ceremony under the auspices of District and Sessions Judges or Additional District Judges not at headquarters of the judgeship, without the previous permission of the Court.

(vi) Use of car of lawyer

C.L. No. 74/IV-95/Admn. (A) dated 4th April, 1977

No officer should use the car of a lawyer or a public-man, except in case of an emergency or under very exceptional circumstances, in which case he shall intimate the fact to the District Judge.

(vii) Private work from peons

C.L. No. 14/VIC-10 Admn. (D) dated 30th January, 1980

Invites attention to rule 34 of the Government Servants Conduct Rules, 1956, which generally prohibits taking of forced labour from class IV employees, but however permits utilisation of services of class IV employees when it becomes unavoidable. To avoid any chance of complaints from the class IV employees the Court would like that private work from class IV employees should be taken only in unavoidable circumstances.

C.L. No. 40/VIII/F/78 dated April, 1978

Impresses upon all Judicial Officers that it is highly improper to use abusive language against class IV employees like peons, orderlies etc. Cases of physical assault are unpardonable even under gravest provocation. These employees should not be subjected to any kind of ill treatment.

(viii) Issue of Character certificate

G.L.No. 4045/67 dated 9th December, 1912

No certificates of moral character should be given unless the certifier has direct personal knowledge of some years' standing relating to the moral character of the person certified. The act of certifying is a responsible work and proper notice will be taken if a Judicial officer gives a certificate without knowledge of or reasonable ground for believing the matter certified.

(ix) Examinerships

C.L. No. 137/VIII-f-21 dated 10th November, 1975

Judicial Officers are not to accept examinership of the University or other bodies of the place of their posting except that of the Public Service Commission.

(x) Purchase and sale of movable property

C.L. No. 52 dated 9th September, 1964

As provided in rule 24(2) of the Government Servant's Conduct Rules, 1956 the High Court is the appropriate authority to accord sanction regarding purchase or sale of movable property by the Judicial Officers. In all such cases the information may, therefore, be sent to the Court. Even in cases where the appropriate authority is the Government the information should be sent to it through the Court and not direct.

C.L. No. 61/Admn. (A) dated 6th September, 1989

Any Judicial officer who enters into any transaction concerning movable property exceeding in value the sum of Rs. 10,000/- shall report the same to the High Court.

C.E. No. 114/VII-1-174 dated 23rd October, 1969

Bringing of goods by government servants from Nepal without the knowledge of the Customs Authorities amounts to smuggling and besides being punishable as such is against the interest of the nation. Any complaint received will be severely dealt with (see G.O. no. 10/1/66, dated August 30, 1969 circulated with this C.E.).

C.L. No. 25/ Adinn. (A) dated 13th July, 1998

Regarding purchase of movable/immovable Property by the Judicial Officers

I am directed to say that all Judicial Officers be directed to furnish following information / papers to the court while submitting application about information/grant of permission for purchase of movable property exceeding in value Rs. 10,000/- and immovable property, under rule 24 of the Government Servants' Conduct Rules 1956:-

1. Date of joining of service.
2. Present gross salary and take home salary.
3. Details of purchases (movable property exceeding to value Rs. 10,000/- and immovable property) made by him earlier with complete details, date of purchase, amount spent etc.
4. If any advance or loan taken from the High Court its amount and in what manner the loan will be repaid namely, the number of instalments, its amount and till what date the deduction will be made etc.
5. If any loan taken from Bank etc., details of amount, mode of repayment, period of deduction, number and amount of instalment etc.
6. Regarding purchase of a second hand car name of the vehicle, its model, cost price etc. date of the first purchase (month and year) of vehicle from car dealer to the first purchaser and a copy of the insurance policy showing the amount for which the vehicle was insured prior to its purchase by the officer.
7. Detail of the property (Area of plot, locality, City/ District if building or flat then its size).
8. Name and full address of the dealer/seller.
9. Whether the dealer is regular and reputed one.
10. Whether the Judicial officer is related to the seller in any way and whether any case against the seller is pending in or decided by the Judicial Officer,
11. Detail of source of the amount with papers in support thereof.

(xi) Statement of acquisition of property

C.L. No. 71 dated 22nd November, 1962

Quinquennial statement of acquisition of property by Officers to be submitted under revised rule 11 of the Government Servants' Conduct Rules in duplicate so that one copy may be sent to the Government.

(xii) Submission of statement relating to immovable properties

C.L No. 24/Admn.(A), dated 13th June, 1995

Submission of statement relating to immovable properties

In continuation of the Court's Circular letter No. 81/IV-h-16, dated December 20, 1993, on the above subject, I am directed to say that the Court has been pleased to order that the Judicial Officers should be required to submit statement about moveable properties also exceeding in value of Rs. ten thousand for each financial year in the proforma enclosed herewith latest by first of January each year in addition to the statement relating to immovable property.

I am, therefore, to request you kindly to ask all the Judicial Officers working in regular line as well as on deputation post in your Judgeship to submit statement regarding moveable and immovable properties to the Court in the prescribed proformas latest by 1st of January each year.

I am further to say that the Judicial Officers may also kindly be asked to submit statements about moveable and immovable properties in the prescribed proformas for the year 1993-94 immediately so as to reach this Court latest by 15th of July 1995 positively.

I am to add that fresh statements about moveable and immovable properties are to be submitted for the year 1993-94 even if statement about immovable properties for the year 1994 has already been submitted to the Court by some Judicial Officers.

Please ensure strict compliance of the above directions.

PROFORMA
STATEMENT OF MOVABLE PROPERTIES FOR THE YEAR

Name and designation of Judicial Officer	Name and age of family members	Details of earning of members in the family such as, their name, profession, monthly/annual income etc.	Details of movable properties exceeding Rs. 10,000 (Ten Thousand) in value.	Details of deposits in bank post office etc. in cash, FDR, NSC, NSS, KVP, Indira Vikas Patra etc. with A/c. No.	Details of Shares, Units and other investment	Remarks
1	2	3	4	5	6	7

Compliance of Rule 24(3) of the U.P. Government Servant (Conduct) Rules, 1956 read with Rule 425 of the General Rules (Civil), 1957

C.L. No 81/IVh/16 dated December 20, 1993

I am directed to refer to Rule 425 of Chapter XV of General Rules (Civil), 1957 Volume (1) and Rule 24 (3) of the U.P. Government Servant (Conduct) Rules and to ask you kindly to furnish the statements of the properties owned by all the Officers or members of their family working under you.

Separate statements should be prepared in respect of each officer including yourself and sent to the Court, so as to reach here positively within 30 days from the date of receipt of this letter and continue to submit the same by 20th of January, every year.

Name	Appoint-ment	Village, Pargana and District	Area in acres	Revenue assessed	Estimated Value	Whether acquired or parted with	How acquired or parted with	From whom acquired or to whom parted with	Re-marks
1	2	3	4	5	6	7	8	9	10

Together with this statement shall be submitted (1) a statement in the following form of the landed property* held whether in his own name or not, by him or any subordinate Judicial Officer, who has been appointed to this district during the preceding calendar year:

No.	Name	Appoi ntment	Land held in		Area in acres	Acquired or Ancestral	Annula revenue assessed	Estimated value	Remarks
			District	Pargana					
1	2	3	4	5	6	7	8	9	10

Rs. np. Rs. np.

- (2) A list showing in the case of above mentioned officers;
 (a) the names of immediate blood relations.
 (b) the names of immediate connections, with the place of residence of each.

C.L. No. 17/Admn (A) dated: 13th May, 2004

Information regarding transaction of immovable property.

I, am directed to invite your kind attention towards the marginally noted Court's Circular letter on the above subject and to say that the Hon'ble Court has been pleased to

C.L. No.
61/Admn. (A)
dated 6th
September, 1989

pass orders that in view of amended Rule 11 of U.P. Government Servants Conduct Rule, 1956 the Judicial Officers may accept or permit any member of his/her family to accept from a personal friend, a wedding present or a present on a ceremonial occasion of value not exceeding one tenth of the basic pay for one

month. He/she shall however use his/her endeavor to discourage even the tender of such present.

The Hon'ble Court has also been pleased to pass orders that in view of the amended Rule 24(2) of the U.P. Government Servant's conduct Rule-1956, a Judicial Officer who enters into any transaction concerning any movable property exceeding in value, the amount of his basic pay for one month whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the Court.

I am therefore, to request you kindly circulate this to all the Judicial Officers posted in your judgeaship for their information and necessary compliance accordingly.

(xiii) Submission of statement relating to movable and immovable properties

C.L. No. 37/Admn.(A), dated 8th September, 1995

Submission of statement relating to movable and immovable properties

I am directed to refer to Court's Circular Letter No. 24/Admn. (A), dated June 13, 1995 on the above subject, and to say that in partial modification of the directions contained therein, the Court has been pleased to order that all Judicial Officers be directed to submit yearly statement of their property, moveable and immovable, including any loan obtained from or advances made to any bank, co-operative society or any other financial or non- financial institution or any person

* NOTE: THE TERM LANDED PROPERTY INCLUDES ALL SUCH PROPERTY HELD UNDER A LEASE.

artificial or natural for each calendar year from the year 1994 onwards so as to reach the Registry on or before 20th of January each year.

I am, therefore, to request you kindly to bring above directions to the notice of all the Judicial Officers working in regular line as well as on deputation post in your judgeship for their information and strict compliance.

C.L.No. 13/Admn.(A) Dated 21th March, 1997

Submission of statements relating to movable and immovable property by the Judicial Officers

I am directed to invite your attention to marginally noted Court's Circular Letters on the above subject and to say that from a perusal of property statements of

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|---|
| 1. 81/IV-h/16 dated 20.12.93
2. 24/Admn. (A) dated 13.6.95
3. 37/Admn. (A) dated 8.9.95 |
|---|

Judicial Officers the following points have been noticed by the court:

1. Generally source of amount (from current year's income or from the past saving) invested in bank deposits: N.S.Cs., shares etc. is not mentioned.
2. Generally it is not clear as to whether the property shown in the statements was acquired earlier or in that particular calendar year.
3. Whether compliance of Rule 24 of Government Servants Conduct Rules, 1956 has been made separately by the officer or not.
4. No information about loan obtained from or advances made to any bank, Co-operative Society, financial or non financial institution or any person is given in the statement.
5. Property statements are generally submitted by the Officers for financial years instead of calendar years.
6. Sometime property statements are not submitted on prescribed proformas within prescribed time schedule.

I am, therefore, to request you Kindly to bring the above points to the notice of all the Judicial Officers working in regularline as well as on deputation posts in your Judgeship for their information and necessary compliance.

C.L. No. 63/IV-b-16/Admn. (A) dated 10th December, 1998

Submission of statements relating to movable and immovable properties held in each calendar year by the Judicial Officers working in regular line as well as on deputation.

I am directed to invite your attention to marginally noted court's circular letters, on the above subject and to say that as same-times incomplete information entailed unnecessary correspondence, the Hon'ble courts has been pleased to approve modifications in the profarma appended with C.L. No. 24/Admn. 'A' dated 13.6.1995 for furnishing statement of movable and immovable properties held/acquired by the Judicial Officers. A copy of the modified proforma along with specimen proforma is being attached herewith for your information.

1. C.L.No. 81/IVh-16 dated 20.12.1993
2. C.L.No. 24/Admn. (A)/dated 13.6.1995
3. C.L. No. 37/Admn. (A) dated 8.9.1995
4. C.L. No. 13/Admn. (A) dated 21.3.1997

I am, therefore, to request you to kindly direct the Officers under you in your Judgeship to furnish clear and complete statement of movable and immovable properties held by them up to 31st December of each calendar year on

the present prescribed proforma after clearly filling all the columns and to forward the same after verifying the strict compliance of the directions contained in the circular mentioned above.

PROFORMA – 16

Name, designation Initial date of Joining the official Service	Name and age of family members	Details of earning members in the family such as their son, profession monthly annual income	Details of movable properties acquired/held in each calendar year (exceeding Rs. 10,000/-) i.e. its value, source of the amount, date and year of purchase with particulars of information, if any, furnished to the court	Details of A/c in Bank, Post Office etc. amount in balance up to the calendar year and source of the amount	Details of PPF, FDR, NSE, IVP and shares, units and other investment etc. along with A/c No. date of purchase, value and source of the amount invested.	Details of loan advance etc. taken with its amount number of installments, name of the bank, institution etc.	Annual net income from salary and other sources, if any, with details of deduction	Remarks
1	2	3	4	5	6	7	8	9

SPECIMEN PROFORMA

SUBMISSION OF COMPLETE STATEMENT OF MOVABLE PROPERTIES HELD UP TO THE CALENDAR YEAR 1998

Name designation and initial date of joining the official service	Name and age of family members	Details of earning members in the family such as their name, profession, monthly/ annual income etc.	Details of movable properties acquired/held in each calendar year (exceeding Rs.10,000/-) i.e. its value, source of the amount, date and year of purchase with particulars of information, if any, furnished to the court	Details of A/c in Bank, Post Office etc. amount in balance up to the calendar year and source of the amount	Details of PPF, FDR, NBC or NSC, KVP, IVP & shares, units and other investment etc. along with A/c no date of purchase, value and source of the amount	Details of loan, advance etc. taken with its amount, Nos. of installments Name of the Bank, Institution etc.	Annual net income from salary and other sources, if any with details of deduction
Ram Kumar, Civil Judge (Sr.Div) Aligarh Joined service on 5.8.85	Smt. Archana (Wife) 40 years Km. Aishwarya (Daughter) 16 Years Master Shashawat (Son) 14 years	Smt. Archana, profession Teaching Income Rs. 72000/ per annum	1.Ornaments of wife made of Gold and Silver (Stridhan) 60 Gms. of Gold approx. value Rs. 2,50,000/- and 1 kg. Silver approx. value 8000/- since before joining service. 2.One colored T.V. Set BPL of 1986 (aprox. 12000/-) 3.One VCR BPL of 1986 (aprox. 12000/-) 4.One Scooter Prina No. UTD 5079 Model 1986	Bank A/c. 1.SB A/c. No. 1506 in Jaunpur Balance as on 31.12.98 Rs., 18479/- 2.A/c. 53/55450 in post office Aligarh Balance as on 31.12.98 Rs. 83000/- 3.Joint SB A/c with wife A/c	1.PPF A/c. No.388 ub SBI Aligarh Balance as on 31.12.98 Rs.20000/- 2.FD No. PN/A/2 69364 for Rs. 10000/- dt. 8.5.93 NSC dt. 27.3.94 Rs.10000/- from P.O. Sultanpur NSC dt, 28.2.94 Rs.10000/- LIC	House Building advance from Hon'ble High Court Rs. 24000/- 94 installment of payment 240 @ 1000 per month can advance Rs. 76000/- obtained from Hon'ble High Court	Annual gross income from salary Rs. 2,20,000 deduction HBA 12000 MCA 9600, GIS, 1440 GPF 48000/-, House Rent 2520/- Total 91560, Total 2,20,000/- Less

			(approx.20,000/- 5.Old Fiat Car No. UMD 4848 Model1986 (Approx. 60,000/-) purchased after taking car advance from High Court in 1990 under intimation to the Hon'ble Court vide letter dated 7.8.1990 Note : Item No. 1,2,3 & 4 above were received by my wife in gift at the time of marriage.	No. 7809 in Lucknow Balance as on 31.12.98 Rs.12000.09 Note —The Deposits were made out of saving of the year and part of arrears of new pay scale from 1.1.96 drawn in the year.	No.12109765 nnual subscription to be paid Rs. 5000/- UTI MEP 96 Rs.20000 as on 20.1.96 UTIMEP 97 Rs.30,000/- as on dt. 20.2.97 Note — all investment out of saving of self and wife of the respective year.	in the year, 92 (to be paid in 96 installment @ 800 per month Note No loan has been taken from any bank.	91560/- Net 128440 Income from other source Rs. 72,000/- 72,0000/- wife's Salary.
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C.L. No. 16 /IV-h-16 /Admn(A)dated 13th May, 2004

Regarding submission of statements relating to movable and immovable property by all the Judicial Officers.

In continuation of Court's Circular letter No. 63/IV-h/16/Admn A Dated 10.12.1998 on the above subject I am directed to say that the Hon'ble Court has been pleased to pass orders in the matter of submission of property statement by the Judicial Officers as follows:-

“That the Judicial Officers be now required to submit property statement at the time of entering the service and there after at the interval of two financial years i.e. in every third financial year.”

I am therefore, to request you kindly to direct all the Judicial Officers posted in your judgeship to ensure strict compliance of the above order of the Hon'ble Court in the matter.

SUBMISSION OF INFORMATION ABOUT PURCHASE OF MOVABLE PROPERTY BY THE JUDICIAL OFFICERS

C.L. No. 35/IVh-16/Admin.(A)/ dated 23.11.2010

I have been directed to say that the expression “forthwith” in sub-rule (2) of rule 24 of U.P. Government Servants Conduct Rules 1956 connotes “immediately”. Therefore, information required under the said rule must be immediately sent to the Hon'ble Court by all concerned.

I am therefore, to request you kindly to circulate this to all the judicial officers posted in your judgeship as well as the officers working on deputation, for their information and strict compliance.

(xiv) Lending and Borrowing Money

C.L. No. 22/IV-2100/Admn(A)dated 6th June, 1997

Lending and borrowing money by the Judicial Officers.

I am directed to invite your attention to the provisions of Rule 22 of the Government Servant's Conduct Rules, 1956, on the above subject and to say that it has come to the notice of the Court that some time Judicial Officers do not obtain previous sanction of the Court for borrowing money from any person as required under Rule 22(2) on the ground that the proviso to Rule 22(2) permits them to accept a purely temporary loan of small amount, free of interest, from a personal friend or relative.

The court has examined the matter and is of the view that if the proviso is read and construed in context with Rule 22, it can be safely construed that the proviso to sub-Rule (2) of Rule 22 is an independent enactment dealing with the borrowing by the Government servant and its operation is not confined to local limits of the authority of the Government servant. As clear from difference in language used in proviso to sub-Rule (1) of Rule 22 dealing with loaning and the proviso to sub-Rule (2) of Rule (22) dealing with borrowing, the legislative intention appears to discourage and prohibit the borrowing of higher amounts, which may put the Government servant under financial constraints. The proviso if given a restricted operation to local limits of authority of Government servant, he may be left free to indulge in borrowing any amount. Thus very purpose of Rule 22 shall stand defeated. The purpose of Rule is to provide a check against a Government Servant to spend money beyond his known sources of means. The word relative used in proviso to Rule 22(2) includes any relative including wife.

I am, therefore, to request you to kindly bring the contents of this circular letter to the notice of all the Judicial Officers working under your control for their information and strict compliance.

(xv) Honoraria for broadcasting

G.L. No. 67-46 40-96 dated 7th July, 1936

Payment of honorarium for broadcasting from an All India Radio station should be made only when the Controller of Broadcasting considers it necessary and the head of the office has no objection as it is desirable to encourage voluntary service. It should not exceed the amount which he considers suitable in each case subject to the maximum prescribed by the Government. Payments for regular assistance are subject to the provisions of the rules contained in Government Servants Conduct Rules.

No payment should be made to Government Servants for talks connected with their work and no conveyance allowance will be allowed in addition to the payment indicated above.

C.L. No. 19 dated 5th March, 1965

Government servants should not undertake any occasional work of a literary, artistic or scientific character without the prior sanction if it involves the acceptance of remuneration as otherwise it will be in contravention of the provisions contained in rule-15 of the Government Servant's Conduct Rules 1956.

(xvi) Regarding grant of permission to Judicial Officers for doing professional courses

C.L No. 22/Adnm. (A), dated 1st May, 1996

I am directed to say that it has come to the notice of the Court that some time Judicial Officers take admission or get themselves registered for professional courses without obtaining prior permission of this Court. This is not a healthy practice. The Court is of the view that the Judicial Officers must obtain prior permission of the Court before committing to professional courses.

I am, therefore, to request you kindly to bring the above fact to the notice of all the Judicial Officers working under your administrative control for strict compliance in future.

(xvii) Greeting Cards:

C.L. No. 108/G.C./Admn, 'G' dated 18th November, 1994

Greeting on festive occasions to the Hon'ble Chief Justice and other Hon'ble Judges of the Court

I am directed to say that the Court do not expect any Judicial officer to incur the expense of sending New Year, Diwali or other Greeting Cards keeping in view the expenditure involved therein and what is more their good wishes are always presumed to be there for them.

I am, therefore, to request you kindly to impress upon all the Judicial Officers that they may keep in mind the aforesaid views of the Court and may not incur the expense in sending New Year, Diwali or other Greeting Cards to Hon'ble The Chief Justice and Hon'ble Judges of this Court in future.

C.L. No. 129/Admn.(G), dated 9th December, 1994

Greeting cards to Hon'ble Judges

In the context of the high cost of greeting cards and with a view to save Judicial Officers the expense thereof, the Hon'ble Chief Justice and Judges have been pleased to advise that they do not expect nor do they consider it necessary for any Judicial Officer to send greeting cards to them on occasions like New Year, Diwali or Holi, as their good wishes for them are always presumed. This may kindly be brought to the pointed attention of all the Judicial Officers posted in your Sessions Division.

This Circular Letter is being issued in supersession of Circular Letter No. 108/G.C./Admn. (G)/of November 18, 1994.

(xviii) Name plates and light on private cars/scooters:

C.L. No. C-27/1993, dated 1st May, 1993

Fixing of name plates and lights on the private Cars and Scooters by the Judicial Officers of U.P.

I am directed to say that it has come to the notice of the Court that Judicial Officers are using name plates and lights on their private cars and scooters. This practice is not permissible under the rules.

I am, therefore, to request you kindly to direct all the Judicial Officers working under you to desist from displaying name plates and lights on their private vehicles.

C.L. No. C-82/ Confidential/1993, dated 22nd December, 1993

I am directed to draw your attention towards the Circular Letter No. C-27/1993, dated May 1, 1993, a copy of which is being enclosed herewith on the above subject to ensure the compliance of the said Circular Letter.

I am, there fore, to request you kindly to get the copies of the aforesaid Circular Letter served on each Judicial Officer posted in your District under receipt emphasising that the breach of the direction contained in the Circular Letter will entail a serious disciplinary action against the Officer. Whenever you notice use of prohibited lights & name plate on the private cars, you

should take action in the matter & report the matter to the High Court. While sending your annual assessment of Officer, such breach of Circular may also be mentioned. The report of the compliance of this Circular Letter be sent to the Court at an early date.

C.L.No. 24 Dated June 06, 2006.

Fixing of nameplates and lights on the private Cars and Scooters by the Judicial Officers of U.P.

By way of orientation to the Courts Circular Letter No. C-27/1993, dated May 1, 1993 and Circular Letter No. C-82/Confidential/1993, dated December 22, 1993, on the above subject, I am desired to say that it has been brought to the notice of the Hon'ble Court that the guidelines as contained in the Circulars referred to herein above, are not being strictly followed and the Judicial Officers in the Judiciary under your administrative control are In violation of Rules, still using plates displaying their posts and beacon lights on their private vehicles.

I am, therefore, directed to request you kindly to invite attention of all Judicial Officers posted in the judgeship under your administrative control re-emphasising that they should desist from displaying nameplates and beacon lights on their private vehicles. Breach of any of the directions as contained in the Circular Letters will entail a serious disciplinary action against the defaulting officers.

C. L. No. 35/2006/Admin 'G': Dated: 10.8.2006

To ensure strict compliance of the directions as contained in the judgment and order passed by Hon'ble Court in Writ Petition No. 3648 (M/B) of 2006- Sudarsha Awasthi Vs. State of UP. And others regarding unauthorised use of red light/blue light, plates or plaques, hooters etc. on vehicles.

In Writ Petition No. 3648 (M/B) of 2006- Sudarsha Awasthi Vs. State of UP. And others, the Hon'ble Court expressed deep concern over the unauthorised use of red light, blue light, plates or plaques etc. in vehicles which violate provisions of Motor Vehicle Act, 1988, Central Motor Vehicle Rules, 1989 as also UP. Motor Vehicle Rules 1998. In the judgment and order aforesaid the Hon'ble Court has observed and below:-

“.....it has been brought into our notice that sometimes members of subordinate judiciary are using red light, white light, plates or plaques etc. In case, it is so then it shall be appropriate that the extract of the present judgment may be circulated by the Registrar General to the members of subordinate judiciary. District Judges of the State of UP. Who in turn shall inform the other members of judiciary of the respective districts for compliance of law as observed in the present judgment.....”

Therefore, in continuation of Court's Circular Letter No. C-27/1993, dated May 1, 1993, C-82/Confidential/1993, dated December 22,1993 and C.L. No. 24, dated June 6, 2006. I am directed to send herewith a copy of judgment and order dated 23.06.2006 passed by Hon'ble Court in the aforesaid writ petition for your information and to ensure that the directions given in the present judgment are being complied with strictly by the Judicial Officers in the Judgeship.

I am also to add that the contents of the circular letter as well judgment and order, aforesaid may kindly be brought to the notice of all the Judicial Officers in the Judgeship for strict compliance of the directions of the Hon'ble Court.

C.L. No. 54/2006, Dated 21 December, 2006

Compliance of the directions of the Hon'ble Court's order dated 05.12.2006 passed in W.P. No. 3648(M/B) of 2006 Sudarsha Awasthi v. State of U.P. and others

With reference to the Court's earlier Circular Letter No. 24 dated 06.06.2006 and Circular Letter No. 35/2006/Admn.'G', dated 10.08.2006 dealing with unauthorized use of red light, blue light, plates or plaques etc. on vehicles in violation of provisions of Motor Vehicles Act, 1988, Central Motor Vehicle Rules, 1989 as also U.P. Motor Vehicle Rules, 1998, I am directed to inform that upon consideration of the directions in the judgement and order dated 05.12.2006 in referred to hereinabove writ petition, the Hon'ble court has been pleased to modify the circular letters referred hereinabove to the extent that the Judicial Officers who are authorized under the Government Order, may use beacon light while boarding/moving in own vehicle.

Therefore, I am to request you to kindly accordingly apprise all the Judicial Officers under your administrative control.

C.L. No. 55/2006 : Dated 21 December, 2006

Compliance of the directions of the Hon'ble Court's order dated 05.12.2006 passed in W.P. No. 3648(M/B) of 2006 Sudarsha Awasthi v. State of U.P. & ors.

While enclosing herewith copy of the order passed by Hon'ble Court in W.P. No. 36-48(M/B) of 2006 Sudarsha Awasthi v. State of U.P. and others, I am directed to say that the Hon'ble Court has been pleased to direct the Chief Judicial Magistrates as under :

“.....The Chief Judicial Magistrates of all the District of U.P. are directed to make a random survey regarding the compliance of the judgment of this Court and send a report to this Court by 20th of January, 2007.”

Further,

“..... The Chief Judicial Magistrate shall submit their reports by 20th of January, 2007 to the Registrar of this Court and the Registrar shall prepare a report on the basis of the reports submitted by the Chief Judicial magistrates and shall submit before this Court by the next date.”

Therefore, I am to request you to kindly provide one each copy of the judgment and order dated 23.06.2006 (Copy already supplied with Circular letter dated 10.08.2006) as also order dated 05.12.2006 aforesaid, to the Chief Judicial Magistrate under your supervisory control and he be required to submit his report in compliance by 20th of January, 2007 to the Registrar, Lucknow Bench, Lucknow positively.

(xix) Permission for giving talk on Akashvani or Doordarshan

C.L.No. 15/ Admn. (A) dated: Allahabad: 27th July, 1999

Regarding grant of permission to Judicial Officers for giving talk on Akashvani or Doordarshan.

I am directed to say that it has come to the notice of the Court that some time Judicial Officers take part in talk/programme to be broadcast on Akashvani or Telecast on Doordarshan without obtaining prior permission of the Court, which is violation of rule 6 (2) of the Government Servant's Conduct Rules 1956. Therefore, all the Judicial Officers working under your administrative control may be directed that they should apply for grant of permission well in time after receipt of latter from Akashvani/Doordarshan Kendras, along with a copy of script

of the talk/programme for giving a talk on Akashvani/Doordarshan or taking part in any programme to be broadcast from Akashvani Kendra/s or to be telecast from doordarshan kendra/s except if it is purely of literary, artistic or of scientific character only after grant of permission they may participate in the talk/broadcast on Akashvani/Doordarshan.

(xx) Surrender of Advocate's Enrolment Certificate

C.L. No. 6 / Admn. (F) Dated 22nd January, 1998

Surrender of Advocate's Enrolment Certificate After Selection in U.P. Nyayik Sewa/ U.P.H.J.S.

Chairman, Bar Council of Uttar Pradesh has informed that they are correcting their Roll. It has come to their notice that some of the Judicial Officers, who were enrolled as Advocates before their selection in the U.P. Nyayik Sewa and U.P.H.J.S. have not surrendered their Enrolment certificate. as provided in the Advocates Act. Failure to deposit enrolment certificates tantamounts to professional misconduct.

On the information given by the Chairman, Bar Council of Uttar Pradesh, Hon'ble Court has taken a decision that all the Judicial Officers, who were enrolled as an Advocate before joining U.P. Nyayik Sewa or Higher Judicial Service be directed to comply the provisions of the Advocates Act and they should surrender their Advocates Enrollment Certificate immediately.

I am, therefore directed to communicate you the directions of the Hon'ble Court for immediate compliance by the Judicial Officers.

(xxi) Declaration regarding 'marriage' & 'dowry'

C.L. No. 31/2005 Dated 29th October, 2005

Upon consideration of the Government Order Nos. 3760/60-3-04(16 AQ)/2000 dated 30-12-2004, 1107/60-3-05-3(16 AQ) dated 2-5-2005 and 1284/60-3-2005-3(65) dated 26-5-2005 dealing with declaration regarding marriage & dowry by the government servant who have been appointed after 31-3-2004 the court has been pleased to direct that all such judicial officer and supporting staff in the ministerial and inferior establishment of the district judiciary who have been appointed after 31-3-2004 shall in performance of direction in rule 5(5)(a) of the Uttar Pradesh Dowry Prohibition (First Amendment) Rule, 2004 which cum in to force with effect from the date of their publication in the Gazette vide notification No. 2457/60-3-3(65)-97 dated 31st March, 2004 Make a declaration under their signature stating that they have not taken any dowry.

Therefore, I am directed to send out herewith a copy each of the government order nos. 3760/60-3-04(16AQ)/2000 dated 30-12-2004, 1107/60-3-05-3(16AQ) dated 2-5-2005 and 1284/60-3-2005-3(65) dated 26-5-2005 with the request that the contents of and directions in the rule and government orders aforesaid, be unerringly gone through all the way for ensuring strict compliance and declaration meant for well again standards of public life be furnished by all concerned immediately.

NOTE: Enclosures. (Please See G.O. No. 3670/60-3-04-(16AQ)/2000; dated 30 December, 2004 of Appendix 'A' in ADDENDA)

C.L. No. 22/IV-1201/ General/Admn. (A)/ Dated 6th September 1999

Regarding compliance of Govt. Order No. Sa-4-A.G.-57/X-84-510-84, dated 26-12-84, in respect of preparation, of G.P. Fund Pass Book of Judicial Officers and procedures to be followed for sanction of 90% of their G.P. Fund.

I am directed to say that state of U.P. by means of G.O. No. Sa-4-A.G.-57/X-84-510-84 dated 26. 12. 84 has made it mandatory that the G.P. Fund Pass Book of all categories of its employee shall be maintained from 1-4-85 by their Drawing and Disbursing Officer and payment of 90% of this G.P. Fund shall be sanctioned by their sanctioning authority on the basis of balance available in their G.P. Fund Pass Book upto the month of retirement. This was done with a view to avoid delay in making payment of 90% of G.P. Fund of retiring/retired Government employees, so that they may not face any financial hardship after their retirement. But it has come to the notice of this Court through the applications 425-A of retiring/retired Judicial Officers, received from time to time from different Judgeships that the following procedures, as required under above referred G.O. dated 26.12.84, are not being followed:

1. Drawing and Disbursing parts of the application 425-A are not being filled up properly by the District Judges/ Drawing and Disbursing officer of concerned Judgeship after obtaining/receiving the same from retiring/ retired Judicial Officers. Several times this part has been found to be filled by the retiring/ retired Judicial Officers, whereas the Drawing, and Disbursing parts of the application 425-A have to be got filled signed and sealed by the Drawing and Disbursing Officer of the Judgeship or by the District Judge.
2. Sets of information required in the Drawing and Disbursing part of the application 425-A are to be filled by the District Judge/Drawing and Disbursing officer of concerned Judgeship on the basis of calculation sheets of G.P. Fund of retiring/ retired Judicial Officer on proforma Parishistha-(2) for current year as well as five preceding financial year and on the basis of his original G.P. Fund Pass-Book.
3. If the G.P. Fund Pass-Book of retiring/retired Judicial Officer has been got prepared from the Financial year 1985-86 with correct opening Balance of G.P. Fund as on 1.4.85 in accordance with provision of G.O. No. Sa-4-A. G.-57/X-84-510-84, dated 26.12.84, then under G.O. No. Sa-4-446/X-87-510/8, dated 21-3-87 there is no need to get the calculation sheets of G. P. Fund of the retiring/ retired Judicial officer prepared on proforma Parishistha-2 for the current year as well as Five preceding financial year from the month of the retirement.
4. District Judge/ Drawing and Disbursing officer of the Judgeship after completing the Drawing and Disbursing part of the application 425-A, is also required to obtain the report of the Treasury Officer of the District in respect of correctness of calculation sheets of G.P. Fund and the calculation in Drawing and Disbursing part of the aforesaid application, at the place of checking Accounts Authority in application 425-A, as required under above referred G. O. dated 26,12.84 before forwarding the same to this Court. In most of the cases it has been found left as blank.

I am further to say that the foremost reason in not getting the application 425-A of retiring/retired Judicial Officer, completed in the above stated respect, is the lack of proper implementation of the provisions of the aforesaid G.O. dated 26-12-84 by which the Drawing

and Disbursing Officer of the Judgeship, even in the case of self Drawing officer, is empowered to get the G.P. Fund Pass Book of all Judicial officer posted in his Judgeship, prepared by the bill clerk/ Accounts clerk. But at the time of scrutinizing the application 425-A of retiring/retired Judicial Officer, it has come to the notice of this Court that G.P. Fund Pass-Book of Judicial Officers are not being properly maintained in accordance with the provisions as comprehensively laid down in paras. (क) (ख) (ग) (घ) (ङ) (च) (छ) (ज) (झ) (ञ) (ट) (ठ)

It is also pertinent to mention here that if the G.P. Fund pass-book of any Judicial officer working in your Judgeship has not been prepared yet, then you are requested to get his G.P. Fund Pass-Book prepared after ascertaining correct opening balance of his G.P. Fund as on 1-4-85 with the office of Accountant General, Allahabad and by obtaining, salary statements, duly verified by concerned Drawing and Disbursing Officer/Treasury Officer showing the amounts having been subscribed by him from March 85 paid in April 85 till the month of preparation of his G.P. Fund Pass-Book

In view of the frequent problems faced by the Court in getting 90% of G.P. Fund of retiring/retired Judicial officer sanctioned on the basis of his incomplete application in above stated respects and to avoid unnecessary delay in correspondence, court has been pleased to order that the general direction be issued to all the District Judges to ensure the compliance of G.O. No. Sa-4-AG.- 57/X-84-510-84, dated 26.12.84 before forwarding application 425-A for sanction of 90% of G.P. Fund to this Court.

You are, therefore, requested kindly to ensure that the G.P. Fund Pass-Book of all Judicial Officer of our Judge ship are being maintained and application 425-A of retired/ retiring officer be forwarded in accordance with the provision of the G.O. dated 26.12.84, referred to above, so that 90% of G.P. Fund of Judicial Officer can be easily sanctioned by this Court on their retirement and financial irregularity, if any, can be avoided.

G. L. NO. 140 26 /IV-1142/ General/Admn. (A) Dated 13th October, 2000

Preparation and maintenance of G.P. Fund pass Book of All Judicial Officers in accordance with the provisions of G.O. No. Sa-4-AG-57/X-84-510-84, dt. 26.12.84.

In continuation of Court's C.L. No. 22/IX- 1201/GeneralAdmn. (A) /dated 6.9.99, I am directed to send herewith copy of letter No. Nidhi-74/117, dated 16.5.2000 of the office of Accountant General (A&E)-II, U.P., Allahabad, wherein it has been brought to the notice of this Court that the G.P. Fund Pass Book system has not been fully enforced in Judicial Department and Drawing and Disbursing Officers are not maintaining their G.P. Fund pass Book according to rules as a result of which the discrepancies that have crept in their Annual statement of G.P. Fund are being removed with great difficulty by the office of A.G., U.P., Allahabad. They are also facing hardship in making final payment of G.P. Fund of Judicial Officer. They have also requested this Court to direct all the Drawing and Disbursing officer (District Judges) to ensure that their G.P. Fund Pass-Book as well as of Judicial Officers working under them be maintained in accordance with rules and regulations made by State of U.P. vide G.O. No. Sa. 4-A.G-57/X-84-510-84, dated 26-12-84.

I am to add that the instant matter was put before the Court for orders and the court has been pleased to order that the G.P. Fund Pass-Book of all Judicial Officers be prepared, maintained in accordance with the provisions of G.O. No. Sa- 4-A.G.-57/X-84-510-84, dated 26.12.84 and as asked for in Court's C.L. No. 22/IV-1201/ General/Admn (A) dated 6.6.99, so

that Judicial Officers at the time of their retirement do not face any hardship in getting final payment of their G.P. Fund on account of their incomplete G.P. Fund Pass Books.

I am therefore, to request You kindly to look into the matter of maintenance of Your G.P. Fund Pass Book as well as of Judicial Officers working in your Judgeship by Bill Clerks/Accounts Clerk of your Judgeship under your signature and seal in the capacity of Drawing and disbursing officer of your Judgeship as envisaged in G.O. No. Sa-4-A.G.-57/X-84-510-84, dated 26.12.84. Please treat this matter as most Urgent.

कार्यालय महालेखाकार लेखा एवं हकदारी 11, उ० प्र० इलाहाबाद

पत्रांक निधि-74/117

दिनांक 16.5.2000

विषय: उ० प्र० के न्याय विभाग के कर्मचारियों/अधिकारियों के सा.भ.नि. खाते में विसंगतियों के निस्तारण सेवा निवृत्ति पर अन्तिम भुगतान एवं सा.भ.नि. पासबुक के रख रखाव के सम्बन्ध में।

महोदय,

आपका ध्यान उ०प्र० सरकार के शासनादेश सा-4ए० जी०-2/दस-84-527-79 वित्त सा० दि० 8.3.1984 एवं सं०-एस०ए०-4 ए०जी०-57/ग-84-510/84 दिनांक 26 दिसम्बर 1984 की ओर आकर्षित करना चाहता हूँ जिसके द्वारा उ० प्र० सरकार ने 1 अप्रैल, 1985 से सभी वर्ग के राजकीय कर्मचारियों/ अधिकारियों के लिए पास बुक प्रणाली लागू कर दी है। सरकार द्वारा यह निर्णय कर्मचारियों/ अधिकारियों के हितों को ध्यान में रखकर किया गया है एवं इसी के आधार पर लुप्त प्रविष्टियों को ठीक करने एवं अन्तिम भुगतान करने का निर्णय शासन द्वारा लिया गया है।

2. न्याय विभाग में पासबुक प्रणाली पूरी तरह लागू नहीं हो पायी है एवं आहरण वितरण अधिकारियों द्वारा स्वयं अपनी पास बुक का ही रख-रखाव नियमानुसार नहीं किया जा रहा है जिससे उनके वार्षिक लेखे में आयी विसंगतियों के निस्तारण एवं अन्तिम भुगतान में भी कठिनाई हो रही है।

3. सामान्य भविष्य निधि, उ०प्र० नियमावली-1985 के नियम-24 के प्रावधानों के अनुसार विभागाध्यक्ष द्वारा 90 प्रतिशत धनराशि का भुगतान पासबुक, आगणन शीट आदि के आधार पर हो जाना चाहिए लेकिन इस कार्यालय को भेजे जा रहे अन्तिम भुगतान के अधिकांश प्रकरणों में उच्च न्यायालय से प्राप्त प्रकरणों को छोड़कर विभाग द्वारा बिना किसी आगणन के ही भुगतान किया जाता है, जिसके कारण प्रापाय देय राशि से कम अथवा अधिक भुगतान हुआ पाया जाता है।

4. अतः आपसे अनुरोध है कि माननीय उच्च न्यायालय के अधीनस्थ सभी कार्यालयों को निर्देशित करें कि समस्त आहरण एवं वितरण अधिकारी अपनी एवं अपने अधीनस्थ अधिकारियों की सा०भ०नि० पासबुक का रखरखाव राज्य सरकार द्वारा निर्धारित नियमों/निर्देशों के अनुसार ही करें एवं विसंगतियों के निस्तारण हेतु सा०भ०नि० पासबुक को सत्यापित एवं प्रमाणित छायाप्रति जिसमें अंशदान एवं आहरण के दोनों कालम सत्यापित हों ही प्रेषित करें, ताकि इन प्रकरणों पर इस कार्यालय द्वारा शीघ्र कार्यवाही की जा सके एवं अनावश्यक पत्राचार विलम्ब न हो।

5. कृपया, यह भी सुनिश्चित करें कि विभाग द्वारा 90 प्रतिशत का अन्तिम भुगतान नियमानुसार सा०भ०नि० पासबुक में उपलब्ध धनराशि की गणना के आधार पर ही किया जाये एवं इस कार्यालय को अवशेष धनराशि के भुगतान के समय आवेदन पत्र के साथ सा०भ०नि० पासबुक (मूलरूप में एवं सभी तरह से पूर्ण) एवं आगणन सीट अवश्य भेजें। सामान्य भविष्य निधि प्रकरणों को इस कार्यालय में स्वीकार नहीं किया जायेगा जिससे सेवानिवृत्त कर्मचारियों को अनावश्यक असुविधा होगी।

आपसे अनुरोध है कि इस सम्बन्ध में आवश्यक कार्यवाही सुनिश्चित करें एवं इस कार्यालय को शीघ्र सूचित करने का कष्ट करें।

C.L. No. 11 /IV-1483/Admn. (A) Dated 25th February, 2002

Accountability of the District Judges in the matter of payment of 90% of G .P. Fund as well as preparation and maintenance of G.P. Fund pass-Book of Judicial Officers of their Judgeship in accordance with G.O. No. Sa-4-A.G.-57/X-84-510-84, dated 26.12.84 and General Provident Fund (Uttar Pradesh) (Second Amendment) Rules, 2000.

I am directed to say that Court's C.L. No. 22/ IV-1201/General/Admn.(A)/dated 6.9.99 (Copy enclosed), was issued to All the District Judges, subordinate to this Court with a view to get application in form 425-A of retiring Judicial Officers completed in each and every respect, submitted to this Court along with their G.P. Fund pass-Book prepared from the financial year 1985-86 and calculation sheets of their G.P. Fund in accordance with G.O. No. Sa-4-A.G.-57/X-84-510-84, dated 26.12.84 and rule 24 of G.P. Fund (U.P.) Rules 1985 for sanction of 90% of their G.P. Fund even before retirement to enable them to receive 90% of G.P. Fund on their retirement. In the above referred Court's C.L. dated 6.9.99, it was also made clear that if the G.P. Fund Pass Book of any Judicial Officer had not been made, then it could be prepared with the help of Annual Statement of his G.P. Fund for the financial year 1984-85 issued by Accountant General U.P., Allahabad and salary statement of his G.P. Fund duly verified by concerned Treasury Officer from March 1985 till the month of preparation of his G.P. Fund Pass-Book.

Later on, the importance of preparation and maintenance of G.P. Fund Pass-Book of All Judicial Officers working in the Judgeship was again brought to the notice vide Court's Letter G.L. No. 14026/IV-1142/General/Admin.(A)/dated 13.10.2000 (copy enclosed), attaching therewith copy of letter No. Nidhi-74/117, dated 16.5.2000 of the office of Accountant General (A&E) II, U.P., Allahabad, wherein it was requested to this Court that the payment of 90% of G.P. Fund must be sanctioned on the basis of balance, available in G.P. Fund Pass-Book and for payment of residual amount of G.P. Fund, the G .P. Fund Pass Book (complete in each and every respect) along with calculation sheets of G.P. Fund of retiring/retired subscriber. Accountant General U.P., Allahabad, had further informed in their above-mentioned letter dated 16.5.2000 that they would not entertain the matter of payment of residual amount of G.P. Fund without G.P. Fund Pass-Book. Therefore, Learned District Judges were requested, vide above referred Court G.L. dated 13.10.2000 to ensure preparation of G.P. Fund Pass-Book of All Judicial Officers working in their Judgeship in accordance with G.O. No. Sa-4-A.G.-57/X-84-510-84, dated 26.12.84 and Court's C.L. dated 6.9.99, so as to get their G.P. Fund Account straight without any difficulty as well as 90% sanctioned by this Court.

Now by bringing amendment in Rule 24 of G.P. Fund (U.P.) Rules 1985, Government of U.P., Lucknow, vide General Provident Fund (Uttar Pradesh) (Second Amendment) Rules 2000 has directed that concerned Drawing and Disbursing Officer to prepare calculation sheets of G.P. Fund of retiring subscriber on proforma Parishistha-2, of the current year as well as five preceding financial years in triplicate and forward two sets of calculation sheets along with G.P. Fund Pass Book to the sanctioning authority alongwith his proposal for sanction of 90% of G.P. Fund of retiring subscriber duly recommended by senior most Accounts Officer of the Establishment/Treasury Officer of the District without waiting for application in Form 425-A of retiring subscriber, if he does not submit the same. As such, it is very important that G.P. Fund Pass-Book of Judicial Officers are prepared and maintained in judgeship by Bill Clerk/Accounts Clerk of concerned Judgeship under signature and seal of the District Judge. Further the process for obtaining application in Form 425-A from retiring Judicial Officers up dating his G.P. Fund Pass-Book and preparation of calculation sheets of his G.P. Fund must start prior to six month of

his retirement in the Judgeship and complete set consisting all the documents be submitted to enable for obtaining orders sanctioning 90% of G.P. Fund by the Court prior to retirement.

Besides, the above stated facts, the Court has been pleased to observe that imperative instruction are embodied in various Government orders that 90% G.P.F. payment has necessarily to be made within one month after the retirement/death of the Subscribers. This Court has also directed to draw the attention of the District Judges on the decision of the Apex Court rendered in Gorakhpur University & Others. Vs. Dr. Shitla Prasad & Ors. JT 2001 (6)SC 285, the quintessence of which is abstracted below:-

"This Court has been repeatedly emphasising the position that pension and gratuity are no longer matters of any bounty to be distributed by Government but are valuable rights acquired and property in their hands and any delay in settlement and disbursement whereof should be viewed seriously and dealt with severely by imposing penalty in the form of payment of interest..... Such is the position with reference to amounts due towards provident Fund....."

While observing that avoidable delay in settlement of post retiral benefits of Judicial Officers many a times is attributable to District Judges the Court has decided that an imperative instruction should be issued to all the District Judges by way of circular that any lapse or consequent avoidable delay in initiating steps and furnishing details will not be brooked and the concerned District Judge shall be held accountable and this will rebound to their discredit reflecting on their effective supervision of the Judgeship.

I am, therefore to request you kindly to ensure submission of complete G.P. Fund Pass-Book and calculation sheets of G.P. Fund of retiring Judicial Officer prior to their retirement with your proposal in the capacity of Drawing and Disbursing Officer of the Judgeship for sanction of 90% of his G.P. Fund duly recommended by the Treasury Officer of the District to this Court in accordance with General Provident Fund (Uttar Pradesh) (Second Amendment) Rules 2000 and G.O. No. Sa-4-775/X-2000 dated 17.11.2000 so as to enable this Court to sanction 90% of G.P. Fund of retiring Judicial Officer prior to his retirement and in other cases i.e., death etc. without any avoidable delay,

G.L. No. 6191 /Ve-67/ Admn. (D) / dated 25th April, 2002

Proper maintenance of the G.P.F. Pass-Book of class III and other superior level Government Servants.

I am directed to send herewith a copy of D.O. Letter No. Nidhi-74/126/TR-39(7), dated 15.2.2002 from Sri P.P. Pant, Deputy Accountant General, Office of the Accountant General (A and E)-II, Uttar Pradesh, and Uttranchal, Allahabad for information and necessary action in the matter.

भारतीय लेखा एवं लेखा परीक्षा विभाग

कार्यालय महालेखाकार (ले० एवं हक०) द्वितीय उत्तर प्रदेश एवं उत्तरांचल, इलाहाबाद

अ०शा० पत्र सं० निधि 74/126/TR-39 (7) दिनांक-15.2.2002

मुझे आपको सूचित करना है कि वित्त सामान्य अनुभाग-4 के शासनादेश सं० 2450/दस-503/77 दिनांक 12.12.77 के साथ पठित शासनादेश संख्या सामान्य-4-1077/दस-303-77 दिनांक 8.5.77 के अंतर्गत सा०भ०नि० अभिदाताओं की पासबुक के सही रख-रखाव हेतु पास बुक में उल्लिखित आ०वि०अधि० के अनुदेश सं० 10(1) में यह

स्पष्ट रूप से प्रावधान किया गया है कि वह अभिदाताओं के लेखे में विसंगति को दूर करने हेतु वे पासबुक की ऐसी प्रविष्टियों को सूचित करेंगे जो प्रत्येक सम्बद्ध प्रविष्टि उस आ0वि0अधि0 द्वारा जिसके नियंत्रण में संबंधित अभिदाता तत्समय तैनात रहा हो, उपर्युक्त स्तम्भ में यथोचित एवं सम्यक रूप से प्रमाणित की गयी हो।

तृतीय एवं उससे उच्च श्रेणी के सभी राजकीय सेवकों के लिए पासबुक बनाये जाने का प्राविधान शासनादेश सं0 जी-4-2450/दस-503/77 दिनांक 12.12.77 एवं शासनादेश सं0 सा-4-1314/दस-81-503-77 दिनांक 1.8.81 द्वारा पूर्व में किये जाने के बावजूद वित्त (सामान्य) अनुभाग-4 के शासनादेश सं0 सा-4-ए0जी0-57/दस-84-510-84 दिनांक 26.12.84 द्वारा समस्त वर्गों के राजकीय सेवकों के लिए 1.4.85 से पासबुक प्रणाली लागू कर दी गई थी जिससे सेवानिवृत्त कर्मचारियों को पासबुक के आधार पर पूर्ण अवशेष 10 प्रतिशत भुगतान प्राप्त हो जाये।

उपरोक्त स्पष्ट पासबुक बनाये जाने के प्राविधानों के बावजूद निम्नलिखित अनियमितार्यें लुप्त अंशदान के समायोजक एवं अंतिम अवशेष 10 प्रतिशत भुगतान प्राधिकृत करते समय इस कार्यालय द्वारा पायी गयी है :-

1. पासबुक के अंकित कटौतियों से संबंधित बाउचर सं0/चालान सं0जिसके द्वारा कटौतियां वेतन बिल या नगद जमा द्वारा कोषागार से आहरित/जमा की गई थी, का पूर्ण विवरण पासबुक के कालम 3 में अंकित कर सत्यापित नहीं पाया जाता है। चूंकि कार्यालय महालेखाकार के अभिलेखों में भी कुछ महीनों के अंशदान कतिपय कारणोंवश लुप्त होते हैं अतः अहस्ताक्षरित नियमित अभिदान, एरियर जमा राशि, बोनस जमा राशि के गलत/अधिक राशि के समायोजन होने की पूर्ण संभावना रहती है और यह इसलिए भी क्योंकि पासबुक में संबंधित आ0वि0अधि0 द्वारा वार्षिक लेखाबन्दी भी नहीं किया जाना पाया गया है। अतः प्रत्येक माह की कटौतियों के हस्ताक्षर युक्त सत्यापन किये जायें।
2. कुछ अभिदाताओं/अधिकारियों की पासबुक में सा0भ0नि0 की कटौतियों/आहरणों का सत्यापन संबंधित कोषाधिकारियों द्वारा जारी वेतन आहरण ब्यौरे में सत्यापित सा0भ0नि0 कटौतियों के आधार पर किया जाता है। उक्त जारी वेतन आहरण ब्यौरे में कहीं भी स्पष्ट रूप से संबंधित कोषाधिकारी द्वारा यह नहीं सत्यापित किया जाता है कि सा0भ0नि0 के लेखाशीर्ष 8005/8009 सा0भ0नि0 से कितनी राशि आहरण के रूप में वर्ष में अभिदाता के सा0भ0नि0 खाते से आहरित की गयी थी। सा0भ0नि0 लेखाशीर्ष से आहरण का न सत्यापन किये जाने से जहां एक ओर अभिदाता के खाते में अधिक समायोजन/भुगतान की संभावना रहती है तो दूसरी ओर इस कारण शासन की क्षति की भी संभावना रहती है। अतः कोषाधिकारी द्वारा जारी वर्ष के वेतन आहरण ब्यौरे में 8005/8009 लेखाशीर्ष से अग्रिम आहरित धनराशि का सत्यापन अनिवार्य रूप से कराया जाय।
3. पासबुक में निर्धारित कालम में सा0भ0नि0 से आहरित स्थाई/अस्थायी अग्रिमों के ब्यौरे या तो आ0वि0अधि0 द्वारा सत्यापित नहीं किया जाना पाया जाता है या सत्यापन गलत पाया जाता है। उपरोक्त स्थिति में अनावश्यक पत्राचार करना पड़ता है और पुनः खाते में अधिक समायोजन/भुगतान से शासन को क्षति की संभावना रहती है।
चूंकि किसी पासबुक में आहरित अस्थायी/स्थायी अग्रिम का प्रविष्टि छूटने पर संबन्धित आ0वि0अधि0 व्यक्तिगत रूप से जिम्मेदार है अतः आहरित अग्रिम/आहरण का सही सत्यापन कराया जाय। आहरण न किये जाने की स्थिति में संदिग्धता दूर रखने हेतु पासबुक में आहरण शून्य सत्यापित कराए जायें।
4. वर्ष के अन्त में वार्षिक ब्याज एवं बोनस आदि का लेखाकन संबंधित आ0वि0अधि0 द्वारा नहीं किया जाना पाया जाता। ऐसा न करने से कालान्तर में कटौतियों की प्रविष्टियों में छेड़-छाड़ की भी संभावना रह सकती है। अतः आ0वि0अधि0 द्वारा पासबुक में वार्षिक लेखाबन्दी सुनिश्चित करायी जाये।
5. पासबुक में निर्धारित स्तम्भों में कटौतियां किये जाने के माह व विभिन्न वर्षों में अभिदाताओं के तैनाती स्थल का विवरण भी अंकित न करने के कारण संबन्धित आ0वि0अधि0 से वांछित सूचना प्राप्त करने में विलम्ब होता है। अतः ऐसी प्रविष्टियां भी अवश्य करायी जायें।

6. नियमानुसार पासबुक को संबन्धित अभिदाताओं को दिखाकर उनसे निर्धारित स्थान पर हस्ताक्षर भी नहीं लिया जाना पाया जाता है। ऐसा न करने से अपूर्ण या गलत प्रविष्ट होने के कारण प्रकरण के निस्तारण में होने वाले विलम्ब के लिये अभिदाता की कोई जिम्मेदारी नहीं रह पाती है और उनको असुविधा/कठिनाईयों का सामना भी सेवानिवृत्तोपरान्त करना पड़ता है। अतः इस संबन्ध में कार्यवाही करायें।
7. प्रायः यह भी देखा गया है कि 1.8.1995 या इससे पूर्व से सा0भ0नि0की ओर अभिदान करने के बावजूद सेवानिवृत्त कर्मचारियों /अधिकारियों की पासबुक नियमानुसार अनिवार्य रूप से 1.4.85 से न बनाकर किन्हीं अगले वर्ष से आ0वि0अधि0 द्वारा बनायी जाती है। चूंकि शासनादेश दिनांक 26.12.1984 के अन्तर्गत महालेखाकार कार्यालय द्वारा लेखे का मिलान कर 10 प्रतिशत अवशेष भुगतान प्राधिकृत किया जाना होता है अतः अपूर्ण पासबुक या 1.4.1985 से पासबुक न बनाये जाने के कारण जहां एक ओर लुप्त अंशदानों को अभिदाता के खाते में समायोजित कर पूर्ण अवशेष धनराशि प्राधिकृत करना सम्भव न होगा तो दूसरी ओर अभिदाता के खाते में असमायोजित आहरित अग्रिम/आहरण के कारण अभिदाताओं को अधिक भुगतान व शासन के तदनुसार क्षति की भी सम्भावना रहती है।
8. अतः अवशेष पूर्ण 10 प्रतिशत भुगतान प्राधिकृत एवं लुप्त अंशदानों/आहरणों के सही समायोजन हेतु 1.4.85 से समस्त वर्गों के कर्मचारियों की पासबुक बनाये जाने हेतु समस्त आहरण वितरण अधिकारियों को निर्देशों का अनुपालन हेतु जारी करना आवश्यक है।
9. अवशेष 10 प्रतिशत देय प्रकरण भेजते समय अभिदाता को 90 प्रतिशत भुगतान की गई राशि किस माह में आहरित की गई की सूचना भी इस कार्यालय में न भेजे जाने के कारण सही ब्याज का आंकलन भी सम्भव नहीं हो पाता है। अतः अवशेष 10 प्रतिशत राशि में सही ब्याज आंकलन हेतु 90 प्रतिशत भुगतान राशि से संबन्धित आहरण माह की सूचना प्रेषित कराना अवश्यक है।

अतः अनुरोध है कि उपरोक्त अनियमिताओं को दूर कराकर पासबुक का सही रख-रखाव हेतु समस्त अधीनिष्ठ आहरण वितरण अधिकारियों को अपने स्तर से निर्देश जारी करें जिससे सम्बन्धित अभिदाताओं के लुप्त अंशदानों के शीघ्र समायोजन एवं पूर्ण सही अवशेष 10 प्रतिशत भुगतान के प्राधिकार पत्र की कार्यवाही सुनिश्चित की जा सके।

इस सम्बन्ध में आवश्यक दिशा निर्देश जारी कर परिपत्र की एक प्रति कृपया मुझे भी भिजवाने की व्यवस्था करें।

Maintenance of G.P.F. Pass Books of employee of Subordinate Courts

C.L. No. 11/Admin. (D)/ Dated: Alld. April 10, 2008.

It has come to the notice of Hon'ble Court that in several Judgeships, the GPF Pass-Books of the employees in the Subordinate Courts are not being maintained regularly and properly. Upon consideration of the matter, the Hon'ble Court has been pleased to direct that all the District & Sessions Judges shall personally see to it that the GPF Ledgers and GPF Pass-Books are regularly maintained with all requisite entries being made on month to month basis and instantaneous corresponding entries are also made as regards GPF advances/withdrawals strictly in accordance with rules.

It has further been directed that the District & Sessions Judges will nominate an Officer to supervise and scrutinize all such GPF advance applications before they are submitted to the District Judge.

I am to request you to kindly bring the contents of the Circular Letter to all concerned in the Judgeship and to strictly adhere to the directions given by the Hon'ble Court.

Submission of G.P. Fund Pass Book of Sri Devendra Kumar Saxena, Additional Director (Research), Institute of Judicial Training & Research, U.P., Lucknow alongwith calculation Sheets of G.P. Fund for sanction of 90% amount of his G.P. Fund.

No. 16613/IV-1592/Admin.(A)/Dated: Allahabad:08.12.2009

I am directed to say that as per record of this Court Sri Devendra Kumar Saxena, Additional Director (Research), Institute of Judicial Training & Research, Lucknow is due to retire on 31.07.2010 on attaining the age of superannuation. Under the General Provident Fund (Uttar Pradesh) (Second Amendment) rule 2000 and G.O. No. Sa-4-A.G.-57/X-84-510-84, dated 26.12.84, you are now required to submit the G.P. Fund Pass Book of Sri Devendra Kumar Saxena, prepared from the financial year 1985-86 after preparing calculation sheets of his G.P. Fund for the current financial year as well as five preceding financial years on Proforma Parishistha-2 to this Court with your recommendation and the recommendation of the Treasury Officer of the District for payment of 90% of G.P. Fund to Sri Devendra Kumar Saxena, without waiting for his application in Form 425-A.

However, if Sri Devendra Kumar Saxena, submits application in Form 425-A with its part I and Part II, then the Drawing and Disbursing part and part to be used by checking accounts authority duly filled, signed and sealed by you and the Treasury Officer of the District must also be submitted to this Court because the General Provident Fund (Uttar Pradesh) (Second Amendment) Rules 2000 and G.O. No. Sa-4-775/X-2000 dated 17.11.2000 do not prohibit retiring subscriber from submitting application in Form 425-A.

While sending G.P. Fund Pass Book and calculation sheets of G.P. Fund of retiring Judicial Officer, please ensure:-

1. That the G.P. Fund Pass Book has been prepared on Pass Book printed by Government Press, U.P., as provided in G.O. No. Sa-4-A.G.-57/X-84-510-84 dated 26.12.84
2. That the G.P. Fund Pass Book bears signature and seal of issuing authority and signature of the subscriber has been attested.
3. That the withdrawal column in G.P. Fund Pass Book for each financial year has been verified by concerned Drawing and Disbursing Officer.
4. That the G.P. Fund Account for each financial year has been closed under signature and seal of concerned drawing and disbursing officer.
5. That the Treasury voucher number and date against each amount of G.P. Fund has been mentioned in Pass Book.

In case, G.P. Fund Pass Book of Sri Devendra Kumar Saxena, has not yet been prepared, it must be got prepared in accordance with the directions contained in the Court's C.L. No. 22/IV-1201/General/Admin. (A) Dated 6.9.99, provided that his salary statements comprises details of final withdrawals/temporary advances even in the case of Nil drawl from G.P. Fund duly verified by concerned Drawing and Disbursing Officer/Treasury Officer of the concerned District.

I am, therefore, to request you kindly to submit complete G.P. Fund Pass Book of Sri Devendra Kumar Saxena, alongwith calculation sheets of his G.P. Fund with your

recommendation and recommendation of the Treasury Officer of the District, as stated above, to this Court at a very early date, so that further necessary action may be taken in the matter

C.L.No. 171/Xb-15/Admn.(A-1) dated 05.01.2011

Making recovery of the amounts, paid in excess to the Judicial Officers posted in the State of U.P. from their G.P. Fund accounts and punishment against delinquent officers and officials respectively.

I am directed to invite your kind attention to Court's letter no. 13510/Xb-15/Admn.(A-1), dated 25.08.2010 and its reminder no. 17337/Xb-15/Admn.(A-1) Section, dated 28.10.2010, on the above subject and to request you to submit the required compliance report in accordance with the view of aforesaid Court's letters, to the Court, for further necessary action.

The matter may please be treated as most urgent.

[6] VISIT OF HON'BLE JUDGES

C.L. No. 26/IC-7 dated 23rd April, 1992

Visit of Hon'ble the Chief Justice to subordinate Court

I am directed to refer to Court's Circular Letter No. 8/IC-7, dated January 16,1986 and to say that its directions are not being followed. Further, it may be emphasised that while the Hon'ble the Chief Justice is on a visit to a District, the Judicial Officers of the stations need not and should not come only to pay their respect to his Lordship as it only entail waste of their time and inconvenience to the lawyers and the litigants. Similarly the Judicial Officers should not come to receive or see off at the border of the in-coming station.

I am, therefore, to request you kindly to see that while the Hon'ble the Chief Justice is on private/official visit to a district it maybe ensured that no Judicial Officer is permitted to see his Lordship during office hours. Further, the District Judges and Officers from adjoining district also should not come for courtesy call to the Hon'ble the Chief Justice. However, if some officer has a genuine problem, he can meet his Lordship after court hours and with prior appointment.

Kindly ensure strict compliance of the above directions.

C.L. No. 29 / Admn. "G" / dated 13th August, 2003

Code of conduct for the Officers of Subordinate Judiciary with regard to visits of Hon'ble Judges.

Hon'ble court after reviewing the matter relating to the visits of Hon'ble Judges to the Subordinate Judiciary has formulated the following code of conduct for the Officers of Subordinate Judiciary:-

1. When Hon'ble the Chief Justice visits any district, the District Judge along with Chief Judicial Magistrate should receive and see off his Lordship at the Circuit House/ Inspection Bungalow.
2. If Instructions are that His Lordship will hold a meeting and address the Officers outside the Court hours, then all the Judicial Officers posted in the district should be present at the circuit house.

3. If time of arrival or departure of Hon'ble the Chief Justice is beyond court hours, then all the Judicial Officers should receive and see off his Lordship at the Circuit House/Inspection Bungalow unless directed otherwise.
4. Senior Administrative Officer or any other official of the Judgeship should receive the Hon'ble the Chief Justice at the outskirts of the district along with pilot and escort.
5. When Hon'ble the Chief Justice is staying at the Circuit House/Inspection Bungalow, an officer should be deputed to be there during waking hours but no officer should be deputed during court hours unless required by the Chief Justice.
6. When Administrative Judge of the Judgeship visits the district, the District Judge along with Chief Judicial Magistrate should receive him at the Circuit House/Inspection Bungalow.
7. Likewise, the District Judge along with Chief Judicial Magistrate or any other Judicial Officer should see off the Administrative Judge, at the Circuit House/Inspection Bungalow.
8. If instructions are that His Lordship will hold a meeting and address the Officers outside the Court hours, then all the Judicial Officers posted in the district should be present at the Circuit House.
9. If time of arrival or departure of Administrative Judge is beyond court hours, then all the Judicial Officers should receive and see him off at the Circuit House/Inspection Bungalow unless directed otherwise.
10. Senior Administrative Officer or any official of the Judgeship should receive the Administrative Judge at the outskirts of the district with pilot and escort.
11. When Administrative Judge is staying at the Circuit House/Inspection Bungalow, an officer may be deputed there during working hours but not during Court hours.
12. When an Hon'ble Judge of this Court or other High Court is on official visit or personal visit to the district, the District Judge should make a courtesy call at the official place of stay beyond court hours.
13. When protocol department of this court makes a request to the District Judge to make stay, transport and other necessary arrangements at the time of visit of an Hon'ble Judge of this court or other High Court, the District Judge should make all such arrangements on payment of actual expenses.

I am, therefore, desired to request you that the instructions of the Court, aforesaid may kindly be followed strictly and the contents of the Circular Letter be brought to the notice of all the Officers subordinate to you for compliance.

C.I. No. 39/2006:Admin "G", Dated September 19, 2006

Code of Judicial Officers to meet the Hon'ble judge

It is observed that the officers of the subordinate Judiciary visit the Hon'ble Chief Justice/Hon'ble Senior Judge/Administrative Judges/Hon'ble Judges without prior appointment sometimes in respect of official work while at other times they try to approach to find solution to

their personal problems. Some of the Hon'ble Judges recently have shown very strong displeasure over members of the subordinate judiciary meeting them without prior permission, more so when some matter is under consideration on the judicial side pertaining to some officer with the Hon'ble Judge.

It would be pertinent to mention here that the Court has already issued a catenna of circular letters/Court Letter (56/IC-7. dated May 16, 1972, 105 dated 20 September, 1972, 118 dated September 15, 1975, 9/C-7 of 1986 dated 16 January 1986, 1648/IC/Budget-II dated May 2, 1990, 25/1C-7, April 23, 1992) as guidelines to be observed by the Judicial Officers while intending to meet the Hon'ble Judges but even then lapses are coming in the notice of Court.

I have been directed to communicate that no member of subordinate judicial service shall meet any of the Hon'ble Judges of the Court without obtaining prior permission as per guidelines particularly if any matter is pending with the Hon'ble Judge concerning the officers on the juridical side. The breach in observing the direction may invite adverse order.

It is, therefore, requested that these instructions be brought to be notice of all the Judicial Officers working in the judgeship under your administrative control for observing the same in letter and spirit.

Model Code of Conduct in connection with the visits of Hon'ble the Chief Justice and other Hon'ble Judges.

C.L. No. 20/Admin. (G-1)/ Dated: Allahabad: September 15, 2008

I am directed to communicate the Model Code of Conduct as approved by Hon'ble the Chief Justice of India as adopted by Hon'ble Court for Subordinate Judicial Officers in connection with the visits of Hon'ble the Chief Justices and the Hon'ble Judges of the High Courts which is as follows:-

1. No Judicial Officer shall receive, see-off or visit the visiting Hon'ble the Chief Justice/Hon'ble Judge during Court hours.
2. A senior non Judicial Administrative Officer will receive and see-off Hon'ble the Chief Justice/Judges during official visits and provide protocol services to them as per norms.
3. If the visiting Hon'ble the Chief Justice/Hon'ble Judge of the High Court wants to hold a meeting or address the Judicial Officers, it will be done either before or after Court hours.
4. If the visiting Hon'ble the Chief Justice/Hon'ble Judge wants to call Judicial Officer for official purposes, he will be called either before or after the Court hours.
5. No Judicial Officer will visit the visiting Hon'ble the Chief Justice/Hon'ble Judge unless called for official purposes.
6. No arrangement for any private visit of the Hon'ble the Chief Justice/Hon'ble Judges shall be made by any Judicial Officer.
7. If arrangements in connection with an official visit of Hon'ble the Chief Justice/Hon'ble Judges is required to be made by the District Judge or the Chief Judicial Magistrate, all the bills shall be raised in the name of and the payment

shall be made directly by the Hon'ble High Court to the extent permitted under the Rules. Personal funds will not be used by any Judicial Officer for this purpose.

8. No Judicial Officer shall arrange any private trip including any excursion trip or visit to a religious place for the visiting Hon'ble the Chief Justice/Judges.
9. No Judicial officer will arrange hotel, food or transport for the visiting Hon'ble the Chief Justice/Hon'ble Judge, their staff members and security personnels.
10. No Judicial Officer or Court Servant will offer or provide any gift or hospitality to Hon'ble the Chief Justice/Hon'ble Judges.
11. No function will be organized by the Judicial Officer(s) during the visit of Hon'ble the Chief Justice/Hon'ble Judges except official functions organized on written directions and at the cost of the Government.
12. Any violation of these instructions will be considered as gross misconduct rendering the concerned Judicial Officer to strict disciplinary action.

I am, therefore, directed to request you to kindly bring to the notice of all the Judicial Officers working under your administrative control the contents of this Circular Letter and to ensure that these directions/guidelines are followed by all concerned.

NOTE:

I am further directed to say that the normal protocol services shall continue to be offered by the staff of the concerned Judgeship.

Letter No. 12/PS(RG) dated 13.01.2011

Model Code of Conduct in connection with the visit of Hon'ble the Chief Justice and other Hon'ble Judges.

In continuation of Hon'ble High Court's Circular Letter Nos. 29/Admin. 'G', dated 13.08.2009 and 20/Admin. G-1, dated 15.09.2008 on the above subject, I am directed to say that no Judicial Officer or the District Judge shall receive, see off Hon'ble the Chief Justice or other Hon'ble Judges of the Court during court hours at the road-side of the High ways or at any other places. Only a senior non-Judicial Administrative Officer will receive, see off and provide protocol services to them as per norms.

I am further directed to say that no Judicial Officer or the District Judge will remain present on the road side of the highways to pay respect to Hon'ble the Chief Justice or other Hon'ble Judges even before or after the court hours when they are passing through and have no programme to halt or stay.

You are hereby intimated to communicate to the all concerned and to ensure strict compliance in future.

Code for judicial officers to visit Hon'ble High Court.

C.L.No. 4/2004 Admin (G): Dated 21.1.2008

It has come to the notice of the Hon'ble Court that the directions contained in the Circular Letters ((1) 56/IC-7, dated May 16, 1972. (2) 105 dated 20 September, 1975 (3) 8/IC-7 of 1986 dated 16 January, 1986 (4) 1648/Budget-11 dated May 2, 1990 (5) 26/IC-7 dated April 23, 1992

(6) 39/2006: dated September 19, 2006) issued by the Hon'ble Court from time to time on the above subject are not being strictly followed by the judicial officers.

Therefore, in continuation of these Circular Letters, I am directed to say that the judicial officers including the District & Sessions Judges are not supposed to visit the High Court on any working day without prior permission of the Hon'ble Court unless directed by this Court on judicial or administrative side. It is further desirable that they do not visit the High Court except after prior application stating briefly and clearly the purpose of their visit and after the necessary permission.

I am, further to request you to kindly bring the contents of this Circular letter to the notice of all the judicial officers working under your administrative control or on deputation in the Sessions Division for strict compliance.

[7] STAFF CAR

(i) Use of Staff Car

C.L. No. 57/IV-905/Admn.(A), dated 24th April, 1990

I am directed to say that the District Judges are permitted to take the staff car outside the district while on duty.

(ii) Red/Blue Lights on Staff Cars of District Judge/C.J.M.

No. 2196 dated 4th April, 1993

Court Order dated 24.8.1993 passed in Writ No. 29356 of 1993. In the matter of red/blue light on the Staff Cars of District Judge/Chief Judicial Magistrate

While enclosing a copy of order* above noted for your information, I request you kindly to circulate the same to the Officers concerned in your judgeship.

(iii) Economy in purchase of fuel etc. and Maintenance.

C.L. No. 1/99/Admn. (Budget (B-II) Section, Dated, July 17, 1999

For strict compliance of instructions contained in G.Os issued by Govt. from time to time for adopting economic measure in respect of maintenance and purchase of fuel etc., of Govt. Vehicles issued to the Judicial Officers in the state of U.P.

I am directed to enclose herewith a copy of letter No. I069 (1)/X-Sa-V-Mith-2/97, dated 4.12.1998 of the Under Secretary, Govt. of U.P., Vitt Sansthan (Vividh) Anubhag, Lucknow, alongwith copies of G.Os dated 19. 3. 1997, 31.7.1997, 27.8.1997, 18.11.1997 and 13.5.1998 on the above subject, and to say that instructions given by the Govt. in the aforesaid G.Os are not strictly complied with by you.

I am to add that in the aforesaid G.Os issued by Govt. from time to time, instructions were given by the Govt. to realise Rs.250/- per month for the use of Staff Car/Pooled Cars and Rs. 200/- per month for the use of Jeep from each Judicial Officer to whom the said Vehicles have been provided/ allotted and if the Judicial Officer has used the said Vehicle beyond 200 Kms. in any month he shall have to pay extra amount of Rs. 3/- per Kilometer, but the said Instructions are not strictly followed.

I am, therefore, to request you kindly to ensure strict compliance of the instructions contained in the aforesaid G.Os immediately.

वित्त संसाधन (विविध) अनुभाग लखनऊ : दिनांक: 4 दिसम्बर, 1998

विषय: राजकीय व्यय में मितव्ययिता के परिप्रेक्ष्य में नई वाहन नीति के अन्तर्गत सरकारी गाड़ियों की अनुमन्यता एवं रख-रखाव।

महोदय,

उपरोक्त विषय पर मुझे यह कहने का निदेश हुआ है कि राजकीय व्यय में मितव्ययिता के परिप्रेक्ष्य में सरकारी गाड़ियों की अनुमन्यता एवं उनके रख-रखाव आदि के सम्बन्ध में शासन की स्पष्ट नीति निर्धारित है। इस सम्बन्ध में जारी शासनादेश संख्या 15/दस-सं0वि0-मित0-2-97, दिनांक 19 मार्च, 1997, संख्या-1169/दस-सं0वि0-97-2/97, दिनांक

* For perusal of Judgement see Red Light on the Cars of Hon'ble Judges of high Court v. State; 1993 All L.J. 732 (All) (DB).

31 जुलाई, 1997 सं० -1281/दस-सं०वि०-97-2/97, दिनांक 27 अगस्त, 1997, संख्या-1540/दस-सं०वि०-97-मित०-2-97, दिनांक 18 नवम्बर, 1997 एवं संख्या-25/दस-सं०वि०-98-मित०-2/97, दिनांक 13 मई 1998 की एक-एक प्रति भेजते हुए आपसे अनुरोध है कि यदि आपके द्वारा इस सम्बन्ध में प्रदेश के समस्त जनपदों में नियुक्त न्यायिक अधिकारियों को सामान्य निर्देश जारी नहीं किये गये हों तो कृपया तत्काल निर्देश जारी करने का कष्ट करें ताकि शासन की नीति के अनुरूप कार्यवाही सुनिश्चित हो सके।

C.L. No. 4 /Admn. (B-II) Section, Dated 2nd September, 1999

Relaxation in compliance of instructions contained in Govt. Orders, issued by Govt. from time to time, for adopting economic measure in respect of maintenance and purchase of fuel etc. of Govt. Vehicles issued to the Judicial Officers in the State of Uttar Pradesh.

In continuation of the Court's Circular Letter No. 1/99/Admn. (B-II) Section, dated July 17,1999, on the above subject, I am directed to say that the Court has now been pleased to order that the deposit of Rs.400/-(Rupees four hundred) and Rs. 500/- (Rupees five hundred), as the case may be, in view of Govt. Orders dated March 19, 1997, July 31,1997, August 27,1997 and May 13,1998, is required to be made only by the District Judges and the Chief Judicial Magistrates including Special Chief Judicial Magistrate to whom Vehicle has been independently given.

I am to add that the Chief Judicial Magistrate including Special Chief Judicial Magistrate be given Jeep independently and they shall maintain its log book.

[8] POSTING AND TRANSFER

(i) Annual General Transfer

C.L. No. 25/Admn.(A)/DR(S) dated 16th March, 1978

Each Judicial Officer is required to submit information regarding the places where he received education and the period during which he received education at each such place or where he had practised or worked before his appointment as Munsif or Judicial Officers, and also the places where his near and blood relations reside permanently.

C.L. No. 135/Admn. (A)/DR(S) dated 29th November, 1978

The Officers who are due for transfer on expiry of their three years stay at the station and also those who desire to be considered for premature transfer, should send a statement of their near and blood relations and also the statement of places where they received education, in accordance with the above mentioned circular.

ANNUAL GENERAL TRANSFER, 2002

C.L. No. 38 /DR(S)/2001, Dated, November 8, 2001

I am directed to say that in the matter of transfer and posting of Judicial Officers the Court has decided that on completion of normal tenure of posting i.e. (i) 3 years stay in district and (ii) 2 years in an outlying courts or at Sonbhadra or as Additional Chief Judicial Magistrate (Railways) by July 31st 2002. the Judicial Officers shall be transferred subject to the following norms:-

- (I) The officer will not be posted in his home town.
- (II) He will not be posted to a district where he was earlier posted within 6 years.

- (III) He will not be posted to any district falling in the zone in which he was earlier posted within 3 years.
- (IV) He will not be posted to any adjoining district of the other zone.
- (V) The bar on reposting of an officer in the zone will not apply in cases in which the Officers had been posted for a short period of less than 6 months.

I am to add that no T.A. will be admissible to those Officers who request for premature transfer within two years of his posting to particular station and one year in an outlying courts or at Sonbhadra or as A.C.J..M. (Railways) is accepted by the Court.

Officers posted in your Sessions Division may kindly be advised accordingly. These norms shall not, however, be applicable to the District Judge, except no.(I).

In this connection it is also pointed out that the Court has divided the State of U.P. into 7 zones and also formulated guide lines in the matter of transfer and postings which are enumerated in Appendix 'A' annexed along with proforma of application.

This proforma regarding transfer duly filled in, be forwarded to the Deputy Registrar (Services) on or before 31st day of January 2002.

ANNUAL GENERAL TRANSFER, 2002

C.L. No. 17 /DR(S)/2002, Dated: May, 2,2002

In supersession of Court's Circular letter No 38 DR(S) 2001 dated 8.11.2001. I am directed to say that in the matter of transfer and posting of the Judicial Officers, the Court has decided that on completion of normal tenure of posting i e.(i) three years stay in the district and (ii) two years in an outlying court or as Additional Chief Judicial Magistrate (Railways) by July31, 2002. the Judicial Officers shall be transferred subject to the following norms:-

- (I) The officer will not be posted in his home town.
- (II) He will not be posted to a district where he was earlier posted within 9 years
- (III) He will not be posted to any district falling in the zone in which he was earlier posted within 3 years
- (IV) He will not be posted to any adjoining zone indicated here as under:

ZONE	ADJOINING ZONE
KANPUR	Lucknow & Agra
GORAKHPUR	Allahabad & Lucknow
BAREILLY	Meerut & Lucknow
AGRA	Meerut & Bareilly
LUCKNOW	Kanpur & Allahabad
ALLAHABAD	Kanpur & Gorakhpur
MEERUT	Agra & Bareilly

This restriction will not be applicable where the officer is to reach his age of superannuation within next two years and there is nothing adverse against him.

- (V) The bar on reposting of an officer in the zone will not apply in cases in which the Officers had been posted for a short period of less than 6 months.

I am to add that no T.A will be admissible to those Officers whose request for premature transfer within two years of his posting to particular station and one year in an outlying court or at Sonbhadra or as A C J M (Railways) is accepted by the Court.

Officers posted in your Sessions Division may kindly be informed accordingly These norms shall not, however, be applicable to the District Judge except no (1).

(APPENDIX 'A')

**DIVISION OF U.P. IN ZONES COMPRISING DISTRICTS AS
FORMULATED BY HIGH COURT**

- | | | |
|--------------|-----------------------|---|
| (i) | KANPUR ZONE | Kanpur Nagar, Kanpur Dehat, Jhansi, Lalitpur, Hamirpur, Jalaun at Orai, Banda, Fatehpur, Mahoba, Unnao and Chhatrapati Shahuji Maharajnagar(Chitrakoot) |
| (ii) | GORAKHPUR ZONE | Gorakhpur, Deoria, Basti, Maharajganj, Siddharthnagar, Faizabad, Sultanpur, Pratapgarh, Kushinagar at Padrauna, Ambedkarnagar at Akbarpur and Sant Kabir Nagar. |
| (iii) | BAREILLY ZONE | Bareilly, Pillbhit, Rampur, Budaun, Bijnor, Shahjahanpur, Moradabad and Jyotiba Phule Nagar at Amroha. |
| (iv) | AGRA ZONE | Agra, Aligarh, Mathura, Farrukhabad, Etah, Etawah, Mainpuri Firozabad, Hathras, Kannauj and Auraiya. |
| (v) | LUCKNOW ZONE | Lucknow, Hardoi, Rae-Bareli, Gonda, Sitapur, Bahraich, Barabanki, Lakhimpur Kheri, Shrawasti at Bhinga and Balrampur. |
| (vi) | ALLAHABAD ZONE | Allahabad, Varanasi, Mirzapur, Sonbhadra, Ghazipur, Ballia, Mau, Azamgarh, Jaunpur, Bhadohi at Gyanpur, Chandauli and Kaushambi. |
| (vii) | MEERUT ZONE | Meerut, Muzaffarnagar, Saharanpur, Ghaziabad, Bulandshahar, Baghpat and Gautam Budh Nagar. |

GUIDELINES

(FOR JUDICIAL OFFICERS OTHER THAN DISTRICT JUDGES)

- (i) Judicial Officers will be due for transfer on completion of 3 years stay at headquarter, 2 years stay in an outlying courts or at Sonbhadra or as ACJM (Railways).

- (ii) No home town district be choiced by the Officer.
- (iii) No choice of station where the officer has been posted during last 6 years be given.
- (iv) No choice of station within a zone in which the officer has been posted within 3 years be given.
- (v) No choice of adjoining stations of other Zone be given.
- (vi) The bar on re- posting of an officer in the Zone will not apply in cases in which the Officers has been posted for a short period of less than 6 months.
- (vii) The Officers who are serving beyond normal terms of his posting at the same station may also send their choice of station.
- (viii) The Officers applying for stay/premature transfer may indicate choice of stations.
- (ix) As contemplated in C. L. No. 1/DR(S)/75, dated 1-1-1975, no T. A. will be claimed by the Officers whose request for premature transfer within 2 Years of their postings at a particular station is accepted by the Court. Besides whose request for premature transfer within one year of his posting in an out-lying court or at Sonbhadra or as ACJM (Railways) is accepted by the court, will not be entitled to get T.A. for the transfer.
- (x) The Officers must send a list of stations in U.P. where their near and blood relations reside or carry on their professions, and also a statement of places where they received education as required under C.L. No. 25/Admin. (A) /DR(S)/78, dated 16-3-1978.
- (xi) The proforma regarding transfer duly filled-in, be forwarded to the Court in the name of the **Deputy Registrar (Services)** on or before 31st day of January 2002.

PROFORMA OF TRANSFER/STAY APPLICATION-2002

(SEE APPENDIX 'A' TO THE APPLICATION)

1. NAME OF THE JUDGESHIP
2. FULL NAME OF THE OFFICER
(In Block letters)
3. HOME TOWN OF THE OFFICER
4. POST HELD AT PRESENT
5. Date of posting in the Judgeship
6. Place of posting during last 6 years with date.....
7. NATURE OF TRANSFER
 - (A) Due for transfer (On expiry of 3 years stay at headquarter or 2 years stay in an outlying court or as ACJM(Railway) or at Sonbhadra by 31st July of the year.
 - (B) Stay of transfer beyond normal Tenure.
 - (C) Premature transfer before completion of normal Tenure.
8. CHOICE OF STATIONS: (1).....(4).....
(as per guide lines) (2).....(5).....

(3).....(6).....

9. Grounds in support of request
10. Places in U.P. where near & Blood relations reside and carry on their business.
11. Number & age of children along with places where they are receiving education.
12. REMARKS, if any.

DECLARATION

I,....., read and understood the contents of appendix 'A' to this application and do hereby declare that the facts mentioned above by me are correct, true and in conformity with the Guide lines laid down by the High Court.

DATED:

SIGNATURE OF THE OFFICER

RE: ANNUAL GENERAL TRANSFER, 2003

C.L. No.37 /DR(S)/2002, Dated 16th November, 2002

I am directed to say that in the matter of transfer and posting of Judicial Officers, the Court has decided that on completion of normal tenure of posting i.e. (i) 3 years stay in district and (ii) 2 years in an outlying courts or at Sonbhadra or as Additional Chief Judicial Magistrate (Railways) by July 31St 2003, the Judicial Officers shall be transferred subject to the following norms:

- (I) The officer will not be posted in his home town.
- (II) He will not be posted to a district where he was earlier posted within 9 years.
- (III) He will not be posted to any district falling in the zone in which he was earlier posted within 3 years.
- (IV) He will not be posted to any adjoining zone of his present place of posting. Zone and adjoining zones are indicated here as under.

ZONE	ADJOINING ZONE
KANPUR	Lucknow & Agra
GORAKHPUR	Allahabad & Lucknow
BAREILLY	Meerut & Lucknow
AGRA	Meerut & Bareilly
LUCKNOW	Kanpur & Allahabad
ALLAHABAD	Kanpur & Gorakhpur
MEERUT	Agra & Bareilly

This restriction will not be applicable where the officer is to reach his age of superannuation within next two years and there is nothing adverse against him.

- (V) The bar on reposting of an officer in the zone will not apply in cases in which the Officers had been posted for a short period of less than 6 months.

I am to add that no T. A. will be admissible to those Officers whose request to premature transfer before the normal tenure, is accepted by the Court.

Officers posted in your Sessions Division may kindly be advised accordingly These norms shall not, however, be applicable to the District Judges, except no.(I).

In this connection it is also pointed out that the Court has divided the State of U.P. into 7 Zones and also formulated guide lines in the matter of transfer and postings which are enumerated in Appendix 'A' annexed along with proforma of application.

This proforma regarding transfer duly forwarded be sent to the Deputy Registrar (Services) on or before 31st day of January 2003.

TRANSFER POLICY. 2003

C.L. No.16 /DR(S)/2003, Dated 21st May, 2003

In supersession of Court's Circular Letter No. 37/DR(S) 2002 dated 16.11.2002. I am directed to say that in the matter of transfer and posting of the Judicial Officers the Court has decided that on completion of normal tenure of posting i.e. (i) three years stay in the district and (ii) two years in an outlying court or as Additional Chief Judicial Magistrate (Railways) by July 31,2002, the Judicial Officers shall be transferred subject to the following norms:-

- (I) The officer will not be posted in his home town.
- (II) He will not be posted to any district falling in the zone in which he was earlier posted within 3 years.
- (III) Three consecutive terms of 3 years i.e. 9 years should intervene between two postings in the same district & same category.
- (IV) Next posting of the officer shall be made at minimum distance of 250 Kms. from the present place of posting.
- (V) The officer posted on deputation can be considered for deputation posting after a period of 10 years.
- (VI) The districts may be categorized as "A", "B", "C" & "D" as detailed below and an officer posted in a district of one category should always be sent on transfer to another category on rotational basis:

Sl. No	CATEGORY-A	Sl. No.	CATEGORY-B	Sl. No	CATEGORY-C	Sl. No	CATEGORY-D
1.	Agra	1.	Baghpat	1.	Azamgarh	1.	Ambedkar Nagar
2.	Aligarh	2.	Barabank	2.	Behraich	2.	Auraiya
3.	Allahabad	3.	Basti	3.	Ballia	3.	Bhadohi
4.	Bareilly	4.	Bijnor	4.	Banda	4.	Balrampur
5.	Gautam Budh Nagar	5.	Bulandshahar	5.	Budaun	5.	Chandauli
6.	Ghaziabad	6.	Etawah	6.	Deoria	6.	Chitrakoot
7.	Gorakhpur	7.	Faizabad	7.	Etah	7.	Hamirpur
8.	Kanpur-Nagar	8.	Fatehpur	8.	Farrukhabad	8.	Jyotiba Phule

9. Lucknow	9. Firozabad	9. Ghazipur	9. Kaushambi
10. Meerut	10. Gonda	10. Hardoi	10. Kannauj
11. Moradabad	11. Jhansi	11. Hathras	11. Kushinagar
12. Muzaffarnagar	12. Kanpur-Dehat	12. Jalaun at Orai	12. Mahoba
13. Saharanpur	13. Mathura	13. Jaunpur	13. Maharajganj
14. Varanasi	14. Mirzapur	14. LakhimpurKheri	14. Sant kabir Nagar
	15. Rae-Bareli	15. Lalitpur	15. Shrawasti at Bhinga
	16. Rampur	16. Mainpuri	16. Siddharth Nagar
	17. Shahjahanpur	17. Mau	17. Sonbhadar
	18. Sitapur	18. Pilibhit	
	19. Unnao	19. Pratapgarh	
		20. Sultanpur	

I am to add that no T. A. will be admissible to those officers whose request for premature transfer within two years of his posting to particular station and one year in an outlying court or at Sonbhadra or as A.C.J.M.(Railways) is accepted by the Court.

Officers posted in your Sessions Division may kindly be informed accordingly. These norms shall not, however, be applicable to the District Judge except no. (I).

ANNUAL TRANSFER. 2004

C.L.No. 1 /DR(S)/2004. Dated 6th January, 2004

I am directed to say that in the matter of transfer and posting of the Judicial Officers, the Court has decided that on completion of normal tenure of posting i.e.(I) three years stay in the district and (ii) two years in an outlying court or as Additional Chief Judicial Magistrate (Railways) up to July 31st . 2004. the Judicial Officers shall be transferred subject to the following norms:

- (I) The officer will not be posted in his home town.
- (II) Three consecutive terms of 3 years i.e. 9 years should intervene between two postings in the same district & same category.
- (III) Next posting of the officer shall be made at minimum distance of 250 Kms. from the present place of posting.
- (IV) The officer posted on deputation can be considered for deputation posting after a period of 10 years.
- (V) The districts have been categorized as "A" "B" "C" & "D" as detailed in Appendix 'A' and an officer posted in a district of one category should always be sent on transfer to another category on rotational basis.

These norms shall not, however, be applicable to the District Judge, except no.(I).

It is also pointed out that the Court has also formulated guide lines in the matter of transfer and postings which are enumerated in Appendix 'A' enclosed with proforma for application.

No T.A. will be admissible to those Officers whose request for transfer is accepted by the Court.

The application/ representation made .by the Judicial Officers must be moved through proper channel as per Rules.

Officers posted in your Sessions Division may kindly be informed accordingly.

Duly filled proforma/ representations must be submitted by 20th January, 2004 by the Officers and the same be forwarded and sent to the Deputy Registrar (Services) so as to reach on or before 31st day of January, 2004

PROFORMA OF TRANSFER/ STAY APPLICATION-2004
(SEE APPENDIX 'A' TO THE APPLICATION)

1. NAME OF THE JUDGESHEP
2. FULL NAME OF THE OFFICER.....
(In Block letter)
3. HOME TOWN OF THE OFFICER
4. AT PRESENT POSTED AS
5. DATE OF POSTING IN THE JUDGESHIP.....
6. PLACE OF POSTING DURING LAST 9 YEARS WITH DATE.....
7. NATURE OF TRANSFER
(A) Due for transfer (On completion of 3 years stay at district or 2 years stay in an outlying court or as ACJM(Railway) up to 31st July,2004.
(B) Stay of transfer beyond normal Tenure.
(C) Premature transfer before completion of normal Tenure.
8. CHOICE OF STATIONS: (1).....(4).....
(as per guide lines and beyond 250 Kms) (2).....(5).....
(3).....(6).....
9. GROUNDS IN SUPPORT OF REQUEST.....
10. NUMBER & AGE OF CHILDREN ALONG WITH PLACES WHERE THEY ARE RECEIVING EDUCATION.
11. REMARKS, IF ANY.

DECLARATION

I,....., have read and understood the contents of appendix 'A' to this application and do hereby declare that the facts mentioned above are correct, true and in conformity with the Guide lines laid down by the High Court.

DATED:

SIGNATURE OF THE OFFICER

(APPENDIX 'A')

Category comprising districts as formulated by High Court

CATEGORY-A	CATEGORY-B	CATEGORY-C	CATEGORY-D
Agra	Baghpat	Azamgarh	Ambedkar Nagar

Aligarh	Barabank	Behraich	Auraiya
Allahabad	Basti	Ballia	Bhadohi
Bareilly	Bijnor	Banda	Balrampur
Gautam Budh Nagar	Bulandshahar	Budaun	Chandauli
Ghaziabad	Etawah	Deoria	Chitrakoot
Gorakhpur	Faizabad	Etah	Hamirpur
Kanpur-Nagar	Fatehpur	Farrukhabad	Jyotiba Phule Nagar
Lucknow	Firozabad	Ghazipur	Kaushambi
Meerut	Gonda	Hardoi	Kannauj
Moradabad	Jhansi	Hathras	Kushinagar
Muzaffarnagar	Kanpur-Dehat	Jalaun at Orai	Mahoba
Saharanpur	Mathura	Jaunpur	Maharajganj
Varanasi	Mirzapur	LakhimpurKheri	Sant kabir Nagar
	Rae-Bareli	Lalitpur	Shrawasti at Bhinga
	Rampur	Mainpuri	Siddharth Nagar
	Shahjahanpur	Mau	Sonbhadar
	Sitapur	Pilibhit	
	Unnao	Pratapgarh	
		Sultanpur	

GUIDELINES

(FOR JUDICIAL OFFICERS OTHER THAN DISTRICT JUDGES)

- (i) Judicial Officers will be due for transfer on completion of 3 years stay at District, 2 years stay in an outlying courts or as ACJM (Railways),
- (ii) No home town district be choiced by the Officer.
- (iii) No choice of station where the officer has been posted during last 9 years be given,
- (iv) No choice of station within 250 Kms. from present place of posting be given.
- (v) The Officers who are serving beyond normal tenure of their posting at the same station may also send their choice of station.
- (vi) The Officers applying for stay/premature transfer may indicate choice of stations.
- (vii) Illness of serious nature requiring long term hospitalization or causing immobility may be considered for premature transfer/ stay beyond normal tenure provided the illness is such which cannot be treated in the officer's present place of posting/at any other station provided the District Judge certifies such illness.
- (viii) As contemplated in C.L. No.I/DR(S)/75, dated 1-1-1975, transfer allowances will not be admissible to Officers whose request for premature transfer before the normal tenure is accepted by the court.
- (ix) The Officers must submit a list of stations in U.P. where their near and blood relations reside or carry on their professions, and also a statement of places where they received education as required under C.L. No. 25/Admin. (A) /DR(S)/78, dated 16-3-1978.

- (x) The proforma regarding transfer duly forwarded, be sent to the Court in the name of the Deputy Registrar (Services) on or before 31st day of January 2004.

C.L. No. 34/DR(S)/2005. dated 19 November, 2005

NOTE: Please See this C.L. No. 34; dt. 19 November, 2005 in ADDENDA)

RE: ANNUAL TRANSFER, 2011

C.L. No. 27/AR(S)/2010, Dated 09.9.2010

I am directed to say that in the matter of transfer and posting of the Judicial Officers, the Court has decided that on completion of normal tenure of posting i.e. (i) three years stay in the district including Additional Chief Judicial Magistrate (Railway) (ii) two years stay in an outlying court or at Sonbhadra upto July 31st 2011, the Judicial Officers shall be transferred subject to the following norms:

- (I) The officer will not be posted in his hometown.
- (II) He will not be posted to a district where he was earlier posted within 6 years.
- (III) He will not be posted to any district falling in the zone in which he was earlier posted to any district falling in the zone in which he was earlier posted within 3 years.
- (IV) He will not be posted to any adjoining district of the other zone.
- (V) The bar on re-posting of an officer in the zone will not apply in cases in which the officers had been posted for a short period of less than 6 months.

I am to add that the Officer transferred/posted on his own request, is not entitled for any T.A. under Rule 42 of Chapter-IV of F.H.B., Volume-III.

In this connection it is also pointed out that the Court has divided the State of U.P. into 7 zones and also formulated guidelines in the matter of transfer and posting which are enumerated in Appendix-“A” annexed herewith alongwith proforma of application.

This proforma regarding transfer duly filled-in, be forwarded to the Assistant Registrar (Services) on or before 30th day of November, 2010.

Encl.: Proforma of application with Guidelines.

**PROFORMA OF TRANSFER/STAY APPLICATION-2011
(SEE: APPENDIX “A” TO THE APPLICATION)**

- 1. NAME OF THE JUDGESHIP:
- 2. TRANSFER YEAR:
- 3. FULL NAME OF THE OFFICER:
(In Block Letters)
- 4. HOMETOWN OF THE OFFICER:
- 5. AT PRESENT POSTED AS:
- 6. Date of posting in the Judgeship:
- 7. Places of posting during last 6 years with date:
- 8. NATURE OF TRANSFER:
 - (A) Due for transfer (On expiry of 3 years stay At headquarter including Additional Chief Judicial Magistrate (Railways) or 2 years Stay in

- an outlying court or at Sonbhadra By 31st July of the year.
- (B) Stay of transfers beyond normal Tenure of 3 years in District including Additional Chief Judicial Magistrate (Railways) or 2 years in an outlying court or at Sonbhadra.
- (C) Premature transfer before completion of Normal tenure of 3 years in District including Additional Chief Judicial Magistrate (Railways) And 2 years in an outlying court or at Sonbhadra.
9. CHOICE OF STATIONS
(as per guidelines) (1) (4)
(2) (5)
(3) (6)
10. Grounds in support request:
11. Places in U.P. where near & Blood relations reside and carry on their business:
12. Number & age of children alongwith places where they are receiving education:
13. REMARKS, if any:

DECLARATION

I, read and understood the contents of appendix “A” to this application and do hereby declare that the facts mentioned above by me are correct, true and in conformity with the Guidelines laid down by the High Court.

DATED:

SIGNATURE OF THE OFFICER

DIVISION OF U.P. IN ZONES COMPRISING DISTRICTS AS FORMULATED BY ADMINISTRATIVE COMMITTEE

- | | | |
|-------|----------------|--|
| (i) | KANPUR ZONE | Kanpur Nagar, Kanpur Dehat, Jhansi, Lalitpur, Hamirpur, Jalaun at Orai, Banda, Fatehpur, Mahoba, Unnao and Chitrakoot. |
| (ii) | GORAKHPUR ZONE | Gorakhpur, Deoria, Basti, Maharajganj, Siddharthnagar, Faizabad, Sultanpur, Pratapgarh, Kushi Nagar at Padrauna, Ambedkarnagar at Akbarpur and Sant Kabir Nagar. |
| (iii) | BAREILLY ZONE | Bareilly, Pilibhit, Rampur, Budaun, Bijnor, Shahjahanpur, Moradabad and Jyotiba Phule Nagar. |
| (iv) | AGRA ZONE | Agra, Aligarh, Mathura, Farrukhabad, Etah, Etawah, Mainpuri, Firozabad, Hathras, Kannauj, Auraiya and Kanshi Ram Nagar |
| (v) | LUCKNOW ZONE | Lucknow, Hardoi, Raebareli, Gonda, Sitapur, Bahraich, Barabanki, Lakhimpur Kheri, Shrawasti at Bhinga and Balrampur. |
| (vi) | ALLAHABAD ZONE | Allahabad, Varanasi, Mirzapur, Sonbhadra, Ghazipur, Ballia, Mau, Azamgarh, Jaunpur, Bhadohi at Gyanpur, Chandauli and Kaushambi. |

(VII)	MEERUT ZONE	Meerut, Muzaffarnagar, Saharanpur, Ghaziabad, Bulandshahar, Bagpat and Gautam Budh Nagar.
-------	----------------	--

**GUIDELINES FOR TRANSFER OF JUDICIAL OFFICERS
(OTHER THAN DISTRICT JUDGES)**

- (I) Judicial Officers will be due for transfer on completion of 3 years stay at headquarter including, Additional Chief Judicial Magistrate (Railways), 2 years stay in an outlying courts, or at Sonbhadra.
- (II) No home town district be choiced by the Officer.
- (III) No choice of station where the officer has been posted during last 6 years be given.
- (IV) No choice of station within a zone in which the officer has been posted within 3 years be given.
- (V) No choice of adjoining stations of other Zone be given.
- (VI) The bar on re-posting of an officer in the Zone will not apply in cases in which the officer had been posted for a short period of less than 6 months.
- (VII) The officers who are serving beyond normal tenure of their posting at the same station may also send their choice of station.
- (VIII) The officers applying for stay/premature transfer may indicate choice of stations.
- (IX) The Officer transferred/posted on his own request, is not entitled for any T.A. under Rule 42 of Chapter-IV of F.H.B., Volume-III.
- (X) The officers must send a list of stations in U.P. where their near and blood relations reside or carry on their professions, as also a statement of places where they received education as required under C.L. No. 25/Admin.(A)/DR(S)/78, dated 16.3.1978.
- (XI) The proforma regarding transfer duly filled-in, be forwarded to the Court in the name of the Assistant Registrar (Services) on or before 30th day of November, 2010.

(ii) Postings per interse-seniority.

C.L. No. 120-B. dated 9th December, 1952

Where, there are two or more temporary courts of Additional District Judges, they should be designated as I, II, III etc., in accordance with the respective seniority of the Officers presiding over them.

NOTE: C.L. No. 173/Admn.(A)/DR(S) dated Allahabad November 5, 1976 informed the decision of the High Court to post Additional District Judges and Additional Sessions Judges without prefix I, II & III etc. The Officers posted during the year were required to work in the courts which were vacant.

The District Judges were directed to refix the posting on the first day of June every year in accordance with the interse-seniority.

However, subsequently by notification no. 904 dated 29.10.77 the High Court has withdrawn the aforesaid circular and decided to post the Additional District Judges/Additional Sessions Judges in specific courts, according to their interse-seniority.

C.L. No. 52/IVf-80/Admn. (A)/DR(S)/85 dated 28th September, 1985

The Court shall post Civil Judges/Munsif- Magistrates in the district headquarters as well as in tahsil headquarters in accordance with their interse-seniority amongst the officers posted in the Judgeship alongwith the appellation indicating 'permanent' court or 'Additional' or 'I', 'II', 'III' etc. It is also decided that a Munsif- Magistrate below 3 years standing shall not be sent to a tahsil head quarter, to man an institution court and that the same officer cannot be sent to another tahsil headquarter in succession.

(iii) Options for deputation posts

C.L. No. 12/86 dated 14th February, 1986 and

C.L. No. C-65/88 dated 17th December, 1988

The various deputation or special posts, broadly speaking are as under :-

1. Additional Legal Rememberancer in U.P. (for District Judges only).
2. Posts in the U.P. Secretariat of Joint Secretary/Deputy Secretary.
3. Presiding Officer, Nagar Mahapalika Tribunals in U.P.
4. Law Officers in various State corporations in U.P. including Electricity Board.
5. Law Officers in Development Authority in KAVAL Towns etc.
6. Special Judges, anti-corruption, U.P.
7. Competent Officer, Evacuee Property, Lucknow.
8. Lecturer or Professor of Law at Mussoorie and Nainital.
9. Member, Sales Tax Tribunals in U.P.
10. Posts of Presiding Officers of Labour Court in U.P.
11. Presiding Officers of Labour Court/Industrial Tribunals in other States.
12. Posts under the Delhi Administration, Delhi,
13. Registrar/Deputy Registrar, Central Administrative Tribunals at various places.
14. Judges of Family Courts in U.P.
15. Posts under the Government of India at Delhi and other places, like Legal Adviser or Additional Legal Adviser, Secretary or Joint Secretary, Draftsman or Additional Draftsman etc., including the Legal Adviser in public sector undertakings in Delhi and other places.
16. Judicial Member, Income Tax Appellate Tribunals.
17. Posts on deputation to Andaman, Nicobar, Nagaland, Manipur, Imphal, Goa, Arunachal Pradesh, etc.
18. Commissioners for payment of Compensation under the Government of India, with headquarters at Bombay, Calcutta or Dhanbad.
19. Legal Adviser/Deputy Legal Adviser in Enforcement Directorate, Government of India at various centres in India.

20. Joint Secretary (Legal) in the office of the Public Service Commission, U.P., Allahabad.

The Judicial Officers may indicate their willingness for being considered for any one or more of the posts mentioned above.

The Officers should consider thoroughly before giving their consent for any deputation post, because in the recent past it has often been found that the Officers who were selected for certain posts on the basis of their consent, subsequently declined to join the post after their appointment was communicated to them. This puts the Court in an embarrassing position, besides causing much inconvenience and wastage of time, because the process of selection has to be started once again, and the post remains vacant for a long time making the work to suffer.

In spite of the aforesaid directions, it has come to the notice of the Court that the Officers have been declining to join deputation post after selection for which they had earlier given their consent, and that this has been done mainly on the ground that their circumstances have changed since they had given the consent. The Officers are directed that if after giving their consent for any deputation post, they want to withdraw their consent due to their changed circumstances, an intimation to that effect should be sent to the Court immediately, so that their names may not be considered for that deputation post.

G.L. No. C-611/1995, dated 1st June, 1995

Options for deputation posts

I am directed to say that the Court proposes to prepare a fresh List of Officers who are willing to be considered for deputation on special posts, outside the regular Judicial line. The various such posts broadly speaking are given here as under:

FOR THE OFFICERS OF U.P. HIGHER JUDICIAL SERVICE

1. Special Secretary & Additional L.R., Department of Legislative & Parliamentary Affairs, Government of U.P., Lucknow.
2. Joint Secretary & Joint L.R., Department of Legislative & Parliamentary Affairs, Government of U.P., Lucknow.
3. Deputy Secretary & Dy. L.R., Department of Legislative & Parliamentary Affairs, Government of U.P., Lucknow.
4. Special Secretary & Additional L.R., Judicial Department, Government of U.P., Lucknow.
5. Joint Secretary & Joint L.R., Judicial Department, Govt. of U.P., Lucknow.
6. Deputy Secretary & Dy. L.R., Judicial Department, Govt. of U.P., Lucknow.
7. Legal Adviser/Addl. Legal Adviser, Governor's Secretariat, Govt. of U.P., Lucknow.
8. Additional Director/Joint Director, Institute of Judicial Training & Research, U.P., Lucknow.
9. Secretary (Administration)/Secretary (Complaints), in the Office of LOK AYUKTA, Lucknow.
10. Joint Secretary (Law), U.P. Public Service Commission, Allahabad.
11. Joint Legal Remembrancer, in the Office of U.P. Excise Commissioner, U.P., Allahabad.

12. Law Officer, in the Office of Chief Engineer-I, Irrigation Department, Government of U.P., Lucknow.
13. Special Judges, Anti-Corruption, Lucknow/Dehradun.
14. Principal Judge/Addl. Principal Judge, Family Court, Allahabad/Agra/Lucknow/Kanpur-Nagar/Gorakhpur/ Jhansi/Meerut/Bareilly/Varanasi.
15. Professor/Reader, Lal Bahadur Shastri National Academy of Administration, Mussoorie.
16. Joint Director (Law), U.P. Administrative Academy, Nainital.
17. Legal Counsel/Additional Legal Counsel/Assistant Legal Counsel, Grade 'I' and 'II', Government of India, Ministry of Law, Justice & Company Affairs, New Delhi.
18. Secretary-Member, U.P. Legal Aid and Advice Board, Lucknow.
19. Law Officer/Additional Law Officer, U.P. State Electricity Board, Lucknow.
20. Legal Adviser/Law Officer, U.P. Avas Evam Vikas Parishad, Lucknow.
21. Senior Law Officer, Pollution Control Board, U.P., Lucknow,
22. Senior Law Officer, U.P. Environment Control Board, Lucknow.
23. Joint Director (Law), Revenue and Special Intelligence, Lucknow.
24. Chief Legal Adviser/Addl. Legal Adviser, U.P. State Road Transport Corporation, Lucknow.
25. General Manager (Law/Legal Adviser), U.P. State Industrial Development Corporation, Kanpur.
26. Legal Adviser, U.P. State Sugar Corporation Ltd., Lucknow.
27. Chief Legal Adviser/Legal Adviser, NOIDA, Ghaziabad.
28. Legal Adviser, U.P. Mineral Development Corporation, Lucknow.
29. General Manager (Law/Chief Law Officer), Greater NOIDA Industrial Development Authority, Ghaziabad.
30. Manager (Law), U.P. Finance Corporation, Kanpur.
31. Legal Adviser, U.P. Jal Nigam, Lucknow.
32. Legal Adviser, U.P. State Bridge Corporation, Lucknow.
33. Legal Adviser, U.P. State Cement Corporation, (Head-quarter at Churk, District Mirzapur), Lucknow.
34. Manager (Law), Legal Adviser, PICUP, Lucknow.
35. Chief Legal Adviser/Law Officer, Development Authority, Varanasi /Agra / Meerut/Lucknow/Gorakhpur/Ghaziabad/Kanpur and other towns in U.P.
36. Law Officer, Nagar Mahapalika, Kanpur.
37. Judicial Member, Trade Tax Tribunal, Agra/Aligarh/Allahabad/Bareilly/Dehradun/Gorakhpur/Ghaziabad/Lucknow/Meerut/Moradabad/Kanpur/ Varanasi etc.
38. Presiding Officer, Nagar Mahapalika Tribunal, Agra/Kanpur Nagar/Lucknow.
39. Registrar, Central Administrative Tribunal.
40. Joint Registrar, Central Administrative Tribunal, Allahabad Bench, Allahabad.
41. Presiding Officers, Labour Courts/Industrial Tribunals, in Uttar Pradesh.

42. Legal Adviser, In the Office of Legal Cell, Labour Commissioner, Headquarter at Kanpur.
43. Presiding Officers, Labour Courts/Industrial Tribunals, in other States.
44. Law Officer, Municipal Corporation of Delhi, New Delhi,
45. Legal Adviser, Delhi Electric Supply Undertaking, New Delhi.
46. Chief Legal Adviser, Delhi Transport Corporation, Delhi.
47. Senior Law Officer/Law Officer, Delhi Development Authority, Delhi.
48. Senior Law Officer/Law Officer, Delhi Corporation, Delhi.
49. General Manager (Law), National Highways Authority of India, Delhi.

FOR THE OFFICERS OF U.P. NYAYIK SEWA

50. Deputy Director, Institute of Judicial Training & Research, U.P., Lucknow.
51. Deputy Director (Law), U.P. Administrative Academy, Nainital.
52. Law Officer, U.P. Higher Education Service Commission, Allahabad.
53. Deputy Secretary, U.P. Legal Aid & Advice Board, Lucknow.
54. Competent Officer, Evacuee Property, Lucknow.
55. Law Officer, Directorate of Bal Vikas Sewa Avam Pustahar, U.P., Lucknow.
56. Legal Adviser, NOIDA, Ghaziabad (10 years' experience)
57. Manager/Dy. Manager (Law), Gorakhpur Industrial Development Authority, Gorakhpur.
58. Law Officer, PICUP, Lucknow.
59. Enquiry Officer, Food Corporation of India, Regional Office, Lucknow.
60. Law Officer, Agra Development Authority, Agra.
61. Deputy Registrar, Central Administrative Tribunals, Bench at Allahabad/ Lucknow.
62. Deputy Law Officer, Municipal Corporation of Delhi, New Delhi.
63. Deputy Director (Law), Sardar Vallabh Bhai Patel National Police Academy, Hyderabad.
64. Joint Director (Law), Officer of Monopoly & Restrictive Trade Practices Commission, (M.R.T.P. Commission), New Delhi.
65. Deputy Director, Sampooranand Prison Training Institute, Lucknow.
66. Legal Officer, Environment Cell of the Department of Environment, Forest and Wild Life, Delhi.

I am further to say that an officer shall not opt for more than two deputation posts.

I am, therefore, to request you kindly to circulate the copies of this letter to all the eligible Officers working under you and obtain their consent on the prescribed proforma. Please ensure that the consent of the Officers should reach the Court latest by July 3, 1995.

The option given by the Officers for the posts mentioned above shall be valid for a period of one year.

(iv) Handing over of charge

C.L. No. 74/IV-e/82 Admn.(A) dated 20 November, 1982

On receipt of orders of transfer, the officer concerned should handover the charge within a week of receipt of such orders and proceed to the new station of his posting. In case he has some genuine reasons for not handing over charge within a week, he should obtain prior permission of the Court to hand over the charge on some later date but his request will be accepted only, if the District Judge recommends it.

If a District Judge is under orders of transfer and he is required to handover the charge immediately or by a date fixed by the Court, he should handover accordingly and proceed to his new station of posting after contacting his predecessor. In case he is unable to handover the charge according to the direction of the Court for some cogent reasons, he should obtain prior permission of the Court.

Charge certificates should be sent to the Court soon after an officer hands over the charge at one station and takes over the charge at another station. In case an officer delays in handing over the charge without the prior permission of the Court, the District Judge should bring this fact to the notice of the Court.

If an officer proceeds on leave after taking over charge at a station, the District Judge should not permit him to avail of the leave in anticipation of sanction unless he feels that there are compelling circumstances to do so. He should forward the leave application with a note of the fact whether or not the officer's need for taking leave is genuine and also if necessary, that he has permitted the officer to avail of the leave in anticipation of sanction. In the absence of the recommendation of the District Judge, the leave applied for by the officer shall be liable to be refused.

C.L. No. 56/IVe-82/Admn. (A) dated 31st August, 1984

The Officers on transfer should take over at the station of their posting in accordance with the orders of their transfer issued by the Court from time to time and, in the event of their failure to do so, disciplinary action would follow against them.

(v) Charge certificate

C.L. No. 3/IVf-54 dated 18th January, 1955

Charge certificates before being sent to Accountant General, Uttar Pradesh, must be signed both by the relieving and relieved Officers and countersigned.

Charge certificates in respect of District Judges shall be countersigned by the Registrar of the High Court and those in respect of other Judicial Officers by the District Judge concerned.

C.L. No. 8 dated 27th January, 1961

The instructions contained in paragraph 128 of the M.G.Os. and G.O. No. A-120/II-A-1951, dated January 23, 1951, should be strictly followed and it should be ensured that the charge certificates are despatched promptly to the Appointment (A)* (* Redesignated as Appointment Section – 34, vide the Business of Uttar Pradesh (Allocation) Rules, 1975) Department of the Government with the names and designation of the Officers typed on them in block letters.

Provisions of Paragraph 115 of the Financial Handbook, Volume V (Part I) for submission of charge certificates and paragraph 17(i) of Financial Handbook, Volume II (Parts II to IV), regarding drawals without authority of the A.G., U.P., should be strictly complied with.

C.L. No. 32/IV/Admn. (A) dated 19th March, 1980

While signing charge certificates, the Officers should legibly sign their full names and should not put down their initials only.

C.L. No. 18/95, dated 8th May, 1995

Charge Certificate of Judicial Officers

The Computer Centre of the High Court has been functioning for last three years and has been maintaining the posting details of the Judicial Officers. The exact date of the handing and taking over the charge of a particular post is also being entered in the computer. The copy of the charge certificate sent to the High Court is being dealt by the Deputy Registrar (Services) in the High Court. The difficulty is being felt in obtaining this copy from the office of Deputy Registrar (Services) which also needs this record very often. It has also been observed that many charge certificates do not mention the name of the officer handing or taking over the charge. Illegible initials do not help in this matter. This makes it desirable that the full name of the officer be clearly indicated on the charge certificate. In this connection it has been felt necessary that a copy of the charge certificate be directly endorsed to Joint Registrar (Computers).

I am, therefore, directed to say that a copy of the charge certificate be henceforth sent directly to Joint Registrar (Computers), High Court, Allahabad and the charge certificate should clearly indicate the name of the officer in block capital letters.

(vi) Appointment of Presiding Officers in the newly created four Special Courts of Anti Corruption CBI at Lucknow and two Special Courts of Anti Corruption CBI at Ghaziabad

C.L. No. 417/Main-B/Admin.(A-3) dated 10.1.2011

On the above noted subject, I have been directed to say that Government have created six more Additional Special Courts of Anti Corruption CBI (i.e. 4 Courts at Lucknow and 2 Courts at Ghaziabad) vide G.O No. 1532/VII-Nyay-2-2010-167-G/2009, dated 26.10.2010

I am, therefore, to request you kindly to recommend the name of any four Judicial Officers of HJS cadre posted in your Judgeship separately for each Special Court, for their appointment as Presiding Officer in the newly created four Special Courts of Anti Corruption CBI at Lucknow and two Special Courts of Anti Corruption, CBI at Ghaziabad, to this Hon'ble Court by return FAX.

[9] PAY AND ALLOWANCES

(i) Special pay

C.L. No. 19/IV-f-82/Admn.(A) dated 20th March, 1984

Special pay @ Rs. 75/- per month is granted with effect from January 1, 1984, as mentioned in the G.O. No. 6016/II-4-22(21)83, dated 5.1.1984 to all the Munsif- Magistrates working in courts situated at Tahsil head quarters of the districts in Uttar Pradesh, provided they

reside at the Tahsil head quarter. A certificate to that effect should be given by the District Judges concerned.

C.L. No. 16/IV-f-82/Admn.(A) dated 31st March, 1984

Dearness allowance should be allowed to Munsif-Magistrates of outlying courts on the special pay of Rs. 75/- p.m.

(ii) Dress allowance

C.E. No. 17/IV-f-82/Admn.(A) dated 20th March, 1984

While referring to G.O. No. 52/7-A. Nya./84-Appointment (4) Anu-22(21)/83, dated January 5, 1984, the Accountant General, III, Uttar Pradesh, G.A.8-Section, is requested to authorise Special Compensatory Allowance @ Rs. 75/- per month with effect from 1.1.1984 to all the Officers posted as District Judges, Additional District and Sessions Judges/Additional Sessions Judges, Judge Small Causes Courts/Civil Judges, Chief Metropolitan Magistrate/Additional Chief Metropolitan Magistrates, Chief Judicial Magistrates and Additional Chief Judicial Magistrates in Uttar Pradesh.

All the District Judges, are requested to authorise Special Compensatory allowance to all the Munsif-Magistrates, Judicial Magistrates, and Judicial Magistrates (Railways) posted in the Districts of Uttar Pradesh under their control @ Rs. 75/- per month with effect from 1.1.1984 as mentioned in the said G.O.

NOTE:

- (1) G.O. No. 5637/Seven-A.Nya. 731/85 dated 25th September, 1985, authorised special compensatory allowance @Rs.150/ per month, with effect from the date of issuance of G.O.
- (2) Vide G.O. No. 2338/Seven-A-Nya. 731/85 dated 7th June, 1989, Judicial Officers required to wear prescribed dress in courts including the probationers and trainee-Officers are allowed special compensatory allowance @ Rs. 300/- per month for purchasing law books and maintenance of dress w.e.f. the date of issuance of G.O.

(iii) Pay slip

C.L. No. 34/IV-h-47/Admn.(D) dated 21st June, 1989

Invites attention to Government (Nyaya Vibhag) letter No. 333/VII-U.N.-16(A)/89, dated April 4, 1989 informing that the work of issuance of pay slips etc., to the members of P.C.S.(J) Service, Judicial Officers Service and Higher Judicial Service has been entrusted to Joint Director/Deputy Director/Senior Accounts Officer, Pay Slip Cell, Camp Office, Directorate of Treasury, Allahabad.

(iv) T.A./D.A. for participating in Lok Adalat/Legal Aid Programme

C.L.No .16/VII-d-108(Admn .F) Dated 23rd April, 1998

Payment of TA/DA to the Judicial Officers/ officials, participating in Lok Adalat/ Legal Aid Programmes sponsored by the State Government.

The Hon'ble Court has taken a decision to recall Court's circular letter No. 34/VII-d-108(Admn.F),Dated 16.5.84, on the above subject. It is communicated that T.A. & D.A. to all

Judicial Officers/officials who are participating in the matter related to Legal Service Authority of the District shall be paid from the budget of the District in which they are posted.

I am, therefore, to request you that the direction of the Hon'ble court may be brought to the notice of all the Judicial Officers.

(v) First National Judicial Pay Commission

C.L. No. 20/2000/Main (A-3) Dated 18th May, 2000

Corrigendum to the Report of the First National Judicial Pay Commission for circulation amongst the Officers.

I am sending here with a corrigendum to the report of the Commission, received from the Member Secretary, First National Judicial Pay Commission, Bangalore and to request you to circulate the above corrigendum amongst the Judicial Officers posted in the Judgeship for information.

GOVERNMENT OF INDIA

Office of the First National Judicial Pay Commission Bangalore - 560009

CORRIGENDUM

No. FNJPC/PRN/18/99

Date 7th December, 1999

Corrigendum to the Report of the First National Judicial Pay Commission.

In Chapter X of Vol. II, in paragraph 10.118, the Commission recommended that 10% of cadre strength in District Judges be given Super Time Scale to those who have put in minimum number of three years in the cadre of Selection Grade.

However, in page 4 of the "Draft Judicial Service Rules" prepared by the Commission and Annexed to Chapter X of Vol. II in rule 3 sub rule (5) it is inadvertently mentioned that "holders of 10% of the number of Selection Grade District Judges and who have put in not less than three years of service as Selection Grade District Judges in the cadre shall be granted Super Time scale of Pay....." This ought to be 10 % of cadre strength and not 10% of the posts of Selection Grade District Judges.

Therefore, it has become necessary to issue the corrigendum as below:

Existing

"Holders of 10% of the number of Selection Grade District Judges and who have put in not less than 3 years of service as Selection Grade District Judges in the cadre shall be granted Super Time Scale...."

To be read as

"10% of the cadre strength in District Judges and who have put in not less than 3 years of service as Selection Grade District Judges in the cadre shall be granted Super Time Scale..."

Sd/- Justice A. B. Murgod (Retd.)
Member Secretary

[10] PENSIONS

G.L. No. 402/46-24-29 dated 18th February, 1918

The full pension admissible to an officer of the State Judicial Service is liable to reduction unless his services have been really approved.

Each District Judge is responsible for seeing that the rules as explained in G.O. no. 345/X-235-17, dated February 6, 1918 are brought to the notice of all ministerial Officers in his judgeship.

C.L. No. 58/IVf-67 dated 28th August, 1981

Invites attention to G.O. No. Sa-3-11-85/X-927/80, dated 11.11.1980 regarding prompt payment of the amount of family pension and gratuity to the family of the Government Officers, in case of their death.

All the Judicial Officers are required to send, to the Accountant General III, U.P., G.A. 8-Section, Allahabad directly, the nomination forms for :

- (i) Family pension on Form - F
- (ii) D.C.R.G. on form-H.

11. TRAVELLING ALLOWANCE:

(i) Journey by road

C.L. No. 20/Xb-13 dated 15th March, 1965

G.O. no. G-2-1859/X-609-1958, dated May 4, 1962, permits road journeys between stations connected by rail only in exceptional circumstances in the public interest. It enjoins upon every Government servant, unless he is his own controlling officer, before undertaking a journey by road between such stations, to obtain prior written permission of his controlling officer for undertaking the car journey and in cases of urgency where journey by road has been undertaken without taking prior approval of the controlling officer, to obtain such permission invariably immediately after the journey has been performed and in any case not later than the date on which the controlling officer countersigns the travelling allowance bill pertaining to the road journey in question.

C.L. No.15/Xb-13 dated 28th January, 1969

Road journeys between stations connected by rail should be undertaken only in exceptional circumstances when it is overwhelmingly in public interest and that also with prior permission of the controlling officer. In cases of urgency, however, where it is not possible to obtain prior permission, such permission should invariably be taken immediately after the said journey or at least before the T.A. bill for that journey is countersigned. It has also to be seen that such journeys do not become too frequent or a source of profit. Where a journey is undertaken for inspection of sub-ordinate offices or for holding courts, the visits should be fully utilised for the purpose for which it is undertaken and should not be such as may come to be labelled as waste of public money and time.

C.L. No. 43/Xb-13 dated 21st April, 1969

The District Judges who wish to perform journey by road between stations connected by railway may do so, but T.A. in such cases should be calculated as if the journey was performed by rail unless mileage allowance calculated by road is less than the railway fare.

C.L. No. 42/X-b-13 dated 20th July, 1982

The District Judges may travel in their own motor cars in connection with inspection of, and other official works in, the out-lying courts in their Judgeships and charge T.A. for travelling

by road as permissible under the rules without prior permission of the Court. So far as journey outside their jurisdiction is concerned, they should travel by railway-trains, if the place to be visited is connected by rail with the headquarters of the District Judge, but, if the circumstances so demand, they should obtain prior permission of the Court to travel in their own cars to visit a place outside their jurisdiction.

C.L. No. 14/Xb-13 dated 25th January, 1971

While submitting T.A. bills, pertaining to journeys performed in connection with the hearing of part-heard sessions trials, for the countersignatures of the Hon'ble the Administrative Judge, the following information should invariably be furnished :

1. Total number of part-heard sessions trials pending.
2. Work done during each visit.
3. Reasons for not completing the sessions trials.

It is also necessary to obtain a report from the Additional/ Assistant Sessions Judges as to the work done during each visit and reasons for not completing the sessions trials while countersigning their T.A. bills in respect of journeys performed in connection with the hearing of part-heard sessions cases. After countersigning the T.A. bill full information should immediately be sent to the Court.

(ii) On transfer

C.L. No. 104/Xb-13 dated 7th October, 1969

Officers going on transfer to their places of choice before the actual period of stay of three years will not get any travelling allowance according to the rule 42 of Financial Handbook Volume III.

C.L. No. 127/A.R.(A) dated 14th December, 1972 and

C.L. No. 1/D R (S) dated 1st January, 1975

No travelling allowance will be admissible in case of transfer made at the request of an officer within two years of his posting at a particular station.

(iii) For local inspection

C.L. No. 44/VIII-b-40 dated 3rd June, 1965

Following clarifications are issued with regard to rule 72 of General Rules (Civil), 1957, Volume I for guidance:

1. The TA bill should be prepared in all cases whether the place of local inspection is less than five miles or beyond and should be submitted to the District Judges for counter-signature. After payment, it should be retained in the Nazarat to serve as voucher instead of being filed with the record of the case.
2. The Presiding Officer making local inspection at the request of a party or parties is entitled to the travelling allowance at the rate of Rs. 1.50 P. for the first mile of the onward journey and Rs. 0.75 P. for each succeeding mile including the backward journey and to no daily allowance. He is entitled to these rates even if he travels by a motor transport or by train, but in case the journey is performed in a Government vehicle of another officer, for which he does not pay the propulsion

charges, he will not be entitled to any travelling allowance. He shall also not be entitled to any travelling allowance if he travels by a conveyance offered by a party or in a borrowed conveyance for which he does not pay anything.

C.L. No. 68/VIIIb-40 dated 16th November, 1969

The Court expects that the presiding Officers will travel by a conveyance befitting their dignity and status and will avoid the conveyance offered by a party.

They should, while going out on local inspection, use their own conveyance and if they have no conveyance of their own they will, so far as possible, hire a taxi and should avoid using a bus transport. The car of a brother officer may also be used provided the necessary propulsion charges etc., are borne by him.

If it becomes necessary to travel by train for the purpose, they should travel in the class they are entitled to.

C.L. No. 54 dated 14th May, 1969

All claims for travelling allowance in connection with the inspection of offices of Sub-Registrars, subordinate outlying courts and offices of Judicial Officers should be submitted along with the copies of inspection notes of respective offices.

C.L. No. 125/IV-B-685 dated 29th July, 1976

The Court has noticed that the T.A. claims submitted by the Officers are sometimes not countersigned within time, with the result that the claim requires pre-audit causing not only delay in payment of the amount to the officer concerned but also a lot of correspondence in the matter.

The T.A. claims presented by the Officers working under District Judge may kindly be countersigned without any delay after checking and verifying that the claims are correct and are strictly according to the T.A. Rules and Government orders.

(iv) District & Sessions Judges to be controlling officer in respect of their own Traveling Allowances.

C.L No. 75/Xb-13/Admn. (A), dated 18th August, 1994

Regarding all the District and Sessions Judges of the U.P. State declared to be Controlling Officer in respect of their own travelling allowances

I am directed to refer to the U.P. Government FAX Message No. 4203/VII-Nyay-2-734/86, July 14,1994, addressed to the Court and U.P. Government Letter No. 4203/VII-Nyay-2-734/86, dated July 19,1994, addressed to the Court and copies endorsed to you and to all the Treasury Officers of U.P. as well as to the other concerned authorities, on the above subject, and to say that the Government of Uttar Pradesh by virtue of its power contained in Rule 88 (2) of Financial Hand Book, Volume-3, has declared the District and Sessions Judges of the U.P. State to be controlling officer in respect of their own travelling allowances and that the District and Sessions Judge, in appendix-9 of Part I of the Financial Hand Book Volume-3, shall be treated as included, accordingly.

I am further to say that the contents of the said Government FAX Message dated July 14, 1994 and of the Government letter dated July 19,1994 are just same and, therefore, the Court has determined that July 14,1994 i.e. the date on which the said Govt. FAX Message/order has been

issued, shall be the cut of date and accordingly, the Travelling Allowance bills of the District and Sessions Judges relating to the journey performed by them on 14th July, 1994 or thereafter shall be dealt with by them under the authority conferred by the said Government letter.

I am, therefore, to request that the Government orders contained in the above FAX Message and letter with regard to travelling allowance of the District and Sessions Judges may be complied with immediate effect and the Travelling Allowance bills relating to the journey performed on 14th July, 1994 or thereafter be dealt with by them under the authority conferred by the said Government letter.

(v) Economy in Traveling Expenses

C.L. No. 1648/Budget-II, dated 2nd May, 1990

I am directed to say that Hon'ble the Chief Justice has been pleased to observe that the absence of the District Judges, in particular, from the Head Quarters, affects the Judicial Administration of the district and therefore his Lordship has been pleased to order that the District Judges should not leave the Head Quarters and come to Allahabad or Lucknow, as the case may be, except on very urgent work, or when they are asked to come either by the Hon'ble the Chief Justice or by any other Hon'ble Judge of High Court.

Hon'ble the Chief Justice has further ordered that the District Judges may issue identical/appropriate instructions to all the Judicial Officers in their respective districts including outlying courts for strict compliance.

[12] VACATION:

(i) Sessions Judge

C.L. No. 4/W/Admn.(A) dated 13th January, 1983

District and Sessions Judges, Additional District & Sessions Judges and Additional Sessions Judges, who do not belong to vacation department, may be allowed 10 days' recess during civil court's vacation, with the prior approval of the Court, provided they work during the remaining part/parts of the vacation. Such recess will be treated as holidays under S.R. 42-A, F.H.B. Vol. II, Parts II to IV, and may be prefixed or suffixed to leave subject to the conditions laid down in that rule.

2. Civil Judges (Assistant Sessions Judges), who belong to vacation department, shall, under Subsidiary Rules 145 and 146, F.H.B. Vol. II, Part II to IV, be detained to work during civil court's vacation; but, if the work permits, they may be allowed vacation upto limit of 10 days with the prior approval of the Court. However, if a Civil Judge (Assistant Sessions Judge) wants to avail himself of the whole or more than 10 days' of the vacation, he may do so on application with the prior approval of the Court.

3. The Munsif-Magistrates and such Chief Judicial Magistrates, Additional Chief Judicial Magistrates and Judicial Magistrates, who are members of the U.P. Nyayik Sewa and belong to vacation department, shall be detained to work during civil court's vacation under Subsidiary Rules 145 and 146, F.H.B. Vol. II, Parts II to IV.

The Officers mentioned in paras 2 and 3 shall earn leave in accordance with provisions of clauses (i), (ii) and (iii) of the second proviso to Fundamental Rule 81-B (1) of the F.H.B. Vol.

II, Parts II to IV and other provisions in this respect contained in the Financial Hand Book aforesaid.

4. The Officers belonging to the vacation department and detained on duty during civil court's vacation, shall furnish to the Court, immediately after the expiry of vacation, their detention certificates, duly counter-signed by the District Judge concerned, strictly in accordance with Note (2) below Subsidiary Rule 146 of F.H.B. Vol. II, Parts II to IV.

The vacation proposals of the Officers of Higher Judicial Service and Civil Judges (Assistant Sessions Judges) shall be submitted to the Court for approval positively by the 15th of May in each year.

C.L. No. 41-W/Admn.(A) dated 22nd May, 1987

The Civil and Assistant Sessions Judges should work throughout the summer vacation. If any of the Assistant Sessions Judges, who works during the vacation, wishes to avail of a portion of vacation as contemplated by Subsidiary Rule 145 of Financial Hand Book, Volume II, Parts II to IV, he may be permitted to avail of the same up to a limit of 10 days under intimation to the Court. However, in case an officer wishes to avail of the whole of the vacation, the District Judge may, if satisfied, permit him to do so under intimation to the Court.

Assistant Sessions Judges may be asked to submit their detention certificates according to Subsidiary Rule 146(2) of the Financial Hand Book, Volume II, Parts II to IV IMMEDIATELY after the expiry of the vacation, duly counter-signed by the District Judge.

The District Judge may, if necessary, detain the staff necessary for the trial of the criminal cases throughout the vacation.

C.L. No. 23-W/Admn. (A) dated 28th March, 1987

The District and Sessions Judge, Additional District and Sessions Judges and Additional Sessions Judges are not entitled to avail of earned leave or medical leave during civil court's vacation in continuation of 10 days' recess which is admissible to them only when they agree to work for the remaining part of the vacation. If any officer does not work and takes leave during civil court's vacation, he is not entitled to any recess. Of course, if the leave of any officer expires before the commencement of the vacation, he may suffix 10 days' recess to his leave as provided in Subsidiary Rule 42-A, Financial Hand Book, Volume II, parts II to IV. He may also be permitted to prefix 10 days' recess to his leave taken after the expiry of the vacation. In no case, he may take earned leave or medical leave and 10 days' recess both during civil court's vacation. These directions will be applicable to the Assistant Sessions Judges also.

C.L. No. 10-W/Admn.(A) dated 11th February, 1987

All the Judicial Officers, belonging to the Vacation Department and detained on duty during the civil court vacation, are directed to furnish their detention certificates duly countersigned by the District Judge concerned, to the court immediately after expiry of the vacation.

C.L. No. 38/W/ Admn.(A) dated 14th August, 1997

Entitlement for the recess of 10 days for Judicial Officers who take over charge as District & Sessions Judge/Additional District and Sessions Judge/Additional Sessions Judge in the month of vacation.

I am directed to invite your attention to C.L. No. 4/w/Admn. (A) Dated: 13-1-1983 read with C.L.No. 23/W/ Admn.(A) dated 28-3-1987 and to make it specific that the District & Sessions Judge/ Addl. District & sessions Judge/ Addl. Sessions Judge, who do not belong to vacation department, if on transfer or otherwise assume charge of the court in the month of June or January, as the case may be, will not be entitled for the recess of 10 days unless they work for the remaining part of the vacation i.e. 20 days in the month of vacation.

No. 8851/W/ Admn. (A-II) / Dated Allahabad 19th July, 2001

Availing of Civil Court vacation proposal by the members of U.P. Higher Judicial Service and U.P. Nyayik sewa.

In continuation of Court's circular letter No. 4/W/ Admn. (A), dated 13.1.1988 (copy enclosed for ready reference) on the above subject, I am directed to request you kindly to make strict compliance of the instructions contained in the circular letter cited above and send vacation proposal for approval of the Court positively by 15th of May, in every year.

(ii) C.J.Ms & Judicial Magistrates

C.L. No.53/Admn. (A) dated 11th March, 1977

The Munsif Magistrates who are doing civil work exclusively will do criminal work during the summer vacation and will not be allowed to avail of the same.

C.L. No. 46/Admn. (A) dated 21st April, 1980

All the Chief Judicial Magistrates, Additional Chief Judicial Magistrates, Judicial Magistrates and Munsif-Magistrates will work in the civil courts' vacation every year and will not be allowed to avail of the same.

The Munsif-Magistrates may further be informed that they should submit their detention certificates, duly countersigned by the District Judge, in accordance with Subsidiary Rule 146(2) of the Financial Hand Book, Volume II, Part II to IV immediately after the expiry of the vacation, to the Court.

C.L. No. 49/IV-1223 /Admn. (A) dated 13th August, 1984

The Munsif-Magistrates/Judicial Magistrates are required to furnish their detention certificates (In triplicate) in the prescribed proforma, mentioning therein the actual period of their detention, after close of civil court's vacation of each year in accordance with the provisions contained under Subsidiary Rule 146 of Chapter XI of F.H.B. Volume II, Parts II to IV, for being countersigned by the District Judge, and thereafter, the same may be sent to the Court for being countersigned by the Controlling Officer, i.e., Hon'ble the Administrative Judge. After the detention certificates have been countersigned by the Hon'ble the Administrative Judge, the period of their detention in the civil court's vacation of each year should invariably be mentioned in their leave accounts and the detention certificate should be attached with their leave accounts while sending the same to the office of Accountant General, U.P. Allahabad.

[13] LEAVE

(i) Casual leave

C.L.No. 195/IV-f-72 dated 8th December, 1976.

The function of sanctioning casual leave and special casual leave to Additional District and Sessions Judges shall be performed by the District Judges,

C.L. No. 63 (Para) VI dated 6th November, 1967

Casual leave to Chief Judicial Magistrates will be granted by the District Judges.

C.L. No. 74 dated 20th May, 1976

The casual leave to Judicial Magistrates shall henceforth be granted by the District Judge, and not by the C.J.M. When any leave is granted by the District Judge, to any Judicial Magistrate or Munsif-Magistrate, the C.J.M. should invariably be informed of it.

G.L. No. 8/46/7-62 dated 16th February, 1935 read with

G.O. No. 481/II-355 dated 1st February, 1935

Additional District Judges not at headquarters are authorised to grant casual leave to other Judicial Officers, namely, Civil Judges and Munsifs in their districts.

G.L. No. 27/Admn.(A) dated 30th April, 1982

One day's leave be allowed to the Railway Magistrates and their staff, in lieu of their working on a holiday.

G.L. No. 28/44-6-(1) dated 23rd July, 1932

If an officer without leave previously obtained absents himself from his court under rule 12, Chapter I of the General Rules (Civil), 1957, the District Judge is to treat such absence as one on casual leave.

G.L. No. 31/IVf-72-dated 28th April, 1950

Judicial Officers are allowed to combine casual leave with holidays (including non-working days but excluding the civil court vacation) without such holidays, whether prefixed, suffixed or falling in between, being counted towards casual leave, subject to the condition that the total period of absence including such holidays does not exceed fourteen days at a time.

C.L. No. 7/IVf-72 Admn. G. dated. 10th February, 1981

No Judicial officer under the administrative control of the District Judge, including the Additional District and Sessions Judge, shall leave the district to which he is attached either during holidays or at any other time, without previously having obtained permission from the District Judge, with whom he shall leave his address to enable the District Judge to communicate with him at once in his absence, should this be necessary.

C.L. No. 60/V-74(110)-49,f dated 5th September, 1949

In cases of emergency when it is not possible to obtain the prior permission of the Court to leave the station during holidays or on casual leave, a District Judge, or a Sessions Judge not at headquarters, may leave the station in anticipation of the Court's sanction, provided intimation is sent to the Court as soon thereafter as possible and suitable arrangements are made for the disposal of urgent criminal work that may arise during his absence.

(ii) Extra or special casual leave

C.L. No. 76/IVf-72-49 dated 15th November, 1949

District Judges can, without prior reference to the Court, sanction special casual leave up to four days only to Judicial Officers on the ground of their illness or the illness or demise of their near relations. For special casual leave for a longer period or on some other ground, the previous orders of the Court should be obtained.

C.L. No. 64/IVf-72 dated 22nd November, 1954 and

C.L. No. 15/IVf-72 dated 13th February, 1974

The Court has noticed a tendency among Judicial Officers to exhaust all or most of their casual leave by the third quarter of the year and then to apply for special casual leave to meet their requirements during the rest of the year. Judicial Officers are now permitted to combine holidays with casual leave without the holidays counting for leave. If they discretely avail of their casual leave, there should ordinarily be no occasion for them to apply for any special casual leave,

Special casual leave is meant only for short-term illness of the officer or some close relation of his or for bereavement in his family, when no casual leave is due to him. It will not be granted for any other purpose, such as attending a marriage of a relation, etc., unless there are very special reasons.

C.L. No. 11 dated 6th February, 1968

The directions contained in various Circular and General Letters issued by the Court regulating leave of Judicial Officers should be strictly followed.

C.L. No. 27/IVf-72 dated 31st March, 1965

Special casual leave should not be used as a substitute for regular leave and it should be asked for in very exceptional circumstances and for only a few days in excess of the casual leave.

Admissibility of leave to the Special Judicial Magistrate/Special Metropolitan Magistrate

C.L. No. 42/Main 'A'/J.R. (I); Dated: September 27, 2007

With regard to admissibility of leave to the Special Judicial Magistrate/Special Metropolitan Magistrate, the Hon'ble Court has been pleased to prescribe certain norms, which run as under:

“A Special Judicial Magistrate/Special Metropolitan Magistrate will earn one day leave in a working week and he can accumulate leave in this way up to maximum of 30 days but he can avail of leave for more than 15 days at a stretch. This leave can be availed of by a Spl. J.M./Spl.M.M., as a casual leave/medical/earned leave. Such leave as stated above cannot be taken for more than 15 days at a stretch. However, in special circumstances of Spl. J.M./Spl.M.M. can be granted leave for more than 15 days by the orders of the Court, Up to 15 days leave can be granted by the District Judge concerned.

I am, therefore, to request you to kindly bring the contents of the General letter to the notice of Spl. J.M./Spl. N.M./Spl.M.M. working under your administrative control.

(iii) Special Casual Leave to Office Bearers of Association

G. L. No. 15443/IVh-36/ Admn. (A)/ Dated 31st October, 2001

Grant of four days special casual Leave to the President/General Secretary and office-bearers of the Association.

Uttar Pradesh Judicial Service Association, Lucknow has made representation for the grant of four days Special Casual Leave to the President/General Secretary and office bearers of the Association for attending the meetings in terms of G.O. No. 1847/Ka./4-7-E-M-81-83 dated October 4, 1983,

In this regard, I am desired to inform that Hon'ble Court has been pleased to accord its approval for grant of four days special casual Leave to the President/General Secretary/and office-bearers of the Association for attending the meetings as provided in the above referred **G.O. No. 1847/ Ka/4-7-E-M-81-83, dated October 4, 1983.**

A copy of the G.O. No. 1847/Ka-4-7-E-M-81-83 dated October 4, 1983 is being enclosed herewith for your information and necessary action.

संख्या 1847/का/4-7-ईएम-81-83

कार्मिक अनुभाग-4 **लखनऊ: दिनांक: 4 अक्टूबर, 1983**

महोदय,

मुझे आपका ध्यान कार्मिक अनुभाग-4 के शासनादेश संख्या -283 /का-4-ईएम0/81, दिनांक 20 मई 1983 की ओर आकर्षित करने का निर्देश हुआ है जिसमें सरकारी कर्मचारी के मान्यता प्राप्त सेवा संघों/परिषदों आदि की कार्यकारिणी के सदस्यों को, जिनकी संख्या-5 से अधिक न होगी, कार्यकारिणी की बैठक में भाग लेने हेतु अधिकतम (चार) 4 दिनों का विशेष आकस्मिक अवकाश स्वीकृत किये जा सकेंगे के आदेश प्रसारित किये गये थे।

2. शासन ने विचारोपरान्त यह निर्णय लिया है कि कार्यकारिणी के सदस्यों की संख्या पर लगाया गया प्रतिबन्ध समाप्त कर दिया जाए ताकि कार्यकारिणी के जितने भी सदस्य चाहे, बैठक में भाग ले सकें।

3. चार दिन के आवकाश की सीमा तथा संदर्भित शासनादेश में वर्णित अन्य शर्तें यथावत् रहेगी।

Grant of Special Casual Leave to Judicial Officers participating in the Conference of the Judicial Officers Association to be held at Lucknow on 17th & 19th January, 2009

C.L. No. 1/IV-h-36/Admin. (A) Dated: Allahabad: 13.1.2009

I am directed to say that on the request made by Sri S.K. Tripathi, President U.P. Judicial Services Association, Lucknow, on the above subject, Hon'ble Court has been pleased to order that Special Casual Leave be granted for 17th & 19th January, 2009 to the officers of Your Judgeship, who intend to attend the conference on 17th & 18th January, 2009 at Lucknow.

I am therefore, to request that the above order may pleased be communicated to the officers in Your Judgeship and Special Casual Leave be granted accordingly.

(iv) Compensatory Leave to ACJM (Railways) & their Staff.

C.L. No. 53/ Admn. A-3/ dated 28th October, 1998

Grant of Compensatory Leave to the Additional Chief Judicial Magistrate (Railways) and their staff in lieu of their working on a holiday.

I am directed to refer to the court's Circular letter No. 27/ Admn. (A), dated Allahabad April 30, 1982 (copy enclosed), on the above subject, and to say that on reconsideration of the matter the Court has been pleased to order as under:-

“One day's leave be allowed to the Railway Magistrates and their staff in lieu of their working on a holidays.

Provided that not more than seven days compensatory leave will be permissible in a month.

Provided further that not more than two days' compensatory leave can be availed of at one time, and

Provided further that the compensatory leave accumulated during a month may be availed of subject to the above restriction during three successive months following the month in which the leave has accumulated".

I am, therefore, to request you that aforesaid orders of the court be brought to the notice of all concerned.

C.L. No. 27/Admn. (A) dated 30th April, 1982

Grant of leave to the Judicial Magistrate (Railway) and their staff in lieu of working on holiday.

I am directed to refer to the court's letter No. 111/Admn. (A) dated January 3, 1981, on the above subject and to say that on consideration of the views received from the District Judges in the matter, the court has been pleased to order that one day's leave be allowed to the Railway Magistrates and their staff. in lieu of their working on a holiday.

The Railway Magistrates and their staff may be informed accordingly.

(iv-A) Grant of compensatory Leave to Judicial Officers.

C.L. No. 35/Admn. (G)/2005 dated 23rd November, 2005

I am directed to say that on a consideration of the reference made by the Uttar Pradesh Nyayik Sewa Sangh in the matter of availing of Special Casual leave in lieu of work for Lok Adalat on Sunday or other holidays, the Hon'ble Court has been pleased to order that if Judicial Officers work for Lok Adalat on Sunday or other holidays, they shall be entitled to Special Casual Leave in terms of para 1089 of the Manual of Government Orders, Uttar Pradesh and Government Order No. 3/2/1972-Niyukti (3) dated 26-07-1973 However, they in the interest of work, shall arrange amongst themselves so as not to take Special Casual Leave all on the same day.

Grant of compensatory leave to Judicial Officers and the Staff

C.L. NO. 16/2008 ADMIN (G) DATED 31.7.2008

In order to generate more court days to meet out the challenge of docket explosion in the subordinate courts the Hon'ble Court has decided to revise the entitlement of the compensatory leave made admissible to the Judicial Officers and the Staff.

I have been directed to say that in partial modification of all the Circular Letters (80/Ve-70 dated 8th November, 1973 (2) 35/VIID-108/1AAB/LA dated 21st June, 1989 (3) 35/Admin. 'G'/2005 dated 23rd November, 2005) issued by the Hon'ble Court from

time to time the Hon'ble Court has resolved that the Judicial Officers and the Class III and Class IV staff in the District Judgeships be allowed only one day special casual (compensatory) leave for actual participation in Lok Adalat on two Sundays or other holidays. Further, the special casual (compensatory) leave will be granted at the discretion of the District Judge concerned.

I am, further, to request you to kindly bring the contents of this Circular letter to the notice of all the judicial officers and the Staff working under your administrative control and ensure strict compliance.

Grant of compensatory leave to Judicial Officers and the Staff.

C.L. No. 21/2010/Admin. 'G-II': Dated 24.07.2010

I have been directed to say that in partial modification of the Circular Letters already issued by the Court from time to time as indicated [(1) C.L. No. 80/Ve-70, dated 08.11.1973; (2) C.L. No. 35-VIId-108/IAAB-LA, dated 21.06.1989; (3) C.L. No. 35/Admn.G/2005 dated 23.11.2005 (4) C.L. No. 16/2008, Admin. G dated 31.07.2008], on the above subject, the Judicial Officers and the Class III and Class IV staff of the District Courts working for Lok Adalat on Sunday or other holidays, shall be entitled to one day Special Casual (Compensatory) Leave in terms of para 1089 of the Manual of Government Orders, Uttar Pradesh and G.O. No. 3/2/1972 – Niyukti – (3), dated 26.07.1973 which shall be availed upto 3rd Lok Adalat of its becoming due and the same can be sanctioned by their Controlling Officers at their discretion accordingly.

It is, therefore, requested that the above direction of the Court may be strictly complied in future and the contents of this Circular Letter may also be brought to the notice of all concerned for their information.

Grant of compensatory leave to Judicial Officers and the Staff

C.L. No. 25/2010/Admin. 'D-II' Section: Dated 26.08.2010

In clarification of Court's Circular Letter No. 21/2010/Admin. 'G-II', dated 24.07.2010 issued on the above subject, I have been directed to say that one day special casual (compensatory) leave, become due in lieu of actual participation in Lok Adalat on two Sundays or other holidays in terms of Court's Circular Letter No. 16/2008/Admin. (G), dated 31.07.2008 shall be availed upto 3rd Lok Adalat and the same shall be sanctioned by their controlling officers at their discretion accordingly.

It is, therefore, requested that the above direction of the Court may be strictly complied in future and the contents of this Circular Letter may also be brought to the notice of all concerned for their information.

(v) Earned or medical leave

C.L. No. 63 para VI dated 6th November, 1967

Earned leave, medical leave and all other kinds of leave for any period will be granted by the Court on the recommendation of the District Judges concerned and subject to the reports of the Accountant General about title. The applications of the Judicial Magistrates should be routed through the Chief Judicial Magistrates and District Judges.

G.L. No. 3593 dated 7th October, 1911

No application from a Judicial officer will usually be sanctioned by the Court unless the District Judge certifies that the work of the officer is up to date and that his application can be granted without the fear of arrears accumulating to such an extent that they cannot be overtaken by the officer making the request within a reasonable time after his return.

G.L. No. 58/76-f dated 13th November, 1933

Judicial Officers, while applying for leave must state the grounds upon which the leave is required

C.L. No. 32/IV/Admn. (A) dated 19th March, 1980

Local holidays and the holiday on Second Saturday of the month should not be prefixed or suffixed to regular leave, except casual leave.

NOTE: G.O. No.-Sa/4-G.I.45/10-88-201-87 dated 19th January, 1989 issued by Finance (General) Section-4 of U.P. Government says that the second Saturday and restricted holidays are also public holidays and can be prefixed and suffixed with regular leave, provided that the orders granting leave expressly mention, that such holiday falling in the beginning or end of the leave is permitted to be prefixed or suffixed.

G.L. No, 26/76 dated 1st May, 1934 and

C.L. No. 8/Admn. (B) dated 5th October, 1971

Except in the case of illness or of urgent necessity, an application for leave must be submitted not later than one month before the date from which the officer needs leave.

C.L. No. 16 dated 15th February, 1961

In cases where the purpose of the leave can be foreseen well in advance last minute applications for earned leave or special casual leave are likely to be rejected and if the Officers proceed on leave in anticipation of sanction of leave, they are likely to suffer seriously as there may be a break in their service.

C.L. No. 3 dated 17th March, 1903

When a Judicial officer proceeds on leave he should intimate to the Court his address during his absence from duty. Any change of address, other than temporary, during such absence should also be communicated to the Court.

G.L. No. 9 dated 10th April, 1953

Applications for extension of leave should be submitted at least a fortnight before the expiry of the leave. Even in cases where an officer is on medical leave timely intimation of the officer's intention to apply for an extension of leave should be sent to the Court.

G.L. No. 11/46-23-(95) dated 18th May, 1931 read with

C.L. No. 8/Admn. (B) dated 5th October, 1971

The Court strongly objects to allowing regular leave for a period of less than ten days, particularly for a few days preceding or following holidays, except for special reasons which must be mentioned.

Officers in urgent need of short leave of this nature may apply for casual leave which is really intended for this purpose.

C.L. No. 143/IV-f-78/Admn.(A) dated 12th September, 1977

Ordinarily casual leave will not be converted into earned leave except in unavoidable circumstances like illness.

G.L. No. 50/76(1) dated 28th November, 1938

When no proper medical certificate in accordance with Subsidiary Rules 89 to 94 of Financial Handbook, Volume II, is received along with the application for leave on medical grounds from a Judicial Officer, the leave applied for will be notified otherwise than on medical certificate.

G.L. No. 2/46-111-452 dated 4th January, 1939

When any Judicial officer applies for leave on medical certificate, he will be required to attach with his application for leave an undertaking to the effect that if he subsequently decides to retire at the end of the leave or extension of the leave, he will refund all overpayments, if any, representing the difference between average pay and half average pay for the period in excess of that admissible on leave otherwise than on medical certificate.

G.L. No. 1603 dated 13th June, 1902

Judicial Officers must understand that if they do not wish to avail themselves of the leave granted to them, it is their duty to give timely notice to the High Court. Such notice should, as a rule, be given not less than fourteen days before the date from which the leave is sanctioned. If such notice is not received the Court may not allow the arrangements that have been made to fill the vacancy, to be interfered with, and the officer concerned will be liable to be transferred to any post that may at the time be vacant.

Grant of benefits of Medical Leave, Earned Leave and Annual Increment to the employees of Fast Track Courts of Subordinate Courts of Uttar Pradesh.

C.L. No. 50/VIIb-104/Admin. 'D'; Dated November 16, 2009

I am directed to say that the question of grant of aforesaid benefits to the employees of Fast Track Courts have been raised by various Judgeships and after due consideration of the matter, Court has been pleased to resolve as follows:-

“In view of the clarification dated 29.01.1990, 08.01.1991 and 04.02.1991 issued by the State Government as also the Government Order dated 23.03.2001 wherein, the State Government while prescribing the pay scales for the appointment of Peshkars, Stenographers, Peons and Drivers have made provision for grant of annual increment and also considering the provisions of Rule 24 of the Fundamental Rules, the Committee is of the considered opinion that the ad hoc employees working in the Fast Track Courts are entitled for increment and other leaves admissible according to Rules.

The Government Orders dated 29.01.1990, 08.01.1991, 04.02.1991 and 23.03.2001 and High Court's Circular Letter dated 25.07.2001 are enclosed herewith for ready reference.”

(vi) Legal study rules

G.L. No. 20/82-2 dated 29th February, 1936

The concessions as to Legal Study Rules mentioned in Government of India, Home Department notification no. Judicial-F/227-35, dated August 21, 1935, have been extended under Appointment Department letter no. 885/II-627, dated February 18, 1936 to Officers of Uttar Pradesh Civil (Judicial) Services of not more than twenty years' standing.

(vii) Leave preparatory to retirement

C.L. No. 53 dated 10th September, 1964

Leave preparatory to retirement should not be refused by the District Judges on public grounds without obtaining orders from the Government as provided in Fundamental Rule 86 of the Financial Handbook, Volume II.

(viii) Availing of special casual leave in lieu of joining time

C L No 41/IVf-71-Admn.(A), dated 27th May, 1991

I am directed to say that on a consideration of the reference made by the District Judges of Agra, Gorakhpur and Mathura in the matter of availing of special casual leave in lieu of joining time, the Court has been pleased to order that Officers who take over charge on transfer without availing of the usual joining time voluntarily are entitled for special casual leave in lieu of joining time not availed by them and that the Officers may avail of the said period of joining time either en-block or on separate dates, but the said period of special casual leave be availed of within a period of six months from the date of transfer, as provided in S.R. 174(G) F.H.B. Vol. II, Part 3.

I am, therefore, to ask you to act in the matter accordingly.

(ix) Reasons for leave to be mentioned

C.L No. 18, dated 28th January, 1994

Reasons for leave to be mentioned in the applications for earned leave/casual leave

I am directed to say that since most Officers, while applying for casual or earned leave, do not specify the reasons for/ground of leave applications, it is necessary, in the interest of the Administration of the Court, to ask them to specify the reasons for leave whenever they apply for the same.

I am, therefore, to request you kindly to note the aforesaid direction and to ask the subordinate Officers to act upon accordingly.

(x) Grant of Earned Leave Encashment, GP. Fund withdrawal, Advances, House Building, Motor Car and Scooter Loans to Judicial Officers.

C.L. No. 109/X-b-29/Admn. (A), dated 19th November, 1994

Grant of Earned leave, Leave Encashment, G.P. Fund withdrawal, Advances, House Building, Motor Car and Scooter Loans to the Judicial Officers

I am directed to say that the Court has been pleased to resolve that the matter regarding grant of Earned Leave, Leave Encashment, G.P. Fund withdrawal, Advances, House Building, Motor Car and Scooter Loans of the Judicial Officers shall be retained with the High Court.

C.E. No.40/X-b-29/Admn.(A), dated 10th October, 1995

Grant of Earned Leave, Encashment Leave, G.P.F. withdrawal, Advances, House Building, Motor Car and Scooter Loans to the Judicial Officers

With reference to your letter No. 2084/1, dated December 16, 1994, on the above subject, I am directed to inform you that the powers of District Judges in respect of encashment of leave salary etc. which were being exercised by them as Head of office under the provisions of para 249 of F.H.B. Volume V, Part I, and in respect of temporary advances, under Second Schedule of G.P.F. Rules, 1985 and under other relevant rules and regulations, have not been withdrawn by the High Court by means of Circular Letter No. 109/X-b-29/Admn.(A), dated November 19, 1994 and that you may continue to exercise those powers as heretofore.

I am further to inform you that House Building and Motor Vehicle advance to the Judicial Officers will, however, be sanctioned by the High Court as already intimated vide Court's Circular Letter No. 39/X-b-29/Admn.(A), dated April 12, 1994.

Extension of the term of temporary 04 Additional Special Courts/Posts of Special Judges, Anti Corruption of CBI, at Lucknow and 02 Additional Special Courts/Posts of Special Judges, Anti Corruption of CBI, Ghaziabad.

No. 1770/Main-B/Admin.(A-3) dated 29.01.2011

I have been directed to say that vide Government's Order No. 1532/VII-Nyay-2-2010-167-G/2009, dated 26.10.2010, the Government have been created the term of temporary 04 Additional Special Courts/Posts of Special Judges, Anti Corruption, at Lucknow and 02 Additional Special Courts/Posts of Special Judges, Anti Corruption, Ghaziabad along with necessary staff for trying the cases investigated by CBI in the State of Uttar Pradesh.

The term of aforesaid temporary Special Courts/Posts along with staff have been extended up to 28.02.2011 vide the aforesaid Government Order No. 1532/VII-Nyay-2-2010-167G/2009, dated 26.10/2010.

It is necessary in the public interest to extend the term of aforesaid temporary Special Courts/Posts along with staff in the State of Uttar Pradesh, for a further period of one year more w.e.f. 1.3.2011 to 29.02.2012 with usual contingent grants, etc.

I am, therefore, to request you kindly to move the Government for obtaining necessary orders regarding extension of the term of the above mentioned temporary 04 Additional Special Courts/posts of Special Judges, Anti Corruption of CBI at Lucknow 02 Additional Special Courts/Posts of Anti Corruption of CBI, at Ghaziabad for one year more i.e. w.e.f. 1.3.2011 to 29.02.2012 along with necessary staff with usual contingent grants, etc. And orders so obtained may kindly be communicated to the Court, at the earliest.

Regular leave for a period of less than ten days

G.L. No.1515/Admin.(A-II) dated 25.01.2011

In continuation of Court's G.L. No. 11/46-23(95) dated 18th May, 1931 read with C.L. No. 8/Admin.(B) dated 5th October, 1971 (G.L. No. 11/46-23(95) dated 18th May, 1931 read with C.L. No. 8/Admin. (B) dated 5th October, 1971 "The Court strongly object to allowing regular leave for a period of less than ten days, particularly for a few days preceding or following holidays, except for special reasons which must be mentioned. Officers in urgent need of short

leave of this nature may apply for casual leave which is really intended for the purpose.”) on the above subject, I am directed to request you to kindly make strict compliance of the instructions contained in the General/Circular letter cited above.

[14] QUANTUM OF WORK:

(i) Quantum of work for Judicial Officers

G.L. No. 53/IV-h-14/84 dated 29th August, 1984*

The revised minimum standard of work, is contained in Schedules ‘A’, ‘B’, ‘C’, ‘D’ and ‘E’.

This modified standard will come into effect from July 1, 1984.

The submission of correct quarterly statements of out-turn in the prescribed form is the personal responsibility of Officers and as such they must take special care to check the statements before submission.

**SCHEDULE -A
CRIMINAL WORK**

(A) Sessions Trials:

- | | | |
|----|---|-------------------------|
| 1. | Trials under Sections 302, 304, 395/397, 396 and 399/402 I.P.C. and trials in which there is also a charge under section 147 I.P.C. or per 148 I.P.C or both. | ... 3-1/2 days per case |
| 2. | Trials under Sections 366, 409, 417, 466, 477 and 477A I.P.C | ... 3 days per case |
| 3. | Other Sessions Trials | ... 2 days per case |
| 4. | Section 75 I.P.C cases where trial would otherwise be by a Magistrate | 1 day per case |
- EXPLANATION: In all Sessions trials-
- | | | |
|-----|--|---------------------|
| (a) | Where all accused are discharged under Section 227 Cr.P.C. | ... 4 cases per day |
| (b) | Where all accused are convicted under Section 229 Cr.P.C | ... 8 cases per day |

NOTE:

- (i) No minimum out-turn is fixed for long cases which take six or more days. However, a note will be made in the statement of out-turn of work giving the total number of hours devoted, number of accused examined, number of witnesses of fact examined, number of formal witnesses examined, total number of pages of evidence and hours devoted for arguments.
- (ii) Cases under Section 6 (1) of the Criminal Law Amendment Act, 1952 and Essential Commodities Act, 1956 are triable by special judges. These cases

* Modified by G.L. No. 1/IV-h-14/90, dated November 8, 1990 and G.L.No. 28/IV-h-14/96, dated 1.6.1996.

should not be classed as Sessions trials. A note, however, should be made in the return of the time spent over such cases with details as to their number and nature.

- (iii) All Sessions trials which are tried together, in which evidence is recorded only once and which are disposed of by one judgment will be counted as only one case for purpose of counting the number of days taken in their disposal.
- (iv) The time devoted to part-heard Sessions trials will be accounted for only in that financial year in which such cases are concluded.

In respect of part-heard cases which are not concluded In the same financial year, the Presiding Officer may make a note in the statement of out-turn indicating the precise work done and the time spent therein. In the case of an officer other than the District Judge, the District Judge shall watch the correctness of the note by countersigning the same.

(B) Criminal Appeals, Revisions and References

1. Represented Criminal Appeals:-

- (i) Criminal appeals against the orders of Assistant Sessions Judges ... 2 per day
- (ii) Criminal appeals against the orders of Magistrates ... 3 per day
- (iii) Criminal appeals against the orders of Magistrates in cases of conviction under Sections 363, 408, 409, 466, 468, 471, 477 and 477A, I.P.C ... 2 per day

NOTE :

- (1) Criminal appeals arising out of the same Judgment or order will, for purposes of disposal, be counted as one appeal.
- (2) Jail appeals and Criminal revisions admitted and heard after notice to the State Counsel ...6 per day
- (3) Criminal revisions dismissed after hearing counsel for the applicant at admissions stage ...12 per day

NOTE: This minimum out-turns has been fixed on the assumption that all Jail appeals and Criminal revisions will not be admitted as a matter of course. Jail appeals in which the State Counsel is not heard, will not count towards disposal.

- (4) References under section 122, Cr.P.C. ... 8 per day

SCHEDULE B CIVIL WORK

(A) Regular suits

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|--|-----------------------------------|
| 1. Suit upto Rs. 2,000/- | One suit per day after full trial |
| 2. Suits from Rs. 2001/- to Rs. 10,000/- | 2 days per suit after full trial |
| 3. Suits above Rs. 10,000/- | 3 days per suit after full trial |
| 4. Petitions under Hindu Marriage Act | 1 case per day after full trial |
| 5. Other cases decided ex-parte | 20 cases per day |

NOTE :

- (i) In civil suits taking more than four days credit will be given for the actual number of days taken, but a note shall be made in the remarks column of the statement of out-turn of work giving the valuation of the suit, the number of witnesses examined by each party, the number of pages of oral evidence recorded, the number of documents proved, the time devoted in recording evidence and the time devoted in arguments.
- (ii) Suits for partition and accounts decided at the stage of preliminary decree will be treated as decided after full trial, and in case of a further contest at the, stage of final decree, the Presiding Officer will be allowed further credit of half the time allowed at the stage of the preliminary decree in the case.

(B) Small causes suits

1. Suits decided after full trial by District Judges in exercise of powers u/s 25(2) of the Bengal, Agra and Assam Civil Courts Act.1 case per days per
2. Small Cause Suits decided by Judge Small Causes after full trial :
 - (a) Suits based on negotiable instruments and simple bonds8 cases per day
and for arrears of rent1 case per day
 - (b) Suits for ejectment.
Provided that this will not include cases in which the relief of ejectment is refused on account of deposit made u/s 20(4) of U.P. Act No. 13 of 1972 there being no contest thereafter.
 - (c) Suits against Railways.4 cases per day.
 - (d) Other suits.10 cases per day.
3. Small cause suits decided otherwise.40 suits per day.

(C) Other Civil Cases decided after full trial.

1. Original Suits cognizable by District Judges and not falling in the above categories3 days per suit.
2. Petitions under the Indian Divorce Act and Special Marriages Act.1 day per case.
3. Petitions for letters of administration and probate under Indian Succession Act.1 day per case
4. Motor Accidents Claims Cases. 2 days per case.
5. Land Acquisition Cases;-
 - (a) Cases in which there is one set of claimants. 1-½ days per case,
 - (b) Cases in which there are two sets of claimants.2 cases per case,

NOTE:

Separate claims made by different sets of claimants in land acquisition proceedings under the same notification will not be treated as separate cases but only one case.

6. Zila Parishad or Municipal Board/ Municipal Corporation Election Petitions.3 days per case.
7. Election Petitions relating to Kshettra Samitis, Town area and Notified areas.2 days per case.

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|-----|--|------------------------|
| 8. | Applications under Section 21 of U.P. Act No. 13 of 1972. |1 case per day |
| 9. | Applications under Sec. 28 of U.P. Act No. 13 of 1972. |10 cases per day. |
| 10. | References under Section 71 of U.P. Muslim Waqf Act, 1960. |One case per day. |

NOTE: Disposal of any old case of the nature referred to in clauses 3,7,8,9 first part of 10 and 11 under the head “other civil cases” of Schedule B of the out turn of work approved vide C.L. No. 1/IV-h-14/78, dated March 21, 1978 will be accounted for as provided therein.

(D) Appeals.

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|----|--|------------------|
| 1. | Regular appeal from decree in a suit passed by Munsif decided after contest. |2 per day. |
| 2. | Regular appeal from decree in a suit passed by Civil Judge, decided after contest. |1 per day. |
| 3. | Execution and insolvency appeals, regular appeals in suits decided under Order XVII Rule 3 C.P.C and Ceiling appeals under U.P. Act No. I of 1961 and Central Act No. 33 of 1976 decided after contest |4 per day. |
| 4. | Appeals under section 22 of U.P. Act No. 13 of 1972 decided after contest. |2 per day. |
| 5. | Appeals under the Payment of Wages Act or U.P. Public Premises (Eviction of Unauthorised Occupants) Act, decided after contest. |4 per day. |
| 6. | Other miscellaneous appeals decided after contest. |4 per day. |
| 7. | Appeals under the U.P. Nagar Mahapalika Adhiniyam, 1959. |20 per day. |
| 8. | Second Appeals under section 476 of U.P. Nagar Mahapalika Adhiniyam. |10 per day. |
| 9. | Other miscellaneous appeals dismissed at admission stage after hearing counsel. | ...20 per day. |

(E) Revisions:

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|----|---|------------------|
| 1. | Revisions under section 89 of the U.P. Panchayat Raj Act decided after contest. |12 per day. |
| 2. | Revisions under section 25 of Provincial Small Cause Courts Act decided after full contest. |4 per day. |
| 3. | Revisions under section 115 C.P.C. decided after full contest. |5 per day. |
| 4. | Revisions under section 18 of U.P. Act No. 13 of 1972 decided after full contest. |3 per day. |
| 5. | Revisions dismissed at the admission stage after hearing counsel. |20 per day. |

NOTE:

- (I) For definition of suits or appeals decided after full trial, see the Court’s Circular Letters No. 41/IV-h-14, dated May 16, 1949, and No.52/IV-h-14, dated August 12,1949 .
- (II) If any contested suit is compromised or withdrawn after close of evidence, the suit will not be treated as decided after full trial, but half of the time prescribed for such cases will be counted towards standard. A suit decided on contest only on questions of interest or costs or both will not be counted towards standard,

- (III) Appeals or revisions decided on compromise or withdrawn will not be counted towards standard.

(F) Miscellaneous Work

Judicial Officers having sufficient miscellaneous work will be entitled to adjustment for the time devoted in the manner provided below:-

1. Judge Small Causes Court having more than 1500 suits, Civil Judges having more than 300 suits, and permanent Munsifs.1-½ days In a week.
2. District Judges, Judges Small Causes Court having 1500 suits, Civil Judges having 300 suits and Additional Munsifs having 200 suits.1 day in a week.
3. Judges Small Causes Court or other Judges doing Insolvency cases.1/2 day in a week.
4. Miscellaneous work may be normally fixed on Saturdays, Where a day and a half is permissible, work may also be fixed for another half a day on any other day of the week. Insolvency cases may be fixed on Fridays.
5. Other Presiding Officers doing civil work may claim adjustment for the time actually spent on any Saturday. If the amount of miscellaneous work done on any day is small, it will be ignored. If about half a day or a little more has been devoted to miscellaneous work, it will count as half a day. If the whole day has been devoted to miscellaneous work and the amount of other work done is small, it will count as one day. A note will be made by the Presiding Officer on the diary in red ink regarding the adjustment to be claimed.
6. Presiding Officers should utilise the days reserved for miscellaneous work in doing civil miscellaneous cases and disposing of applications of a miscellaneous nature. No work for which quota is prescribed should be normally fixed on a day reserved for miscellaneous work. The District Judges should ensure that days reserved for miscellaneous work are used for this purpose.

SCHEDULE - C

Quantum of disposal for Chief Metropolitan Magistrates, Additional Chief Metropolitan Magistrates and Metropolitan Magistrates:

(A) Appealable Cases:

- | | |
|------------------|-----------------|
| 1. Warrant Cases | 3 cases per day |
| 2. Summons Cases | 4 cases per day |

(B) Non-Appealable Cases:

- | | |
|------------------|---------------------|
| 1. Warrant Cases | ...8 cases per day |
| 2. Summons Cases | ...12 cases per day |

- (C) Cases where accused pleads guilty at the commencement of the trial.60 cases per day

- | | |
|--|--|
| (D) Criminal Miscellaneous Cases entered in registers in Forms Nos. 11 and 12 G.R. (Criminal). |8% of the actual working days in a month. |
| (E) Sessions Enquiry on complaint under Section 202 (2) Cr. P.C. |8 cases-per day |
| (F) Bails and Remands. | .. One day in a month. |

SCHEDULE – D

Quantum of disposal per working day for Chief Judicial Magistrates, Judicial Magistrates and Munsif-Magistrates:

(A) Warrant Cases

- | | |
|--|---------------------|
| (i) Cases in which the accused is convicted or acquitted after full trial under Sections 363, 408, 409, 466, 467, 468, 471, 477 and 477A, IPC as amended by C.L. No. C-45/iv-h-14/85 dated 13 th Sept., 1985. | 2 days for one case |
| (ii) Cases in which the accused is convicted or acquitted after full trial : | |
| (a) Essential Commodities Act | 2 cases per day. |
| (b) Arms Act. | 4 cases per day. |
| (c) Prevention of Food Adulteration Act. | 2 cases per day. |
| (d) Excise Act. | 4 cases per day. |
| (e) Other Local and Special Acts | 5 cases per day. |
| (iii) Other cases (including cases under Section 3 of the Railway Property (Unlawful Possession) Act, 1966 in which the accused is convicted or acquitted after full trial. | 1 case per day. |
| (iv) Cases in which the accused is either discharged under Section 239 or 249 Cr.P.C or convicted under Sections 241 or 246(3) Cr. P.C. | 12 cases per day. |
| (v) Cases in which the accused is discharged under Section 245 Cr.P.C. | 5 cases per day. |
| (vi) Cases in which the accused is discharged under Sec. 249 Cr.P.C.without any evidence having been recorded. | No credit. |
| (vii) Cases in which compounding under Section 320 Cr.P.C. take place after some evidence having been recorded. | 8 cases per day. |
| (viii) Cases under Section 299, Cr.P.C. | 12 cases per day. |

(B) Summons Cases

- | | |
|--|----------------------|
| (i) Cases u/s 125, Cr.P.C. | 1-1/2 cases per day. |
| (ii) Cases in which the accused is convicted u/s 252, Cr.P.C. | 12 cases per day. |
| (iii) Cases in which the accused is acquitted u/ss. 256,257,258 Cr.P.C. after some evidence has been recorded. | 12 cases per day. |
| (iv) Cases in which the accused is acquitted u/ss 256, 257, 258 Cr.P.C. without any evidence having been recorded. | No credit |

(v) Cases decided after full trial.	1-½ cases per day
(vi) Cases dismissed in default.	No credit.
(vii) Cases dismissed u/s 203,Cr.P,C.	12 cases per day.
(C) Summary trial cases:	
(a) Appealable cases	
(i) Warrant cases	6 cases per day.
(ii) Summons cases	6 cases par day.
(b) Non-appealable cases	
(i) Warrant cases	12 cases per day.
(ii) Summons cases	12 cases per day.
(c) Cases where the accused pleads guilty at the commencement of the trial.	30 cases per day.
NOTE Cases triable summarily will not be given benefit of warrant cases or summons cases even if the Magistrates try them as regular snmmons or warrant cases except cases in which the accused is either a public servant or member of an elected public body and is charged with an offence involving moral turpitude.	
(D) Appeals against conviction by Magistrates II Class	5 cases per day.
(E) Criminal miscellaneous cases entered in Registers in Forms Nos. 11 and 12 G.R. (Criminal).	8 % of the actual in working days in a month.
(F) Bails and remands	One day in a month.
(G) Sessions enquiry on complaint u/s 202 (2)	8 cases per day.
NOTE : The statement of out-turn of work will be submitted in proforma Annexure 1.	

SCHEDULE 'E' **GENERAL**

- (1) Judicial Officers are expected to inspect their offices once in a quarter. A District Judge is expected to inspect each subordinate court once in a year. The total time spent in inspection should be noted in the remarks column of the statement.
- (2) In calculating working days the following will be excluded
 - (a) days on which courts are closed for the whole day or half day due to holidays or other causes,
 - (b) days on which the Presiding Officer is on earned leave or on casual leave,
 - (c) days devoted to miscellaneous work, and
 - (d) days spent in inspection of the office or subordinate courts.
- (3) Credit will be given to District Judges for administrative work and work connected with admissions and bail as below :
 - (a) in districts having not more than 20 courts, .. 10%
 - (b) in districts having not more than 30 courts, and .. 15%

- (c) in districts having more than 30 courts .. 20%
- (4) The standard prescribed herein is intended to represent the minimum amount of work expected from the Officers and in most cases the Court expects that it is, in fact, exceeded.
 - (5) The merit of an officer will be judged by the quality of his work. The Officers, therefore, in no circumstances will sacrifice quality for the sake of quantity.
 - (6) If the work of any officer falls short of the prescribed standard, the circumstances will be clearly stated in the remarks column of the statement of out-turn of work. A statement giving the number of cases under each head pending on the 1st of each month during the financial year will be attached. Another statement giving details of cases heard but not concluded will be given in accordance with instructions given in Note 1 of Schedule A under the head Sessions trials and note 1 of Schedule-B under the head Regular Suits.
 - (7) Chief Metropolitan Magistrate and Chief Judicial Magistrates provided with Stenographers will give disposal at the enhanced quota of 130%. Chief Judicial Magistrates having no Stenographer will note in red ink at the top of the statement of out-turn of work: "Without a Stenographer."
 - (8) Munsifs, Metropolitan Magistrates, Judicial Magistrates and Munsif-Magistrates provided with Stenographers will give disposal at the enhanced quota of 120%. It will be noted in red ink at the top of the statement of out-turn of work:
"With a Stenographer" or "Without a Stenographer."
 - (9) The statement of out-turn of work will be submitted to the Court at the end of every quarter beginning from April 1, 1984. For preparation of such statement guidance may be had from Court's C.L. No. 2/IV-h-14 dated January 29, 1955*.
 - (10) The statement of out-turn of work will bear the name and designation of the official who prepares the same and also the official who checks the same.
 - (11) It will be the personal responsibility of the Presiding Officer concerned to see that the statement, so submitted, is absolutely correct.
 - (12) The District Judge should ensure that the statements are properly and correctly prepared. Severe action should be taken against officials preparing wrong statements.
 - (13) District Judges should expedite disposal of miscellaneous appeals, revisions and other cases in which proceedings before the lower courts have been stayed.
 - (14) Presiding Officer should expedite disposal of applications for ad-interim injunction, attachment and appointment of receiver. Time bound interim orders should not be extended for more than a month after filing of the objection unless the defendants themselves seek adjournment.
 - (15) Presiding Officer should expedite civil miscellaneous cases of the nature of Section 47 C.P.C., order 21 rule 58 C.P.C., order 21 rules 97 and 100 C.P.C., order 21 rules 89 and 90 C.P.C. etc. so as to expedite disposal of old execution cases.

*

Direction about the preparation of the statement are contained in G.L. 3/IV-h-14, dated 29th January, 1955.

- (16) Presiding Officers should expedite disposal of old cases. Presiding Officers should not give long dates when adjourning old cases. Short dates after a week or two should be normally given. A list of 100 oldest cases may be prepared at the beginning of every quarter and the cases may be disposed of on priority basis.
- (17) District Judges will check up the statements submitted in compliance of Administrative Judges' Circular Letter No. 8 of 1976 to ensure that Presiding Officers are disposing of a fair number of old cases and are not giving preference to new cases. A specific mention should be made in the confidential remarks regarding this. Presiding Officers found habitually not paying due attention to disposal of old cases may not be considered fit for promotion or confirmation.
- (18) The District Judge should ensure that judgments are delivered expeditiously and in case of delay the Presiding Officer should be asked to expedite.

ANNEXURE – I

Statement showing outturn of the Presiding Officer of the Magisterial Courts of District --- ----- for the quarter ending -----

1.	Name and designation of the PRESIDING OFFICER		Warrant Cases
2.	Cases in which the accused was convicted or acquitted after full trial U/ss. 363, 408, 409, 466 to 468, 471 and 477A IPC		
3.	Cases in which the accused was convicted or acquitted after full trial under:- (a) Essential Commodities Act (b) Arms Act (c) Prevention of Food Adulteration Act (d) Excise Act (e) Other Local and Special Act cases		
4.	Other cases in which the accused was convicted or acquitted after full trial		
5.	Cases in which the accused was discharged U/s. 239 OR 249 Cr.P.C. or convicted U/s. 241 or 246(3) Cr.P.C.		
6.	Cases in which the accused was discharged U/s. 245 Cr.P.C.		
7.	Cases in which compounding U/s. 320 Cr.P.C. took place after some evidence having been recorded.		
8.	Cases U/s. 299 Cr.P.C.		
9.	Appealable Cases.		
10.	Non-appealable Cases.		
11.	Cases under section 125 Cr.P.C.		Summons Cases
12.	Cases in which accused was convicted U/s. 252 Cr.P.C.		
13.	Cases in which accused was acquitted U/ss. 256, 257 and 258 Cr.P.C. after some evidence.		
14.	Cases decided after full trial.		
15.	Cases dismissed U/s. 203 Cr.P.C.		
16.	Appealable Cases.		
17.	Non-appealable Cases.		
18.	Appealable Cases	Warrant Cases	Summary Trial
19.	Non-appealable Cases		
20.	Appealable Cases	Summons Cases	

hostile and the trial ends in acquittal prescribed for trial after full contest.

4. Schedule 'B' item (i) of Schedule 'D' of Court's G.L. No 1/IV-h-14/90 dated 8.11.1990 be modified by insertions as under:
 - (i) in item (i) of serial 'B' of Schedule 'D' of the above G.L. words "decided after full trial" be inserted between the words "Cases" and "U/S 125 Cr.P.C."
 - (ii) in item (vi) of serial 'B' of Schedule 'D' of the above G.L. words "including cases under Section 125 Cr.P.C. " be inserted between the words "Cases" and "dismissed in default"
 - (iii) New item number (vii) as below be added to serial number 'B' of 'D' Schedule of the G.L. (viii) Cases under section 125 Cr.P.C. decided exparte- 20 cases per day.
5. Schedule 'C' of the GL be deleted and Schedule 'D' and 'E' of the GL be renumbered as Schedule 'C' and 'D' in that order.
6. words "Munsif Magistrate" occurring in Schedule 'D' of the GL be substituted by words "Civil Judges (Junior Division) exercising powers of Judicial Magistrate 1st Class".
7. The preamble of Schedule 'D' of the GL be amended by inserting words "Chief Metropolitan Magistrate/Additional Chief Metropolitan Magistrate/Additional Chief Metropolitan Magistrate/ Additional Chief Judicial Magistrate and Metropolitan Magistrate. The preamble after amendment would read as under:

"Quantum of disposal per working day for Chief Judicial Magistrates Chief Metropolitan Magistrates, Additional Chief Judicial Magistrate, Additional Chief Metropolitan Magistrate, Judicial Magistrates, Metropolitan Magistrates Civil Judges (Junior Division) exercising power of the Judicial Magistrate 1st Class."

The above amendment/modification will come into force with effect from 1.4.2007

Therefore, I am to request you to kindly circulate the letter amongst the Judicial Officers working under your kind control and to act accordingly.

G.L. No. 57/0, dated 3rd September, 1948

Remarks column of the quarterly statement of disposal should, where the outturn of an officer is not adequate, invariably contain the reasons with District Judge's comments thereon and other facts which may have a bearing on disposal.

G.L. No. 1/IV-h-14/90, dated 8th November, 1990

Quantum of work for Judicial Officers

I am directed to refer to Court's General Letter No. 53/IV-h-14/84, dated August 29, 1984, on the above subject, and to say that on receiving representations and proposals from some quarters regarding revision in the quantum of out-turn of work of Judicial Officers, the Court has re-examined the standard of out-turn fixed for various types of cases and other proceedings required to be done by Presiding Officers of the Sessions, Civil and Criminal courts and has been pleased to make some modifications in the standard of work prescribed under the General Letter

aforesaid. The revised minimum standard of work, is contained in Schedules 'A', 'B', 'C', 'D', and 'E', annexed to this letter.

This modified standard will come into effect from January 1, 1991.

The contents of this General Letter including those of the annexed Schedules, may kindly be brought to the notice of all the Officers working under you for their guidance and compliance. They should also be told specifically that submission of correct quarterly statements of out-turn in the prescribed form is their personal responsibility and as such they must take special care to check the statements before submission, so that there may not be any occasion for making a representation in that regard afterwards.

SCHEDULE 'A' **CRIMINAL WORK**

(A) Sessions Trials:

- | | | |
|----|---|---|
| 1. | Trials under Sections 302, 304, 395/397, 396 and 399/402 I.P.C. and trials in which there is also a charge under Sections 147 I.P.C, or 148 I.P.C. or both. | ...3 ¹ / ₂ days per case. |
| 2. | Trials under Sections 307, 366, 409, 417, 466, 477 and 477A I.P.C |3 days per case. |
| 3. | Other Sessions Trials. |2 days per case. |
| 4. | Sections 75 I.P.C. cases where trials would otherwise be by a Magistrate. |1 day per case. |

EXPLANATION : In all Sessions Trials -

(a) Where all accused are discharged under Section 227 Cr.P.C.4 cases per day.

(b) Where all accused are convicted under Section 229 Cr.P.C.8 cases per day.

NOTE:

1. No. minimum out-turn is fixed for long cases which take six or more days. However, a note will be made in the statement of out-turn of work giving the total number of hours devoted, number of accused examined, number of witnesses of fact examined, number of formal witnesses examined, total number of pages of evidence and hours devoted for arguments.
 - Cases under Section 6(1) of the Criminal Law Amendment Act, 1952 and Essential Commodities Act, 1955 are triable by Special Judges. These cases should not be classed as Sessions Trials. A note, however, should be made in the return of the time spent over such cases with details as to their number and nature.
 - All Sessions Trials which are tried together, in which evidence is recorded only once and which are disposed of by one judgment will be counted as only one case for purpose of counting the number of days taken in their disposal. The time devoted to part heard Sessions Trials will be accounted for only in that financial year in which such cases are concluded.
 - In part-heard cases which are not concluded in the same financial year, the Presiding Officer may make a note in the statement of out-turn indicating the precise

work done and the time spent therein. In the case of an officer other than the District Judge, the District Judge shall vouch the correctness of the note by countersigning the same.

(B) Criminal Appeals, Revisions and References:

1. Represented Criminal Appeals :

- | | |
|--|-----------------|
| (i) Criminal Appeals against the order of Assistant Sessions Judges. |1 per day. |
| (ii) Criminal Appeals against the order of Magistrates. |3 per day |
| (iii) Criminal Appeals against the orders of Magistrates in cases of conviction under Sections 363,408,409,466,468,471,477and 477A, I.P.C. |2 per day |

NOTE :

- | | |
|---|----------------|
| 1. Criminal Appeals arising out of the same judgment or order will, for purposes of disposal, be counted as one appeal. | |
| 2. Jail Appeals and Criminal Revisions admitted and heard after notice to State Counsel. |6 per day. |
| 3. Criminal Revisions dismissed after hearing counsel for the applicant at admission stage. |6 per day |

NOTE :

- | | |
|---|----------------|
| (i) This minimum out-turn has been fixed on the assumption that all Jail Appeals and Criminal Revisions will not be admitted as a matter of course. | |
| (ii) Jail Appeals in which the State Counsel is not heard, will not count towards disposal. | |
| 4. References under Section 122 Cr.P.C. |8 per day |

SCHEDULE 'B'*

CIVIL WORK

(A) Regular Suits:

- | | |
|--|-------------------------------------|
| 1. Suits up to Rs. 5,000/- | 1-½ days per suit after full trial. |
| 2. Suits from Rs. 5,001/- to Rs.10,000/- | 2 days per suit after full trial. |
| 3. Suits above Rs. 10,000/- | 3 days per suit after full trial. |
| 4. Petitions under Hindu Marriage Act | 1-½ days per case after full trial. |
| 5. Other cases decided ex-parte. | 20 cases per day. |

NOTE-

- | | |
|---|--|
| 1. In Civil Suits taking more than four days, credit will be given for the actual number of days taken, but a note shall be made in the remarks column of the statement of out-turn of work giving the valuation of the suit, the number of | |
|---|--|

* This Schedule has been modified by G.L. No. 28/IV-h-14/96, dated June 1, 1996 for modified Schedule

witnesses examined by each party, the number of pages of oral evidence recorded, the number of documents proved, the time devoted in recording evidence and the time devoted in arguments.

2. Suits for partition and accounts decided at the stage of preliminary decree will be treated as decided after full trial, and in case of a further contest at the stage of final decree, the Presiding Officer will be allowed further credit of half the time allowed at the stage of the preliminary decree in the case.

(B) Small Causes Suits:

1. Suits decided after full trial by District Judges in exercise of powers u/s 25(2) of the Bengal, Agra and Assam Civil Courts Act. 1-½ days per case.
2. Small Cause Suits decided by Judge Small Causes after full trials:
 - (a) Suits based on negotiable instruments and single bonds and for arrears of rent.8 cases per day
 - (b) Suits for ejectment 1-½ Days per case.
Provided that this will not include cases in which the relief of ejectment is refused on account of deposit made u/s 20(4) of U.P. Act No. 13 of 1972 there being no contest there-after.
 - (c) Suits against Railways ...4 cases per day.
 - (d) Other Suits. ...10 cases per day.
3. Small Cause suits decided otherwise ...40 Suits per day.

(C) Other Civil Cases decided after full trial:

1. Original Suits cognizable by District Judges and no falling in the above categories. .3 days per suit
2. Petitions under the Indian Divorce Act and Special Marriage Act. .1-½ days per case
3. Petitions for letters of administration and probate under Indian Succession Act.1-½ days per case
4. Motor Accidents Claims Cases ...2 days per case.
5. Land Acquisition Cases :
 - (a) Cases in which there is one set of claimants. .1-½ days per case
 - (b) Cases in which there are two sets of claimants. 2 days per case

NOTE: Separate claims made by different sets of claimants in land acquisition proceedings under the same notification will not be treated as separate cases but only one case.

6. Zila Parishad or Municipal Board/Municipal Corporation Election petitions. ...3 days per case.
7. Election Petitions relating to Kshettra Samitis, Town Area and Notified Areas. ...2 days per case.

- | | |
|--|------------------------|
| 8. Applications under Section 21 of U.P. Act No. 13 of 1972. |1-½ days per case |
| 9. Applications under Section 28 of U.P. Act No. 13 of 1972. | ...10 cases per day. |
| 10. References under Section 71 of U.P. Muslim Waqf Act, 1960. | One Case per day. |

NOTE: Disposal of any old case of the nature referred to in clauses 3, 7, 8,9, first part of 10 and 11 under the head “other Civil Cases” of Schedule B of the out-turn of work approved vide C.L. No. I/IV-h-14/78, dated March 21, 1978 will be accounted for as provided therein.

(D) Appeals:

- | | |
|---|------------------------|
| 1. Regular Appeals from decrees in suits passed by Munsifs, decided after contest. | ...2 per day. |
| 2. Regular Appeals from decrees in suits passed by Civil Judges, decided after contest. | ...1 per day |
| 3. Execution and insolvency appeals, regular appeals in suits decided under Order XVII Rule 3 C.P.C. and Ceiling Appeals under U.P. Act No. 1 of 1961 and Central Act No. 33 of 1976 decided after contest. | ...4 per day. |
| 4. Appeals under Section 22 of U.P. Act No. 13 of 1972 decided after contest. | ...3/4 day per appeal. |
| 5. Appeals under the Payment of Wages Act or U.P. Public Premises (Eviction of Unauthorised Occupants) Act, decided after contest. | ...4 per day. |
| 6. Other miscellaneous appeals decided after contest. | ...3 per day. |
| 7. Appeals under the U.P. Nagar Mahapalikam Adhiniyam, 1959. | ...20 per day. |
| 8. Second Appeals under Section 476 of U.P. Nagar Mahapalika Adhiniyam | ...10 per day. |
| 9. Other miscellaneous appeals dismissed at admission stage after hearing counsels. | ...20 per day. |

(E) Revisions:

- | | |
|--|----------------------|
| 1. Revisions under Section 89 of the U.P. Panchayat Raj Act decided after contest. | ...12 per day. |
| 2. Revisions under Section 25 of Provincial Small Cause Courts Act decided after full contest. | ...3 per day |
| 3. Revisions under Section 115 C.P.C. decided after full contest. | ...4 per day. |
| 4. Revisions under Section 18 of U.P. Act No, 13 of 1972 decided after full contest. | ...3 day per appeal. |
| 5. Revisions dismissed at the admission stage after hearing counsel. | ...10 per day. |

NOTE :

- (1) For definition of suits or appeals decided after full trial, see the Court's Circular Letter No. 41/IV-h-14, dated May 16, 1949 and No. 52/IV-h-14, dated August 12, 1949.
- (2) If any contested suit is compromised or withdrawn after close of evidence, the suit will not be treated as decided after full trial, but half of the time prescribed for such cases will be counted towards standard. A suit decided on contest only on questions of interest or costs or both will not be counted towards standard.
- (3) Appeals or revisions decided on compromise or withdrawn will not be counted towards standard.

(F) Miscellaneous Work: Judicial Officers having sufficient miscellaneous work will be entitled to adjustment for the time devoted in the manner provided below:

1. Judge Small Causes Court having more than 1500 suits, Civil Judges having more than 300 suits, and permanent Munsifs. 1-½ days in a week
2. District Judges, Judges Small Causes Court having 1500 suits, Civil Judges having 300 suits and Additional Munsifs having 200 suits. 1 day in a week
3. Judges Small Causes Court or other Judges doing Insolvency cases. ½ day in a week
4. Miscellaneous work may be normally fixed on Saturdays. Where a day and a half is permissible, work may also be fixed for another half a day on any other day of the week. Insolvency cases may be fixed on Fridays.
5. Other Presiding Officers doing civil work may claim adjustment for the time actually spent on any Saturday. If the amount of miscellaneous work done on any day is small, it will be ignored. If about half a day or a little more has been devoted to miscellaneous work, it will count as half a day. If the whole day has been devoted to miscellaneous work and the amount of other work done is small, it will count as one day. A note will be made by the Presiding Officer on the Diary in red ink regarding the adjustment to be claimed.
6. Presiding Officers should utilise the days reserved for miscellaneous work in doing civil miscellaneous cases and disposing of applications of a miscellaneous nature. No work for which quota is prescribed should be normally fixed on a day reserved for miscellaneous work. The District Judges should ensure that days reserved for miscellaneous work are used for this purpose.

SCHEDULE 'C'

Quantum of disposal per working day for Chief Metropolitan Magistrates, Additional Chief Metropolitan Magistrates and Metropolitan Magistrates:

- | | |
|-----------------------------------|---------------------|
| (A) Appealable Cases: | |
| 1. Warrant Cases | ...3 Cases per day |
| 2. Summons Cases | ...4 Cases per day |
| (B) Non Appealable Cases : | |
| 1. Warrant Cases | ...8 Cases per day |
| 2. Summons Cases | ...12 Cases per day |

- | | |
|--|----------------------------|
| (C) Cases where accused pleads guilty at the commencement of the trial. | ...60 cases per day |
| (D) Criminal Misc. Cases entered in Registers in Forms Nos. 11 and 12 working days in a G.R. (Criminal). | ...8% of the actual month. |
| (E) Sessions Enquiry on complaint under Section 202(2) Cr. P.C. | ...8 Cases per day. |
| (F) Bails and Remands | One day in a month. |

SCHEDULE 'D'

Quantum of disposal per working day for Chief Judicial Magistrates, Judicial Magistrates and Munsif-Magistrates:

(A) WARRANT CASES:

- | | |
|--|------------------------|
| (i) Cases in which the accused is convicted or acquitted after full trial under Sections 363, 408, 409, 467, 468, 471, 477 and 477A I.P.C. | ...2 days for one case |
| (ii) Cases in which the accused is convicted or acquitted after full trial: | - |
| (a) Essential Commodities Act | ...2 cases per day |
| (b) Arms Act | ...4 cases per day |
| (c) Prevention of Food Aulteration Act. | ...2 cases per day |
| (d) Excise Act | ...4 cases per day |
| (e) Cases triable by Spl. Chief Judicial Magistrate at Allahabad and Kanpur | ...3 cases per day |
| (f) Other Local and Special Acts. | ...5 cases per day |
| (iii) Other cases (including cases under Section 3 of the Railway Property (Unlawful Possession), Act, 1966 in which the accused is convicted or acquitted after full trial. | ...1 case per day |
| (iv) Cases in which the accused is either discharged under Section 239 or 249 Cr.P.C. or convicted under Sections 241 or 246 (3) Cr.P.C. | ...12 cases per day |
| (v) Cases in which the accused is discharged under Section 245 Cr.P.C. | ...5 cases per day |
| (vi) Cases in which the accused is discharged under Section 249 Cr.P.C. without any evidence having been recorded. | ...No credit. |
| (vii) Cases where compounding under Section 320 Cr.P.C. take place after some evidence having been recorded. | ...8 cases per day |
| (viii) Cases under Section 299 Cr.P.C. | ...12 cases per day. |

(B) SUMMONS CASES

- | | |
|---|-----------------------|
| (i) Cases u/s 125 Cr.P.C. | ..1 -1/2 case per day |
| (ii) Cases in which the accused is convicted u/s 252 Cr.P.C. | ...12 cases per day |
| (iii) Cases in which the accused is acquitted u/s 256, 257, 258 Cr.P.C. after some evidence has been recorded | ...12 cases per day |

- (iv) Cases in which the accused is acquitted u/s 256, 257, 258 Cr. P.C. without any evidence having been recorded. ...No credit.
 - (v) Cases decided after full trial ...1 -1/2 case per day
 - (vi) Cases dismissed in default ...No credit
 - (vii) Cases dismissed u/s 203 Cr.P.C. 12 cases per day.
- (C) SUMMARY TRIAL CASES:
- (a) Appealable cases :
 - (i) Warrant cases ...6 cases per day
 - (ii) Summons cases ...6 cases per day
 - (b) Non appealable cases :
 - (i) Warrant cases ...12 cases per day
 - (ii) Summons cases ...12 cases per day
 - (c) Cases where the accused pleads guilty at the commencement of the trial. ...30 cases per day

NOTE: Cases triable summarily will not be given benefit of warrant cases or summons cases even if the Magistrates try them as regular summons or warrant cases except cases in which the accused is either a public servant or member of an elected public body and is charged with an offence involving moral turpitude.

- (D) Appeals against conviction by Magistrates II Class. 5 cases per day.
- (E) Criminal Misc. Cases entered in Registers in Forms nos. 11 and 12 G.R. (Criminal). ...8% of the actual working days in a month.
- (F) Bails and Remands ...One day in a month
- (G) Sessions Enquiry on Complaint u/s 202(2) ...8 cases per day

NOTE: The statement of outturn of work will be submitted in proforma Annexure-1.

SCHEDULE 'E'

GENERAL

1. Judicial Officers are expected to inspect their offices once in a quarter. A District Judge is expected to inspect each subordinate court once in a year. The total time spent in inspection will be noted in the remarks column of the statement.
2. In calculating working days the following will be excluded:
 - (a) days on which courts are closed for the whole day or half day due to holidays or other causes.
 - (b) days on which the Presiding Officer is on earned leave or on casual leave.
 - (c) days devoted to miscellaneous work, and
 - (d) days spent in inspection of the office of subordinate courts.
3. Credit will be given to District Judges for administrative work and work connected with admissions and bail and legal aid work & Lok Adalats.

- (a) in districts having not more than 20 courts15%
- (b) in districts having not more than 30 courts, and20%
- (c) in districts having more than 30 courts.....25%

4. Credit will be given to the member/Secretary of the District Legal Aid Committee in their quota to the tune of 10%. He shall, however, make a reference in the quarterly statement of out-turn duly verified by the District Judge,
5. The standard prescribed herein is intended to represent the minimum amount of work expected from the Officers and in most cases the Court expects that it is, in fact, exceeded.
6. The merit of an officer will be judged by the quality of his work. The Officers, therefore, in no circumstances will escape from quality for the sake of quantity.
7. If the work of any officer falls short of the prescribed standard, the circumstances will be clearly stated in the remarks column of the statement of out-turn of work. A statement giving the number of cases under each head pending on Ist of each month during the financial year will be attached. Another statement giving details of cases heard but not concluded will be given in accordance with instructions given in Note 1 of Schedule A under the head Sessions Trials and note 1 of Schedule B under the head Regular suits.
8. Chief Metropolitan Magistrate and Chief Judicial Magistrates provided with a Stenographer will give disposal at the enhanced quota of 120%. Chief Judicial Magistrates having no Stenographer will note in red ink at the top of the statement of out-turn of work:
“Without a Stenographer”.
9. Munsifs, Metropolitan Magistrates, Judicial Magistrates and Munsif Magistrates provided with a Stenographer will give disposal at the enhanced quota of 120%. It will be noted in red ink at the top of the statement of out-turn of work:
“With a Stenographer” or “Without a Stenographer”.
10. The statement of out-turn of work will be submitted to the Court at the end of every quarter beginning from April 1, 1990. For preparation of such statement guidance may be had from Court’s C.L.No. 2/IV-h-14, dated January 29,1955.
11. The statement of out turn of work will bear the name and designation of the official who prepares the same and also the official who checks the same.
12. It will be the personal responsibility of the Presiding Officer concerned to see that the statement, so submitted, is absolutely correct.
13. The District Judge should ensure that the statements are properly and correctly prepared. Severe action should be taken against officials preparing wrong statements.
14. District Judges should expedite disposal of miscellaneous appeals, revisions and other cases in which proceedings before the lower courts have been stayed.
15. Presiding Officer should expedite disposal of applications for ad interim injunction, attachment and appointment of receiver. Time bound interim orders should not be

extended for more than a month after filing of the objection unless the defendants themselves seek adjournment.

16. Presiding Officers should expedite civil miscellaneous cases of the nature of Section 47 C.P.C. Order 21 Rule 58 C.P.C., Order 21 Rules 97 and 100 C.P.C., Order 21 Rules 89 and 90 C.P.C. etc. so as to expedite disposal of old execution cases.
17. Presiding Officers should expedite disposal of old cases, Presiding Officers should not give long dates when adjourning old cases. Short dates after a week or two should be normally given. A list of 100 oldest cases may be prepared at the beginning of every quarter and the cases may be disposed of on priority basis.
18. District Judges will check up the statements submitted in compliance of Administrative Judges', Circular Letter No. 8 of 1976 to ensure that Presiding Officers are disposing of a fair number of old cases and are not giving preference to new cases. A specific mention should be made in the Confidential Remarks regarding this. Presiding Officers found habitually not paying due attention to disposal of old cases may not be considered fit for promotion or confirmation.
19. The District Judge should ensure that judgments are delivered expeditiously and in case of delay the Presiding Officer should be asked to expedite.

ANNEXURE – 1

1.	Name and designation of the PRESIDING OFFICER	WARRANT CASES	STATEMENT SHOWING OUT TURN OF THE PRESIDING OFFICER OF THE MAGISTERIAL COURTS OF DISTRICT FOR THE QUARTER ENDING
2.	Cases in which the accused was convicted or acquitted after full trial u/ss 363,408,409,466 to 468,471 & 477A I.P.C.		
3.	Cases in which the accused was convicted or acquitted after full trial under : - (a) Essential Commodities Act. (b) Arms Act (c) Prevention of Food Adulteration Act (d) Excise Act. (e) Cases triable by Special Chief Judicial Magistrate, at Allahabad and Kanpur. (f) Other Local and Special Acts.		
4.	Other cases in which the accused was convicted or acquitted after full trial.		
5.	Cases in which the accused was discharged u/s 239 or 249 Cr.P.C. or convicted u/s 241 or 246(3) Cr.P.C.		
6.	Cases in which the accused was discharged u/s 245 Cr.P.C.	SUMMONS CASES	
7.	Cases in which compounding u/s 320 Cr.P.C. took place after some evidence having been recorded,		
8.	Cases u/s 299 Cr.P.C.		
9.	Appealable Cases.		
10.	Non-appealable cases		
11.	Cases under Section 125 Cr.P.C.		
12.	Cases in which accused was convicted u/s 252 Cr.P.C.		
13.	Cases in which accused was acquitted u/ss 256, 257 & 258 Cr.P.C. after some evidence.		
14.	Cases decided after full trial.		

15.	Cases dismissed u/s 203 Cr.P.C.		
16.	Appealable cases.		
17.	Non-appealable cases.		
18.	Appealable cases	Warrant Cases	
19.	Non-appealable cases		
20.	Appealable Cases	Summons Cases	
21.	Non-appealable cases		
22.	Cases where the accused pleaded guilty at the commencement of the trial.		
23.	Cases under U.P. Motor Vehicle Act etc. in which the accused pleaded guilty.		
24.	Appeals against conviction by Magistrate II Class.		
25.	Sessions enquiry on complaint under Section 202(2) Cr.P.C.		
26.	Cases in which appeal lies under Section 378 Cr.P.C.		
27.	Cases in which appeal lies under Section 378 Cr.P.C.		
28.	Number of days devoted to inspections.		
29.	Number of days on casual and other leave.		
30.	Actual number of working days.		
31.	Number of days according to the standard.		
32.	Remarks.		

Quantum of work for Judicial Officers

G.L. No.28/IV-h-14/96 dated 1st June, 1996

In continuation of Court's General Letter No. 1/IV-h-14/90, dated 8.11.1990, on the above subject, I am directed to say that on receiving suggestions from some corners regarding measures to check the delay in disposal of Civil Cases, the Court have re-examined the standard of out-turn fixed for Civil Cases. To encourage the Judicial Officers to do the Civil work more, the Court has been pleased to make some modification in the standard of Civil work prescribed in Schedule 'B' annexed to aforesaid General letter. The revised minimum standard of Civil work is contained in Schedule 'B' (modified) annexed to this letter which will substitute the Schedule 'B' Annexed to the aforesaid General Letter dated 8.11.1990.

This modified standard of civil work will come into effect from April 1, 1996 and the rest of the aforesaid General Letter dated Nov. 8, 1990 shall remain effective.

The contents of this General Letter including those of the annexed modified Schedule 'B' may kindly be brought to the notice of all the Officers working under you for their guidance and compliance.

SCHEDULE 'B'

CIVIL WORK

(A) Regular Suits:

1. Suits valued up to Rs. 25,000/- and Petitions Hindu Marriage Act.2-1/2 days per contested case after full trial.
2. Suits above Rs. 25,000/-3 1/2 days per contested suit after full trial.
3. Cases decided ex part (except the cases ...10 cases per day.

dismissed in default)

NOTE:

- (1) In civil suits taking more than four days, credit will be given for the actual number of days taken, but a note shall be made in the remarks column of the statement of out-turn of work giving the valuation of the suit, the number of witnesses examined by each party, the number of pages of oral evidence recorded, the number of documents proved, the time devoted in recording evidence and the time devoted in arguments.
- (2) Suits for partition and accounts decided at the stage of preliminary decree will be treated as decided after full trial, and in case of further contest at the stage of final decree, the presiding officer will be allowed further credit of half of the time allowed at the stage of the preliminary decree in the cases.

(B) Small Causes Suits:

1. Suits decided after full trial by District Judges in exercise of powers u/s 25(2) of the Bengal, Agra and Assam Civil Courts Act or Ejectment Small Cause Suits decided by Judges Small Causes Courts after full trials. Provided that only half of the prescribed standard shall be counted in cases in which the relief of ejectment is refused on account of deposit made u/s 20 (4) of U.P. Act No. 13 of 1972, there being no contest thereafter.2 days per contested case after full trial.
2. Other S.C.C. Suits after full trial.5 contested cases per day.
3. Small Cause suits decided otherwise. ...20 suits per day.

(C) Other Civil Cases decided after full trial:

1. Original Suits cognizable by District Judges and not falling in the above categories and Zila Parishad or Municipal Board/Municipal Corporation Election petitions.3-½ days per contested suit after full trial.
2. Petitions under the Indian Divorce Act and Special Marriage Act, Motor Accidents Claims cases and Election Petition relating to Kshettra Samities, Town Area and Notified Areas. 2-½ days per contested cases after full trial.
3. Petitions for letters of administration and probate under Indian Succession Act, Land Acquisition References. Applications under Section 21 of U.P. Act No 13 of 1972 and references under Section 71 of U.P. Muslim Waqfs Act, 1960 ...1-½ days per contested case after full trial

NOTE: Separate LA claims made by different sets of claimants in land acquisition proceedings under the same notification will not be treated as separate cases but only one case.

4. Applications u/s 28 of U.P. Act No. 21 of 1971 ...5 cases per day.

(D) APPEALS

1. Regular Appeal from decrees in suits passed by Civil Judges (SD or JD), decided after contest, and Appeals under Section 22 of U.P. Act No. 13 of 1972 decided after contest. ...One contested appeal per day.

2. Execution and insolvency appeals, regular appeal in suits decided under Order XVII Rule 3 C.P.C. and Ceiling Appeals under U.P. Act No. 1 of 1961 and decided after contest Appeals under the Payment of Wages Act of U.P. Public Premises (Eviction of Unauthorised Occupants) Act, decided after contest and other miscellaneous appeals decided after contest. ...2 Contested Appeals per day.
3. Appeals under the U.P. Nagar Mahapalika Adhiniyam 1959, Second Appeals under Section 476 of U.P. Mahapalika Adhiniyam and other Miscellaneous appeals dismissed at admission stage after hearing counsels ...10 per day.

NOTE: If appeal is decided by remanding the case back to trial court, work standard shall be counted half of the prescribed standard.

(E) REVISIONS:

1. Revisions under Section 25 of Provincial Small Cause Courts Act decided after full contest, revisions under Section 115 C.P.C. decided after full contest and Revision under section 18 of U.P. Act No. 13 of 1972 decided after full contest (including Revisions U/S. 89 of U.P. Panchayat Raj Act.) ...2 Contested Revisions per day.
2. Revisions dismissed at the admission stage after hearing counsel. ...10 Revisions per day.

NOTE: (1) If any contested suit is compromised or withdrawn after close of evidence, the suit will not be treated as decided after full trial, but half of the time prescribed for such cases will be counted towards standard. Similarly, suit decided on contest only on questions of interest or costs of both will be counted as half of the standard prescribed after full trial.

(2) Appeals or revisions decided on compromise or withdrawn will be counted towards standard at the rate of 20 cases per day,

(F) MISCELLANEOUS WORK: Judicial Officers having Miscellaneous work will be entitled to adjustment for the time devoted in the manner provided below:-

1. Judge Small Causes Court having more than 1500 suits, Civil Judges having more than 320 suits and permanent Munsifs and District Judges, Judges Small Causes Court having 1500 suits, Civil Judges (SD) having 300 suits and Additional Civil Judges (JD) having 200 suits. ...1-½ days in a week.
2. Other Civil Judges (SD or JD), Judges Small Causes Court or other Addl. Civil Judges (SD or JD). ...1 day in a week
3. Miscellaneous work may be normally fixed on Saturday. Where a day and a half is permissible, work may also be fixed for another half a day on any other day of the week. Insolvency cases may be fixed on Fridays.

CONTESTED INTERLOCUTORY APPLICATION AND PRELIMINARY ISSUES FINALLY DISPOSED OF AFTER HEARING BOTH THE PARTIES IN PENDING SUITS:

1. Temporary injunction applications, applications for appointment of receiver, application for permission to sue as Indigent person, application for substitution of legal representatives of deceased person, Plaint rejected under Order VII rule 11 of CPC (on application of defendant) and applications for amendment of pleadings under Order VI Rule XVII CPC 10 contested applications per day decided after hearing both the parties (may be in same or in different suits)
2. Preliminary Issues. preliminary issues decided after hearing both parties (in different suits and not in same suit) Every 5 contested

QUANTUM OF WORK FOR JUDICIAL OFFICERS

G.L. No. 25/IV-h-14/06 Dated :Allahabad: July 12 , 2006

By way of orientation to Court's General Letter Nos.1/IV-h- 14/90, dated 08.11.1990 and 28/IV-h-14/96, dated. 01.06.1996, on the above subject, I am directed to say that upon consideration of the recommendations of the U.P. State Legal Services Authority, Lucknow, the Court has been pleased to make following amendment(s)/modification(s) In Schedule "E" of G.L. dated 08.11.1990 and Schedule "B" of G.L. dated 01.06.1996, respectively, with effect from 01.06.2006:

(1) Schedule "E" of G.L. dated 08.11.1990

Para (4) of the Schedule "E" be now read as under:

"Credit will be given to the Member/Secretary of the District Legal Services Authority In their quota to the tune of 25%. He shall, however, make a reference in the quarterly statement of out-turn duly verified by the District Judge."

(2) Schedule "B" of G.L. dated 01.06.1996

3rd note,as below, be added to the "NOTE" appended to Schedule "B" under head (A) Regular suits of Court's G.L. dated 1.6.1996 :

"For disposal of cases under section 89 of the Code of Civil Procedure officer may claim out-turn of work equal to one fourth (1/4) of the prescribed standard for the case concerned, If the case would have been decided on merit."

C.L. No.C-10/IVh-14/92, dated 27th January, 1992

Quantum of work for Judicial Officers

I am directed to refer to the Court's General Letter No. 1/IVh- 14/90, dated November 8, 1990, on the above subject and to say that inspite of the directions to the effect that the submission of correct quarterly statements of out-turn is the personal responsibility of the Judicial Officers and they must take special care to check the statement before submission, so that there may not be occasion for making a representation in that regard afterwards, it has come

in the notice of the Court that the Judicial Officers are showing inflated out-turn in their return which is highly objectionable.

I am, therefore, to request you kindly to check this practice also at your level and inform all the Judicial Officers working under your supervision that before submitting their quarterly statement of out-turn, a certificate to the effect be ap-pended by them with the return that "I HAVE CHECKED THE RETURN PERSONALLY AND IS CORRECT" which shall be countersigned by the District Judge concerned.

Kindly ensure strict compliance as directed.

C.L. No. 24 / Admn. (A)/J.R. (I) dated 1st September 2004

Quota for the work to be done by the Special Judicial Magistrate/Special Metropolitan Magistrate.

I am directed to say that after careful examination of the nature of work required to be done by the special Judicial Magistrate/Special Metropolitan Magistrate and to encourage them to do work efficiently it was felt desirable to fix quota for Spl. J.M./Spl. M.M.

The Hon'ble court after considering the aforesaid proposals, has been pleased to fix half of the quota for the Spl. J.M./Spl.M.M. Which is normally prescribed for a Judicial Magistrate.

I am, therefore, to request you to kindly bring the contents of the letter to the notice of Spl.J.M./ Spl.M.M. working under your administrative control and to kindly ensure compliance of the directions of the Hon'ble Court.

(ii) MEANING OF FULL TRIAL

C.L. No. 41/IVh-14 dated 16th May, 1949

The term "decided after full trial" means what it says, that the suit has been finally decided after real contest between the parties. Where the plaint is returned for presentation before a competent court or the suit is dismissed on the question of jurisdiction alone or the plaintiff is allowed to withdraw his suit with liberty to institute a fresh one, the suit is not and cannot be said to have been finally decided between the parties. They will have, for the adjudication of their rights, to move the same or another court again.

The words 'after full trial' mean and should be taken to signify disposal after real and not supposed contest on material points at issue between the parties. Thus if the parties are at issue on certain points of importance, evidence oral or documentary necessary for the decision of the matters at issue has been adduced and considered and the judge hearing the case has had to exercise his judicial mind in deciding them, the case will be said to have been disposed of after full trial. If any of these ingredients is absent, the case should not be classed as decided after full trial.

Some specific instances in which cases should in no event be treated as having been decided after full trial are given below. The list is not exhaustive but is only illustrative:-

- (a) Suit decided on the statement of one party or both or their counsel whether on oath including special oath or otherwise.
- (b) Suit decided on the statement of any person (referee) whether on oath including special oath or otherwise.

- (c) Suit decreed ex parte or dismissed in default, whether on merits under Order XVII, rule 3, Civil Procedure Code or otherwise.
- (d) Suit decided on admission of claim or on compromise.
- (e) Suit compromised substantially and only a minor issue, e.g., of cost is left for decision by the Court.
- (f) Suit decided on reference to arbitration, irrespective of whether objections to the award were filed or not (such objections should be heard on days fixed for miscellaneous work).
- (g) Suit decided on local inspection alone.
- (h) Suit decided as a result of which plaint is to be returned for presentation before a competent court.
- (i) Suit dismissed on the question of jurisdiction though after contest.
- (j) Suit decided on the plaintiff being permitted to withdraw the plaint with liberty to institute a fresh suit.
- (k) Suit disposed of by transfer to another court.
- (1) Passing of a final decree in a mortgage suit. The suit is deemed to have been decided after a preliminary decree is passed.

Every judicial officer should give a correct statement of his outturn of work and if any officer is found to have deliberately submitted incorrect figures, he would be open to severe censure.

C.L. No. 52/IVh-14 dated 12th August, 1949

The above instructions (issued in Circular letter no. 41/IVh-14, dated the 16th May, 1949) are equally applicable to all kinds of appeals (other than Miscellaneous Appeals which are to be heard on Saturdays) with the difference that appeals of the categories given below shall, for purposes of computing the outturn of work, be deemed to have been “decided after full trial” or “after hearing” if decided on merits after hearing the party or parties to the case:

- (i) Appeals decided ex parte on merits.
- (ii) Appeals against an order directing the plaint to be returned for presentation before a competent court.
- (iii) Appeals against an order dismissing the suit on the question of jurisdiction.

(iii) EXCLUDING OF DAYS FOR CALCULATION OF WORKING DAYS

C.L. No.C-26/1994, dated 15th March, 1994

I am directed to say that it has come to the notice of the Court that the Judicial Officers are claiming the whole day on which the courts are closed for half day due to sad demise of Advocates or other causes in accordance with the provisions contained in sub-para 2 (a) of Schedule ‘E’ of the Court’s G.L. No. 1/IVh-14/90, dated 8.11.1990, for the purpose of calculating the number of working days in their quarterly statement of out-turn, which are incorrect. They should be asked to claim only for half day instead of the whole day on which the courts are

closed for half day due to sad demise of Advocate or other causes as mentioned in sub-para 2 (a) of Schedule 'E' of the aforesaid court's General Letter, in calculating their working days in their out-turn of quarterly statements, in future.

It may kindly be circulated to all the Judicial Officers working under you for their kind information and future guidance, so that they may submit their out-turn of quarterly statements accordingly.

(iii-a) Office Hours for the Judicial Officers

C.L. No. 9/2008 Admin (G); Allahabad: March 13, 2008

It has been noticed by the Hon'ble Court that the Judicial Officers are not following the timings as provided in Rule 8 of the General Rules (Civil) which provides for hours of work in Civil Courts to extend from 10.00 a.m. to 5.00 p.m., probably under the wrong notion that these timings are for the staff and not for the Judicial Officers. Dispelling this misconception the Hon'ble Court has desired it to be communicated to all the Judicial Officers that they are supposed to remain present in the Court premises from 10.00 a.m. to 5.00 p.m. and attend to their administrative work from 10.00 a.m. to 10.30 a.m. and from 4.0 p.m. to 5.00 p.m. besides dictating judgements and orders etc. In case any Judicial Officer has insufficient work he may be provided additional work to keep him busy from 10.00 a.m. to 5.00 p.m.

Therefore, in continuation of the Circular Letters (C.L. No. 2/Admn. (B) dated 27.2.1971; C.L. No. 47/viii-20-Admin. (G)(B) dated 21.7.1983; C.L. No. 36/VIIIb-4/Admin. (G) dated 21.6.1989; C.L. No. 4 dated 3rd February 1976), I am directed to say that the contents of this Circular Letter may kindly be brought to the notice of all the Judicial Officer working under your administrative control and it be impressed upon them that they shall sincerely observe the office timings as mentioned above.

(iv) Providing Stenographers to ACJMs etc.

C.L. No. 86/Ve-47/Admn.(D), dated 6th September, 1990

I am directed to refer to the Court's Circular Letter No. 10/Ve-47/Admn. (D) dated 6th February, 1990 on the above subject and to say that the lists containing the names of the Additional Chief Judicial Magistrates, Munsif Magistrates and Judicial Magistrates which were circulated with the aforesaid circular letters have by now gone obsolete as several Officers of the said lists have now been promoted and are working either as Civil Judge or Chief Judicial Magistrates. It has, therefore, been considered necessary to prepare a fresh list including 85 more Officers in order of seniority as 85 more posts of stenographers have been created by the Government by G.O. No. U.O. 120/Sat-Nya.-9/Budget/26/85 Nya. Anubhag-2 (Adhinasth Nyayalaya) Anubhag, dated 4.8.1990 (copy enclosed) so that the facility of stenographers may be provided to them.

I am accordingly to send herewith the revised list containing the names of 442 Munsif Magistrates, Judicial Magistrates, Railway Magistrates and Metropolitan Magistrates alongwith a list of 228 Additional Chief Judicial Magistrates and Additional Chief Metropolitan Magistrates indicating the date of their appointment and to request you to provide them the facility of stenographers wherever they are posted.

1 am further to say that all the Officers who are being provided the facility of stenographers are requested to give 20% more work in their out-turn from the date the facility of stenographers is provided to them.

It is further added that the special pay of Rs.25/-per month as admissible to the Munsarim Reader will be discontinued immediately from the date Presiding Officer of their Courts with whom they are attached to, are provided with the facility of stenographer as provided in G.O.No. U.O. 120/II-Nyay-9/Budget/26/85 Nyay Anubhag dated 4th August, 1990.

(v) V.I.P. duty

C.L. No. C -110/1994, dated 21st November, 1994

I am directed to say that the Court has taken a view that no credit be given to any Judicial Officer in his work quota for the month, on the ground that he was absent from Court on V.I.P. duty, unless he was specifically so directed by the High Court.

I am, therefore, to request you kindly to bring this fact to the notice of all the Judicial Officers posted in your Judgeship for strict compliance.

C.L. No. 120/Admn.(G), dated 9th December, 1994

Judicial Officers on VIP duty, credit in work quota

Keeping in view the heavy pendency of work load in the subordinate Courts and the imperative necessity of ensuring its expeditious disposal, the Hon'ble Chief Justice and Judges have been pleased to direct that no credit be given to any Judicial Officer in his work quota for the month, on the ground that he was unable to attend Court on any particular day, as he was on VIP duty that day, unless he is specifically so deputed, by the High Court. These instructions may kindly be brought to the pointed attention of all the Judicial Officers posted in your Sessions Division.

This Circular Letter is being issued in supersession of Circular Letter No. C-110/ Admn. (G) of November 21,1994.

[15] RESIDENTIAL ACCOMODATIONS:

(i) Allotment of houses

C.L. No. 57/IVh-3-1(2) dated 5th September, 1949

If it is found that Judicial Officers have been unfairly discriminated in the matter of allotment of houses by the Collector the fact should immediately be brought to the notice of Court for necessary action.

C.L. No. 16/IVh-3 dated 13th February, 1956

District Judge should approach the District Magistrate and arrange with him so that houses are allotted to Judicial Officers not by name but the office held by them.

C.L. No. 97 dated 27th October, 1958

A Judicial officer on transfer often faces the difficulty of securing the house of his predecessor. This difficulty may partially be solved if timely information is sent to the new station whether or not the officer transferred takes upon himself the responsibility of paying rent of the house occupied by his predecessor after it has been vacated by the latter. As such on receipt of an order of transfer of a Judicial officer to another station where he is to succeed another officer, the District Judge should immediately contact the officer under him and ascertain from him if he is willing to pay the rent of the house occupied by the officer he is going to relieve, in the event of its being allotted to him, for the period during which the house remains

vacant after it has been vacated by his predecessor and before he occupies it. The District Judge should forthwith send intimation of this fact to the District Judge of the station to which the officer is being transferred and the District Judge of that station should thereupon intimate this fact to the District Magistrate and try to secure the accommodation for the new officer.

C.L. No. 153/S dated 15th December, 1975

A list of residential buildings under the control of District Judges should be sent to the Accountant General, the Court and the Government for record. A statement in Form No. 30, as required under paragraph 287 of F.H.B., Vol. V should also be prepared and sent to the A.G., U.P. and the Court and it should be ensured that the rent of residential houses is realized from the Judicial Officers regularly in accordance with the sanctioned rent statements.

C.L. No. 127/S (b) dated 23rd November, 1970

In order to obviate difficulties of Judicial Officers for non-availability of suitable residences on their transfer from one district to another, District Judges should strictly comply with the following instructions:

1. If an officer is living in a private residence and a government residence is made available to him, he must vacate the private residence, otherwise he will be required to pay the rent of the government residence also.
2. If the officer transferred to another station does not occupy the official residence vacated by his predecessor or occupies it late by his own volition, he will have to pay the rent of the residence in question for the period it remains vacant on account of his failure to occupy it.
3. If the officer transferred to another station has been living in an allotted house, the same should be made available to his successor, and if there is any difficulty the matter should be brought to the notice of the Court immediately prior to the vacation of the house by the officer transferred, so that if necessary, the order of transfer may be cancelled and the Judicial Department does not lose the house.
4. On being informed of his transfer, the District Judge should himself move the District Magistrate for allotment of the house to the successor.

C.L. No. 52/Budget dated 25th September, 1983

Whenever a departmental house is available it should be allotted to a Judicial officer and in no case it should be allotted to an officer of any other department. If, however, a departmental house becomes surplus prior permission of the Court should invariably be obtained before permitting the house to be occupied by an officer of any other department.

C.L. No. 55S (b)/Budget/Pooled Houses dated 14th May, 1980

Invites attention to Government letter No. 796/VII-U.Nya.nst/ 79TC, dated April 11, 1980, whereby it has been decided by the Government that the pooled houses in the occupation of Judicial Officers on 1.1.1980 shall be reserved for the Officers of the Judicial Department. The District Judges should ensure that the residences constructed under Pooled Housing Scheme, vacated by the Officers are kept reserved for the Officers of the Judicial Department and are allotted to the Officers as recommended by them.

C.L. No. 74/Admn. (B-1) dated 22nd November, 1985

District Judges should ensure that the houses in the Pool-Scheme which were in possession of Judicial Officers on 1.1.80 be allotted to Judicial Officers only, on their recommendations. It may be strictly ensured that any house in Pool-Scheme should not be surrendered without prior approval of the Court.

C.L. No. 86/S(b)/Admn. Budget dated 13th January, 1987

The Judicial Officers upon transfer or retirement as the case may be shall not retain their official residences (houses belonging to Judicial Department, houses in the pooled housing scheme and allotted houses) beyond 45 days on any ground whatsoever without prior permission of the Court and a default in this behalf shall constitute 'misconduct'.

**Retention of official residence by the Judicial Officers after their transfer/retirement/death
No. 2173/Admin.(B-I) Section, Dated: May 22, 2009**

I am directed to send herewith 10 copies of Circular letter No. 23/Admin. (B-I) Sec., dated 15.5.2009, on the above subject and to request you kindly to publish it in the forthcoming Book of Circular Letters.

Retention of the official residence by the Judicial Officers after their transfer/retirement/death.

C.L. No. 23/2009/Admin. (B-1) Sec., Dated: May 15, 2009

I am directed to say that in supersession of Court's previous Circular Letters No. 86/S(b)/Admin. Budget, dated 13.1.1987 and No. 2/Admin.(B-I), dated 05.5.1995, on the above subject, the Court has been pleased to order that the Judicial Officers on their transfer/retirement/death, as the case may be, shall not retain the official residence (houses belonging to the Judicial department, houses under pooled housing scheme and allotted houses) beyond 45 days and any default in this behalf shall constitute misconduct.

I am further to say that after considering the representation of an officer, Hon'ble the Chief Justice or Hon'ble Judge nominated by His Lordship, may permit retention of official residence to an officer on their transfer/retirement/death on same terms and condition for the period as provided in the G.O. No. R-2/32-2-9R4/69/85, dated 2nd January, 1992 and in no case the retention shall be allowed beyond the period prescribed in the G.O. dated 02.1.1992, cited above.

I am, therefore, to request you kindly to circulate the aforesaid Court's order amongst the Judicial Officers posted in your Judgeship for their information and strict compliance.

C.L. No. 1/Admin. (B-1) Dated 06.01.2010

Retention of the official residence by the Judicial Officers after their transfer/retirement/death.

In continuation of Court's Circular Letter No. 23/Admin.(B-1) Sec. Dated 15.5.2009, on the above subject, I am directed to say that the Court has been pleased to frame the following guide lines, for retaining houses by Judicial Officers:-

GUIDELINES

Norms for filing and processing of representations of Judicial Officers for retention of official residence after transfer/retirement/death:

1) The District Judges must ensure strict compliance of the resolution of the Administrative Committee conveyed by the Registrar General of the Court by the Circular dated 15th may, 2009 and any default must be immediately brought to the notice of the Court by fax/speed post. The resolution of the Administrative Committee, for the sake of convenience, is reproduced:-

“In supersession of all Court’s Circulars on the subject, it is resolved that the Judicial Officer on transfer/retirement/death, as the case may be, shall not retain official residence (houses belonging to Judicial Department, houses in the pooled housing scheme and allotted houses), beyond 45 days and any default in this behalf shall constitute misconduct.

Provided that Hon’ble the Chief Justice or Judge nominated by Hon’ble the Chief Justice may permit retention of the official residence on the same terms and conditions for the period as provided in the G.O. No. R-2/32-2-9R4/69/85, dated 2nd January, 1992 and in no case the retention shall be allowed beyond the period prescribed in the Government Order dated 2nd January, 1992”

2) A Judicial Officer who desires to retain the official residence beyond 45 days must submit his representation to the High Court through the District Judge of the Judgeship where he is posted well in advance so as to give sufficient time for processing of the representation.

3) In case of transfer, a copy of the representation must also be sent to the District Judge of the Judgeship from the Judicial Officer has been transferred.

4) Amongst others, the following information must be included in the representation:-

- (a) In the case of transfer, the date of notification by which the Judicial Officer was transferred, the date he handed over charge and the date when he took charge at the transferred place.
- (b) In the case of transfer, the Judicial Officer must also mention whether he has been allotted any official accommodation at the transferred place and whether its possession has been given to him.
- (c) In the case of retirement/death, the date of retirement/death must be mentioned.
- (d) The reason and the period for which the Judicial Officer desires to retain the official accommodation.

5) Upon receipt of the representation the concerned District Judges) should forward it to the High Court within three days by Fax/Speed Post with their comments. The comments must mention whether the concerned Judicial Officer has been allotted an official accommodation at the transferred place and whether any other Judicial Officer of the Judgeship from where the said officer has been transferred requires the accommodation in his possession.

6) In case of retirement/death, the representation must also be forwarded by the District Judge to the High Court by Fax/Speed Post within three days with comments, which should mention whether any Judicial Officer in the Judgeship requires the said accommodation.

7) On receipt of the aforesaid representation and comments from the District Judge(s), the High Court Office must process the representation with expedition so that it is placed before the Nominated Judge/Hon'ble the Chief Justice with the comments within three days.

8) Upon receipt of the orders from Hon'ble the Chief Justice the office must promptly send the communication by fax/speed post to the concerned District Judge for information and compliance of the order.

9) The District Judge, upon receipt of the order from the High Court, must ensure that service of the order is made upon the Judicial Officer at once and information about compliance/non-compliance of the order should be sent to the High Court by Fax/Speed Post.

10) Mere pendency of the representation will not be made a ground to retain the official accommodation beyond the prescribed period of 45 days and the consequences enumerated in the resolution of the Administrative Committee will follow if the Judicial Officer retains the official accommodation without any order of Hon'ble The Chief Justice.

I am, therefore, to request you kindly to circulate the aforesaid Court's guide lines amongst the Judicial Officers posted in your Judgeship for their information and strict compliance.

(ii) Certificate of suitability of accommodation

C.E. No. 27/IVh-3 dated 11th March, 1970

With this C.E. copies of D.O. letter no. 590-A/29-E, dated February 10, 1970, of the Government in the Rent Control Department and D.O. no. 590/29-E, dated January 31, 1970, have been endorsed to all the District Judges making it specific that exceptions apart allotment of such a house, which falls vacant as a result of transfer of an officer, should be made in favour of the successor of the previous allottee or any other officer of his department and in no case be allotted to an officer of any other department.

C.L. No. 65 dated 28th May, 1970

For the purposes of para (4) of G.O. No. G-1-574/X-140-65, dated March 17, 1966, the District and Sessions Judge will be the controlling officer for certifying the suitability of accommodation in respect of all the Officers working under him.

(iii) Subletting

C.L. No. 89/IXg-35 dated 31st May, 1976

The attention of the Judicial Officers is invited to the provisions of subsidiary Rule 18-D, Chapter IV, F.H.B, Volume II Parts II to IV.

They should strictly comply with the instructions contained therein if and when any outhouse or any other part of a building belonging to Government is required to be sub-let.

(iv) P.W.D. inspection house for Officers

C.E. No. 96 dated 28th October, 1961

The Officers of the Judicial Department, if necessary, can stay in a Public Works Department Inspection House for more than seven days after obtaining permission from the Superintending Engineer concerned as required under clause 4(A), Appendix 28, of the Manual

of Orders, Public Works Department, Volume II or the Chief Engineer P.W.D., as the case may be.

(v) Occupation of official residences

G.L. No.3160 dated 6th October, 1909

The attention of all Judicial officers is drawn to the instructions contained in G.O. No. 4430/11-646, dated 14th September, 1909 regarding the occupation, by officers in civil employ, of government bungalows as residences, for due compliance.

The District Judge's Munsarim will be held responsible for seeing that the Government Letter under reference is brought to the notice of every officer when he enters into occupation of a government bungalow within the judgeship.

C.L. No. 28/S (b) dated 7th February, 1975

Efforts should be made to ensure that in no case Government owned residences pass out of the hands of the Judicial Department.

(vi) Expenses for negligent use

G.L. No. 3562/46-29 dated 23rd June, 1927, forwarding

G.O. No.667/III dated 15th June, 1927

If an official residence is found to have been left by the negligence or mismanagement of the outgoing tenant in a condition which entails expenditure in putting it in order, the outgoing tenant will be held responsible for the expenses so incurred.

(vii) Payment of rent

G.L. No. 2/227 dated 10th January, 1934

Vacation counts as duty and can be allowed to be prefixed or suffixed to leave only if no loss is thereby caused to Government. Therefore, in cases where vacation is combined with regular leave, officers will be held responsible for the rent of government residences in their occupation during the period of vacation.

C.L. No. 32/5(b) dated 15th May, 1966

In order to avoid accumulation of arrears District Judges, should ensure that the arrears of rent of Government Offices are cleared off as early as possible after its becoming due, under intimation to the Court.

C.E. No. 28/IXc-35 dated 8th March, 1961

Where a private building is hired for office-cum-residence purposes, the apportionment of rent between the office and the residential portion should be done on the basis of the plinth area and should invariably be done by the local P.W.D. authorities and the rent of the residential portion fixed accordingly [Government Finance (G.I.) Deptt., O.M. no. G-l-2374/X-534 (41-0)-1922, dated December 28, 1960].

(viii) Fan and light charges for offices at residence

G.L. No. 33/46-63-479 dated 14th October, 1940 forwarding

G.O. No. B-1485/X dated 27th August, 1940

Electric charges on account of fans and lights or charges incurred on the employment of punkha coolies in the office rooms at the residences of government officers should not be met from the contingent grant.

(ix) Supply of government furniture at residence

C.L. No. 750/Budget-II dated 6th June, 1985

Encloses G.O. no. 2236/VII-A Nya.-35/84 dt. 19th April, 1985, prescribing number of furniture to be supplied at residence as under:-

(a) For the District & Sessions Judges

1.	Table (For Officer)	1
2.	Chair (For Officer)	1
3.	Chairs (For others)	12
4.	Bench	1
5.	Book Shelf	1
6.	Stationery Case	1
7.	Stool	1
8.	Easy Chair	1
9.	Small Table	1

(b) For ADJ/ASJ, CMM, CJM, ACJM, ACMM, Civil Judge, Addl. Civil Judge, Judge Small Cause, Addl. Judge Small Cause

1.	Table (For Officer)	1
2.	Chair (For Officer)	1
3.	Chairs (For others)	4
4.	Stationery Case	1
5.	Book Shelf	1
6.	Bench	1
7.	Stool	1
8.	Table for typing (if post of steno is sanctioned)	1
9.	Chair for Stenographer	1

(c) For Munsif, Judicial Magistrate, Metropolitan Magistrate, Addl. Munsif Magistrate

1.	Table	1
2.	Chairs	4
3.	Stool	1
4.	Bench	1
5.	Book Shelf	1
6.	Chair for Stenographer (if post sanctioned)	1
7.	Table for Stenographer (if post sanctioned)	1

(x) Allotment of Government residential accommodation

C.L. No. 2602/Admn. (B-1), dated 30th May, 1994

I am directed to say that the Court has been pleased to lay down the following policy in the matter of allotment of Govt. residential accommodation to Judicial Officers upon transfer from one Judgeship to another:-

- (i) Officer posted earlier shall have priority over those posted there later.
- (ii) Amongst the officers posted in the same chain of transfer, the senior officers shall have priority over the juniors.
- (iii) Where a house of the category of the entitlement of an officer is not available, he may be allotted a house of a lower category.
- (iv) No officer shall be allotted a house of a category higher than he is entitled to, except in the event of there being no claimant for such house.
- (v) If an officer occupied a house of a category higher than he is entitled to, he shall be liable to vacate that house upon an officer of the entitlement of that category being posted to that Station and a house of the entitlement of the occupant also being available.

I am, therefore, to request you kindly to follow the above policy in the matter of allotment of Govt. residence to Judicial Officers with immediate effect and also bring it to the notice of all the Judicial Officers under your control for their information.

(xi) Vacation of official residences by the Judicial Officers beyond 45 days after transfer from one District to another or retirement

C.L. No. 2/Admn.(B-1) Section, dated 5th May, 1995

In continuation of the Court's C.L. No. 86/S(b)/Admn. Budget, dated January 30, 1987, regarding re-payment of arrears of rent by the Judicial Officers in respect of Government residences, on the above subject, I am directed to say that all the Judicial Officers posted in your Judgeship may kindly be advised that on transfer, they cannot retain official residential accommodation allotted to them beyond a period of 45 days of their handing over charge.

I am further to add that the mere making of an application for permission to retain the house beyond the aforesaid stipulated period should not be treated as permission to continue in the house until such application is declined. In other words the house must not be retained beyond 45 days without permission for its retention beyond the said period having been sought and granted within the said period of 45 days.

All the Officers concerned may kindly be informed accordingly.

C.L. No. 06/Admn.(B-1)Section, dated 29th August, 1995

Compliance report in connection with the Judgment and direction of Hon'ble Supreme Court in Writ Petition (Civil) No. 1022 of 1989 - All India Judges Association and others v. Union of India and others and Review Petition No. 249 of 1992

I am directed to request you Kindly to co-operate with the District Magistrate of your District in sending the joint report to the Government regarding availability/allotment of accommodation to the Judicial Officers according to their status.

I am further to ask you kindly to submit your report whether the Judicial Officers posted in your Judgeship have been provided residential accommodation in accordance with the directions given by the Hon'ble Supreme Court in the said Writ Petition/Review Petition or not. In case, all the Judicial Officers posted in your Judgeship have been provided residential accommodation according to their status, the information in this regard may kindly be sent to the Court in the enclosed proforma.

PROFORMA

Chart showing the residential accommodation provided/not provided to the Judicial Officers posted in the Judgeship.

Sl. No	No. of Officers postd in the Judgeship.	No. of house allotted to judicial Officers posted in Judgeship	No. of officers to whom residential accommodation has not been provided according to their status by the District Magistrate.
1	2	3	4

(xii) Books for Residential Library of Judicial Officers

No. LB. 50/5739, dated 8th April, 1993

I am directed to refer to GO. No. 3728/Nyaya-9-45 dated 30.6.1992 and this courts letter Nos. LB.50/5656 dated 23.1.93 and LB. 50/5669 dated 17.2.93 and to intimate you that A.I.R, Manual Vol. 1-10, 12-15 and C.L.A's U.P. Local Act Vol. 1-16 have been supplied to you by the firms concerned for residential library of Judicial Officers and some more books shall be supplied in the near future.

It is intimated that the books supplied for residential library be treated as Govt. property and it should be duly entered in one register which shall be maintained by the District Judges concerned.

At the time of transfer or retirement of Judicial Officer, as the case maybe the books shall be handed over to the District Judge concerned.

The books with the Judicial Officers who are on deputation in U.P. shall be handed over to the successor Judicial Officer of U.P. or the District Judge of the station.

The Officers on deputation outside state shall hand over the books in High Court at the time of transfer or retirement (if no U.P. Judicial Officer is succeeding).

[16] RETIREMENT

C.L. No. 56/JR (S)/92, dated 29th October, 1992.

The Uttar Pradesh Judicial Officers (Retirement on Superannuation) Rules, 1992.

I am directed to send herewith a copy of Government Notification No. 3967/II-4-92-45(12)-91 T.C.-3, dated October 20, 1992 containing "The Uttar Pradesh Judicial Officers (Retirement on Superannuation) Rules, 1992, published in U.P. Extraordinary gazette on October 24,1992 for your information and communication to the Judicial Officers working under you. These rules have been implemented with effect from October 24,1992.

**THE UTTAR PRADESH JUDICIAL OFFICERS
(RETIREMENT ON SUPERANNUATION) RULES, 1992**

Short title and commencement:

1. (1) These Rules may be called the Uttar Pradesh Judicial Officers (Retirement on Superannuation) Rules, 1992.
- (2) They shall come into force with effect from the date of their publication in the Gazette.

Over-riding effect:

2. The provisions of these rules shall have effect notwithstanding anything to the contrary contained in Rule 56 of the Uttar Pradesh Fundamental Rules, contained in the Financial Hand-book, Volume Two, Parts II to IV, or any other rules made by the Governor under proviso to Article 309 of the Constitution or Orders for the time being in force.

Definitions

3. In these rules unless the context otherwise requires:-

- (a) "Government" means the State Government of Uttar Pradesh;
- (b) "Governor" means the Governor of Uttar Pradesh;
- (c) "Judicial Officer" means a member of the Uttar Pradesh Higher Judicial Service or the Uttar Pradesh Nyayik Sewa the Uttar Pradesh Judicial Officers' Service,

Retirement

4. A Judicial Officer shall retire from service on Superannuation in the afternoon of the last day of the month in which he attains the age of sixty years.

[17] SERVICE BOOK

C.L. No. C-262/SPS/1994, dated 30th March, 1994

Making of correct entries in the Service Books of officers of U.P. Nyayik Sewa on their first appointment

I am directed to send herewith a copy each of letter No. 2133/ U.P.P/Nyayik/ ERP-Vividh dated 10.8.1993 and No. 3942/V.P.P./ Nyayik/Vividh dated 29.9.93, from the Joint Director, Treasuries. Camp Office, Directorate of Treasuries U.P. New Treasury Building, Allahabad, addressed to the Court and to say that the Joint Director, Treasuries Allahabad has pointed out that the Service Books of the officers of U.P. Nyayik Sewa who have been sanctioned Senior Pay Scale of Rs. 3000-4500 vide court's letter No. C-937/1992 dated September 29,1992, do not contain correct date of their first appointment. The Service Books of the officers do not also indicate whether the officer has joined the service on a particular date in the forenoon or in the afternoon. It has also been reported that in certain cases the date of increment has been mentioned as 1st August when there is an entry in the Service Book that the officer has taken over charge in U.P. Nyayik Sewa in the afternoon of 31.8.87.

In this connection I am to request you kindly to intimate the Court the circumstances in which the date of increment of the officers mentioned in Joint Directors letter dated 10.8.93,

referred to above, have been mentioned as 1st August when there is an entry in the Service Book that the officer has taken over charge in the afternoon of 31.8.87.

I am also to request you kindly to intimate the Court as also the Joint Director, Treasuries, Allahabad the date of first appointment and the date of increment of each of the officers mentioned in Court's letter No. C-937/1992 dated 29.9.92. (copy of which has already been sent to you).

I am further to request you kindly to see that the Service Books of the officers of U.P. Nyayik Sewa which are sent to the Joint Director, Treasuries, Allahabad contain correct and specific entries regarding the date of their first appointment in service. It may also be ensured that forenoon or afternoon has specifically been mentioned against the date of first appointment of the officers in U.P. Nyayik Sewa. The date of first increment be also recorded in the same manner.

[18] TELEPHONE

C.L. No. 382/B-II. dated 30th January, 1991

Telephone Expenses of Presiding Officers

In continuation of this court's letters Nos. 1415/B-II, dated 28.3.90, 2902/B-II, dated 23.8.90 and 3945/B-II, dated 15.11.90. I am directed to inform you that Hon'ble the Chief Justice has been pleased to order that the telephone expenses of the Officers be economised to the maximum and cut down to the bills substantially. His Lordship has further ordered that the bi-monthly bill for each phone on official calls should not ordinarily exceed Rs.2,500/-.

I am, therefore, to request you to circulate this order of Hon'ble the Chief Justice amongst the Officers for strict compliance.

C.L. No. 755/Admn.(B-II), dated 9th March, 1994

Facility of S.T.D. and free local calls on official telephones installed at the residence of Judicial Officers or in office and economy on telephone expenditure

I am directed to invite your attention to GO.No. 712/VII-U.Nyay-37/90 dated May 2, 1990 and Court's Circular Letter No. 3945/Budget-II dated Nov. 15, 1990, on the above subject, and to say that it has been noticed by the Court that the directions contained in above mentioned G.O. dated 2.5.90 are not being strictly followed with the result that telephone bills of huge amount are being received in respect of official telephones in the Judgeships and frequent demand is being made by the District Judges for allotment of more and more fund to meet the telephone expenses, whereas according to the directions issued by the Government and the Court from time to time, utmost economy is to be observed about expenditure on telephones.

I am, therefore, to request you kindly to ensure that no S.T.D. facility should be allowed on the official telephone of any Judicial Officer (including Civil Judges, Chief Judicial Magistrates, Additional Chief Judicial Magistrates and Munsif/Judicial Magistrates) who is not entitled to the same in terms of para 2 of GO. dated 2.5.90, referred to above.

I am further to invite your attention to para 3 of aforesaid GO. and to ask you kindly to ensure that telephone bills in excess of 700 free local calls bi-monthly should be paid by the Judicial Officers and not from the Government account, unless and until the officers certify that

the excess calls were made in the interest of Government work but while making any such payment from Government fund, the directions contained in Court's C.L. No. 382/ B-II dated 30.1.91 should be followed. It may also kindly be ensured that all the Judicial Officers having telephone facility must maintain a register about trunk-calls and S.T.D, calls as provided in para 4 of the above mentioned G.O.

I am to add that any non-compliance of the aforesaid directions will be taken seriously by the Court.

C.L. No. 3 Admn. (D-1I) Section, dated 16th June,1995

Realisation of outstanding telephone dues from the Judicial Officers before proceedings to the new place of posting

It has come to the notice of the Court that many Judicial Officers who have been provided with telephone facility at their residence proceed on transfer without making regular payment of telephone dues beyond the permissible limit (i.e. 700 calls bi-monthly) thereby creating problems to the incoming Officers sometimes due to heavy amounts, the Telephone Department disconnects the Telephone connection and heavy expenditure is to be incurred by the Government on its re-connection and clearing off the outstanding bills.

I am, therefore, to request you kindly to impress upon the officers, having telephone facility in your judgeship to clear off the telephone dues (beyond the free calls of 700 bi-monthly allowed by the Government) before proceeding to their new place of posting positively failing which no Last Pay Certificate will be issued to them.

The Treasury Officer concerned may also be asked not to issue Last Pay Certificate to any such Officer, without, a certificate, of clearances of dues on residential phone from the District Judge.

The matter may please be treated as most urgent.

C.L. No. 05/Budget-II, dated 4th August, 1995

Regarding free local calls on residential telephones provided to the Judicial Officers

In continuation of Court's Letter no. 3945/B-II dated November 15,1990, on the above subject, I am directed to send herewith a copy of the G.O.No.1370/VII-Nyay-1-37/90,dated June 26,1995 and to ask you to circulate the copy of the said G.O. to all concerned officers of your Judgeship, having official telephone at their residences and to ensure strict compliance of the directions contained therein.

शासनादेश संख्या-1370/सात-न्याय-1-37/90 दिनांक 26 जून, 1995

न्यायिक अधिकारियों को आवासीय टेलीफोन पर निःशुल्क काल के सम्बन्ध में

उपरोक्त के विषय में जिला जज, लखनऊ ने यह स्पष्ट करने का अनुरोध किया है कि शासनादेश संख्या-712/सात-उच्च न्याय-0-37/90, दिनांक 2 मई, 1990 द्वारा न्यायिक अधिकारियों को उनके निवास पर अनुमन्य करायी गयी टेलीफोन की सुविधा में 700 निःशुल्क कालों में क्या वे 150 काल भी सम्मिलित हैं जो टेलीफोन विभाग द्वारा सामान्य उपभोक्ताओं को उपलब्ध है।

(2) इस सम्बन्ध में यह स्पष्ट करना है कि उपरोक्त शासनादेश के प्रस्तर -3 में वर्णित 700 निःशुल्क कालों में वे 150 कालें भी सम्मिलित हैं जो टेलीफोन विभाग द्वारा सामान्य उपभोक्ता को अनुमन्य करायी गयी है।

(3) कृपया उक्त स्थिति से सम्बन्धित अधिकारियों को अवगत कराने हेतु आवश्यक आदेश निर्गत करने का कष्ट करें।

[19] COMPLAINTS AGAINST OFFICERS

G.L. No. 4/Xf-21 dated 4th March, 1952

All complaints against Judicial Officers should be referred to the Court for directions.

C.L. No. 83/Xf-21 dated 31st May, 1971

While forwarding complaints against Judicial Officers to the Court, District Judges should give their comments also and enquire into the complaints and take suitable action in the matter.

C.L. No. 5/Admn. (B) Vig. dated 23rd March, 1971

On all complaints against an officer or a member of the staff sent for enquiry and report, the District Judges should send complete report. It should invariably be to the point, thorough and objective. Whenever necessary the record should also be perused while sending the report and corrupt and inefficient officers/ officials should not be shielded. A clear opinion should always be expressed on the allegations made. If the allegations made are in respect of a pending or a decided case the opinion should be expressed in clear words but without being too critical as Judicial Indipendence of an officer has not to be curbed in any way. What has to be seen is whether the order passed is or is not reasonable and also whether it was passed after taking into consideration all the facts and circumstances of the case.

[20] VIGILANCE BUREAU OF THE COURT

C.L. No. 70 dated 14th August, 1968

All necessary assistance should be rendered to the Superintendent of Police attached to the Vigilance Bureau established in the Court to curb the menace of corruption as also to the police officers working under him whenever they visit the districts in connection with enquiries. The assistance should include giving of access to all official records required by them for the purpose.

C.L. No. CV 33/1987 dated 18th April, 1987

The District Judges should take up the enquiries into vigilance matter on top priority basis and send their report to the Court expeditiously within the period stipulated in C.L. dated 9.8.79.

C.L. No. 20/VG-23/Admn. (A) dated 20th August, 1999

Providing of facilities of stay, security, staff etc. to the officers of Vigilance Department of the Court.

The Hon'ble Court has been apprised of unexpected situation caused by non-cooperation of the District Judges and the staff of the district court when the officers of the Vigilance department visit a district in connection with enquiries. It has been noticed that common courtesy of making arrangement for their stay, security, transport etc. befitting to their status is not extended to them. They do not get access to the records required in connection with the enquiry. In order to avoid the re-occurrence of the said incidence, the Hon'ble Court has desired that the following instructions may be followed as soon as a visit of vigilance department is notified to district.

1. Proper accommodation should be reserved in the name of the officer in Govt. Inspection House or Govt. Guest House befitting to the status of the officer.
2. Two orderlies/peons be temporarily attached with the officer during his stay at the headquarter.
3. Proper transport facility i.e. official vehicle be provided to him to perform journey from the railway station to the Inspection House and from Inspection House to the place of enquiry and to visit such places which are required to be visited in connection with the enquiry. Such official vehicle facility be also provided if the place required to be visited in the enquiry is not connected by rail route.
4. Proper sitting accommodation such as the committee room or the chamber be ensured befitting to the status of the officer.
5. Every assistance should be provided to the officer to have access to the record connected with the enquiry and that the record should be made available to the officer before the commencement of the enquiry or atleast within a reasonable period of time.
6. One stenographer and one typist be provided to the officer for the purposes of enquiry.
7. Security be provided to the officer at the place of enquiry.

I am therefore, directed to communicate the directions of the Hon'ble Court for strict compliance.

[21] INTERVIEW WITH THE HON'BLE CHIEF JUSTICE

C.L. No. 8/le-7 of 1986 dated 16th January, 1986

The Judicial officers who wish to visit the Hon'ble the Chief Justice to bring to his Lordship's notice some problems or difficulties in service matters, the following schedule should be observed by them :-

1. On working days during the week, on prior appointment, except for some emergent official work.
2. On Sundays (between 10.00 A.M. and 12 Noon, without prior appointment).

The officers posted at Allahabad or Lucknow (during the visit of the Hon'ble the Chief Justice to Lucknow) and those coming to Allahabad from other stations, should not visit the Hon'ble the Chief Justice simply to pay their respects to his Lordship. Such visits only entail waste of time of the Hon'ble the Chief Justice and the officers concerned. The best way of paying respects to the Hon'ble the Chief Justice is not by making personal call but to uphold the high traditions of the service and enhance its image.

[22] INTERVIEW WITH THE HON'BLE ADMINISTRATIVE JUDGE

**C.D.O. No. 112/IC-27 dated 14th December, 1956 and
C.D.O. No. 68/1961 dated 14th July, 1961**

The following instructions are issued to the Judicial Officers desirous of seeking an interview with the Hon'ble Judge in the Administrative Department and should be strictly followed:

1. Request for interview must state its object failing which it is liable to be refused.

2. Except in case of very serious inconvenience or difficulty, no request for an interview in connection with postponement or cancellation of a transfer should be made. Cogent reasons for postponement of transfer or transfer to a particular station or in a particular part of the State may, however, be brought to the notice of the Hon'ble Judge by officers who are likely to be transferred either on account of their long stay or because their promotion is due. This should be done as soon as the officer has reasons to apprehend his transfer.
3. Officers posted at Allahabad need not call on the Hon'ble Judge at certain intervals, while those posted at other stations, every time they visit Allahabad. The Hon'ble Judge would, however, be glad to meet and discuss with them their difficulties and problems.
4. (a) Officers posted at Allahabad and desirous of seeking an interview should invariably make previous appointment direct with the Hon'ble Judge either on telephone or through a messenger.
(b) Officers posted at towns other than Allahabad and desirous of an interview should enquire from the Registrar as to what time and date would be convenient to the Hon'ble Judge. If the matter be urgent and there is no time to await a reply, an information should be sent to the Registrar as to the date and time when the interview is desired. On reaching Allahabad they should seek an appointment from the Hon'ble Judge either on telephone or through a messenger.

G.L. No. C-27/71 dated 10th February, 1971

The purpose of seeing the Hon'ble the Chief Justice or Hon'ble Administrative Judge should be apprised in writing to the District Judge for his comments and necessary permission obtained from him for the purpose. For early decision of the Court, the District Judges should forward the representations of the officers with their full comments instead of the officers coming to the Hon'ble Judges. Where the officers find it necessary to see the Hon'ble the Administrative Judge, they should first see the Registrar for the purpose.

C.L. No. 56/IC-7 dated 16th May, 1972

If an officer wants to see the Hon'ble the Administrative Judge he may first write to the Court about his difficulties or make a representation and if he still feels the necessity of meeting his Lordship he may do so but only after previous intimation to the Registrar and on an interview having been fixed.

C.L. No. 77 dated 18th December, 1967 and

C.L. No. 89 dated 30th August, 1969

The Hon'ble the Administrative Judge keeps in view the difficulties and problems of officers and is prepared to grant them interview where necessary. Still it has been noticed that some officers try to approach his Lordship with request through friends and relations of Hon'ble Judges. Such approaches by officers will be viewed with great disfavour.

C.L. No. 61/IC-7 dated 30th October, 1967

Officers of the Judicial service should call on the Hon'ble Judge in the Administrative Department only on business and on Saturdays at 10.30 a.m. It will be better if the purpose of visit is indicated to the Registrar and the date and time of interview fixed earlier.

[23] GENERAL INSTRUCTIONS

C.L. No. 105 dated 20th September, 1972

The following directions are issued for strict observance:

1. It is the duty of the District Judges to keep a watch on the Judicial and administrative work and conduct of other officers in the district. The Administrative Judge expects District Judges to control the officers who depart from the standards and to inform the Court if necessary.
2. The Administrative Judge will make regular inspection of the courts of District Judges. It is the responsibility of the District Judge to inspect the courts of the other officers. The Administrative Judge shall inspect some selected courts of other officers. If the working of any subordinate court is found to be not satisfactory or proper, it will be taken that the District Judge lacks control and administrative ability.
3. No officer other than District Judges may call on the Administrative Judge.
4. No officer may see the Administrative Judge in connection with his representation or grievance or request except by previous appointment made through the Registrar.
5. If any officer wishes to make a representation or to ventilate a grievance or to make a request, he must do so only through the proper channel to the Administrative Judge. Approaches through other channels will not be appreciated.
6. The District Judges and all other officers will sit in court punctually at the times fixed for the sitting of the courts. Unpunctuality will be taken serious note of.
7. All officers must wear the prescribed dress in court.
8. Officers will avoid drinking in public places in public functions and in parties in which any member of public is present.
9. Officers will avoid coming into intimate contacts with any member of the general public particularly members of the business community who usually figure in litigations before the courts.
10. The District Judges will advise the officers under them to go through the earlier Circulars issued by the High Court and to act in accordance with them.

[24] SECURITY AT COURTS & RESIDENCES OF JUDICIAL OFFICER

C.L.No. 9/IVh-40/Admn. (G)dated/Alld./ 29thJanuary, 1998

To ensure security arrangements in district civil courts and at the residence of the Judicial officers.

I am directed to draw your attention to the security arrangements in district civil courts and at the residence of the Judicial Officers whereupon the Government of Uttar Pradesh had Issued a letter No.344A/Chha-pu-I-94-I 13/93 TC/ dated 10.11.94 to A.D.G.P (Security) and all the D.Ms./S.S.Ps/ S.Ps. of the state (copy enclosed). In Order to review implementation of the guide lines contained in U.P. Govt.'s letter dated 10.11.94 and also tone up security arrangements, the Government of Uttar Pradesh have also issued Fax to all the District Magistrates/Senior Superintendents of police/ superintendents of police of State of U.P. with intimation to the court,

I am, therefore, to request you kindly to apprise the Court immediately as to what action District Magistrates and Superintendents of Police have taken in the matter of security of Civil Courts and the residences of the Judicial Officers.

I am, further, to request you kindly to report to the Court if the arrangements made by the District Authorities are sufficient or not.

संख्या-334ए/छ:-30.1.94-114/93/टी.सी.

गृह (पुलिस) अनुभाग-1 लखनऊ,

दिनांक 10 नवम्बर 1994

विषय: जिला न्यायालयों के कार्यरत मुंसिफ मजिस्ट्रेटों/न्यायाधीशों की सुरक्षा व्यवस्था के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक अतिरिक्त पुलिस महानिदेशक, सुरक्षा, अभिसूचना विभाग, उत्तर प्रदेश लखनऊ के अर्द्ध शा. पत्र संख्या-एच-4(33)/93, दिनांक 20 दिसम्बर 93 के संदर्भ में मुझे यह कहने का निदेश हुआ है कि शासन द्वारा सम्यक विचारोपरान्त यह निर्णय लिया गया है कि उत्तर प्रदेश के जिला न्यायालयों में कार्यरत मुंसिफ मजिस्ट्रेटों/न्यायाधीशों की निम्नलिखित बिन्दुओं के अनुसार सुरक्षा व्यवस्था की जाय तथा कृत कार्यवाही से शासन को यथा समय अवगत कराया जाय।

(क) न्यायालयों के परिसर में एक सशस्त्र आर्म गार्ड नियुक्त किया जाना चाहिए जिसका प्रमुख कर्तव्य न्यायालयों की सुरक्षा सुनिश्चित करना होगा।

(ख) प्रत्येक दिन न्यायालयों की कार्य अवधि के दौरान नागरिक पुलिस का एक उपनिरीक्षक तथा डेढ़ सेक्शन पी.ए.सी. नियुक्त की जानी चाहिए जो न्यायालय परिसर में बनी रहेगी।

(ग) जिला न्यायाधीश (जिला तथा सेशन न्यायाधीश) के आवास पर एक सशस्त्र आर्म गार्ड की नियुक्त की जानी चाहिए।

(घ) जिला न्यायाधीश की अति समीप सुरक्षा (क्लोज प्राक्सीमेट) के लिए एक गनर स्टेनगन के साथ नियुक्त किया जाना चाहिए।

(ङ) यदि कई न्यायाधीश एक ही परिसर में रहते हैं तो पूरे परिवार के लिए एक ही सशस्त्र आर्म गार्ड की व्यवस्था की जानी चाहिए। प्रत्येक न्यायाधीश के लिए अलग-अलग गार्ड देना सीमित संसाधनों के कारण सम्भव नहीं है।

(च) यदि किसी न्यायाधीश को विशेष जीवन भय है तो उन्हें आवेदन पत्र देना चाहिए। जीवन भय के मूल्यांकन के आधार पर उन्हें विशेष सुरक्षा व्यवस्था उपलब्ध करायी जानी चाहिए।

C.L. No.45/IVh-40 Dated 19th October, 2000

To provide sufficient security to the Judicial Officers.

In Criminal Contempt case Nos. 16 of 1999 and 19 of 1999, In Re - Sri Swami Nath Yadav, Advocate and 4 others Hon'ble Court (Hon. Sri B.K. Roy and Hon. Sri M.C. Jain, JJ.) has given directions with regard to the security of Judicial Officers.

I am desired to enclose herewith copy of the judgement given by the Hon'ble Court for your information and compliance as and when situation so demands.

No. 4331/IV-40/Admn. (G)/Dated 27th March, 2001

To provide sufficient security to the Judicial Officers.

Kindly refer to Court's Circular letter No. 45/IVh-40/dated 19-10-2000 wherein a copy of judgement dated 28.9.2000 passed by Hon'ble Court (Hon. Sri B.K. Roy and Hon. Sri M.C. Jain, JJ) in Criminal Contempt case Nos. 16 of 1999 and 19 of 1999 in Re-Sri Swami Nath Yadav. Advocate and 4 others was sent to you on the above subject for compliance. In this connection, I am directed to say that the Government of Uttar Pradesh vide letter No. 5319/ 6- pu-2-2000/dated 6.2.2001 issued directions of the Hon'ble Court passed in aforesaid contempt case to all the Senior Superintendent of police/Superintendent of police of Uttar Pradesh for necessary actions with regard to security to Munsif Magistrates/Judges of the district courts,

I, am, therefore, to send a copy of Government's letter dated 6, 2, 2001 for information.

गृह (पुलिस) अनुभाग-2

लखनऊ: दिनांक 6 फरवरी, 2001

विषय: जिला न्यायालयों में कार्यरत मुंसिफ मजिस्ट्रेटों/न्यायाधीशों की सुरक्षा के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त विषयक शासनादेश सं0-334ए/ 6-30-1-94-114 /93 टी0सी0 दिनांक 10.11.94 का संदर्भ ग्रहण करने का कष्ट करें।

मा0 उच्च न्यायालय, इलाहाबाद क्रिमिनल कन्टेंट सं0-19/99 एस.एस. निमेष बनाम स्वामीनाथ व अन्य में अपने निर्णय दिनांक 28.9.2000 में यह आदेश पारित किये हैं कि-

"If any Judicial Officer of the State apprehends any type of obstruction in fearless administration of his Justice he shall inform his District Judge, who in his turn will first examine the same objectively and if after finding substance shall at one bring to the notice of the Senior Superintendent of Police/Superintendent of Police of his district of the same, who in their turn shall be duty bound to afford sufficient police protection to that Judicial Officer and if even then the District Judge finds that no proper action has been taken in that regard by the aforesaid police authorities, in that event he will make a report to the Chief Secretary of the State through the Registrar General/Registrar of this Court and in that event the Chief Secretary shall take a serious view of the matter and apart from directing the Director General of Police of this State to take an appropriate action at once in relation to providing sufficient security to the Judicial Officer concerned shall also take further action against the erring Policing Authority concerned. The District Judges of the Judgeships shall also follow the same course if they apprehend the same by reporting to the Inspector General of police of their area thereafter the same course will be followed by all concern".

इस संबंध में मुझे यह कहने का निदेश हुआ है कि कृपया माननीय न्यायालय के उपर्युक्त आदेशों के अनुसार आवश्यक कार्यवाही सुनिश्चित करने का कष्ट करें।

[25] TRAINING

C.L, No. 121/Admn. (A)/IVf-80 dated 25th October, 1978

The newly appointed Munsif-Magistrates, after completion of training at Administrative Training Institute, Nainital, are required to undergo a further training of two weeks in the districts of their posting in such a manner that they may acquaint themselves with the actual working of the courts and the offices in the district. They should be asked to maintain a diary of the daily work done during the training which is to be sent to the Court along with the comments of the District Judge,

NOTE:

Vide G.O. No. 2034/Seven-Uchch Nyayalaya/1986-55/86, Lucknow Dated 6th August, 1986, the Govt. of Uttar Pradesh has established the Institute of Judicial Training & Research, Uttar Pradesh at Lucknow, for imparting training to Judicial officers, Law Officers, Government-Advocates and Public Prosecutors and also for conducting research in the legal field and Judicial administration. Since then, training is being conducted at the Institute, and not at the Administrative Training Institute, Nainital.

C.L. No. 11/iv-f-80 Admn. (A) dated 26th February, 1982

The above instructions have been modified in view of the fact that training at the Institute includes 5 weeks practical training in a judgeship. Therefore, it is not necessary that the newly recruited Munsifs should be given practical training again as required by above-mentioned circular. The Court directed that the newly recruited Munsifs should be asked to do regular court work on their joining in the Judgeship,

C.L. No. 127/Admn. (A)/Vlf-80 dated 5th November, 1979

The new Munsif-Magistrates, who have not received training in the Institute, should not be required to do any regular judicial work for the first two months. It should be impressed upon them that they are given opportunity to enable them to acquaint themselves fully with the working and procedure in conducting cases and with the working in the Offices, so that they may do regular court work with confidence.

The new Munsif-Magistrates should actually sit in the offices with the Munsarim, Nazir, Record Keeper or Head Copyist and watch the working. They should maintain diaries and make notes of what they learn during the training period. These notes, along with the comments of the officer with whom they take training and of the District Judge, shall be sent to the Court.

SCHEDULE

1.	Munsif's court (instituting court). All proceedings from institution up to execution. He should examine various registers, parwanas, notices, warrant of attachment etc., both on the regular and execution sides.	...6 days
2.	Record Room	...2 days
3.	Copying Department	...1 day
4.	Nazarat: He should particularly watch working of the Nazarat with various courts and treasury/ bank.	...2 days
5.	Administrative office of the District Judge.	...2 days
6.	To sit in court with a senior Munsif	...15 days
7.	To sit in court with a senior Magistrate:	...10 days (He should watch/working in their officers also)
8.	10 sit in court with C.J.M.	...7 days
9.	To sit in court with District Judge.	...10 days
10.	To sit in court with a senior Additional District Judge or Civil Judge as the District Judge may choose.	...5 days
	TOTAL	60 DAYS

While sitting in court they should take notes of some of the cases in which they watch proceedings, framing issues, taking down notes of evidence and arguments. They should write judgments also.

The new Munsif-Magistrates should also go through:-

1. General Rules (Civil)
2. General Rules (Criminal)
3. General and Circular letters issued by the Court.
4. Relevant portions of financial rules and manuals issued by the U.P. Government from time to time.

At the end of the period of training the District Judge should submit a report about the progress made by the new Munsif-Magistrate.

C.L. No. 49/IVg-22/Admn. (A) dated 9th March, 1977

The Court desires that all officers, namely the District Judges, Additional District Judges, Civil Judges, Munsif-Magistrates, Chief Judicial Magistrates/Additional Chief Judicial Magistrates and Judicial Magistrates should witness post-mortem examination and also the preparation of injury report by the Doctor.

The District Judge should contact the Chief Medical Officer and request him to afford necessary facility. The officers may witness these collectively or individually, on a holiday.

[26] Receive the books supplied by the Publishers/Suppliers

L.B. No.40/1892/JOHL 2010 dated 21.02.2011

Please refer to the court's letter no. LIB/1815/JOHL 2010 dated 08.12.2010 with regards to depute a nodal officer (Library) in your judgeship to be responsible to receive the books and CD Database software delivered by the agency concerned for Judicial Officers Home Library and to send the receipt of books and CD database software in 04 copies duly countersigned by the District Judge of each District. One copy of the receipt will be given to the suppliers and three copies of receipt of books/CD database software be sent to this court directly soon after they are received.

In this connection, I am further directed to inform you that the District Judges of the Districts will ensure to receive the books supplied by the Publishers/Suppliers and shall send the receipts countersigned by them to the High Court at the earliest.