

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 Munsif s 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 as modified 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 be filled in triplicate 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 l (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 1, 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 judgeship 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। मध्याह्न 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 अधिकारियां/ 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;
- the names of immediate blood relations.
 - 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

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

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 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

- | |
|---|
| 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.

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|--|
| 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 calender 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 Remarks 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 (approx. 12000/-) 3.One VCR BPL of 1986 (approx. 12000/-) 4.One Scooter Prina No. UTD 5079 Model 1986 (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.	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 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.	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 No.I2109765 annual 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.	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 in the year, 92 (to be paid in 96 installment @ 800 per month Note No loan has been taken from any bank.	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 91560/- Net 128440 Income from other source Rs. 72,000/- 72,0000/- wife's Salary.

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 judgship 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 judgship 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/Admn. (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/Confidentia/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 Enrolment 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)

[5] G.P.F. PASS BOOK

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 शीट 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 लेखों में विसंगति को दूर करने हेतु वे पासबुक की ऐसी प्रविष्टियों को सूचित करेंगे जो प्रत्येक सम्बद्ध प्रविष्टि उस आ०वि०अधि० 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 सं० जी-4-2450/दस-503/77 दिनांक 12.12.77 एवं शासनादेश सं० सा-4-1314/दस-81-503-77 दिनांक 1.8.81 द्वारा पूर्व में किये जाने के बावजूद वित्त (सामान्य) अनुभाग-4 के शासनादेश सं० सा-4-ए०जी०-57/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 सं०/चालान सं० जिसके 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 आ०वि०अधि० 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 सा०भ०नि० की कटौतियों/आहरणों का सत्यापन संबंधित कोषाधिकारियों द्वारा जारी वेतन आहरण ब्यौरे में सत्यापित सा०भ०नि० 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 सा०भ०नि० के लेखाशीर्ष 8005/8009 सा०भ०नि० से कितनी राशि आहरण के रूप में वर्ष में अभिदाता के सा०भ०नि० खाते से आहरित की गयी थी। सा०भ०नि० 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 सा०भ०नि० से आहरित स्थाई/अस्थायी अग्रिमों के ब्यौरे या तो आ०वि०अधि० 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 सम्भावना 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 प्रविष्टि 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 संबंध 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 आवश्यक है।

अतः अनुरोध है कि उपरोक्त अनियमितताओं 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. 8/1C-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 Bungblow 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/IC-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 judgship.

(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,

* 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).

संख्या-1169/दस-संवि0-97-2/97, दिनांक 31 जुलाई, 1997 सं0 -1281/दस-संवि0-97-2/97, दिनांक 27 अगस्त, 1997, संख्या- 1540/दस-संवि0-97-मित0-2-97, दिनांक 18 नवम्बर, 1997 एवं संख्या-25/दस-संवि0-98-मित0-2/97, 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')

**DIVISON 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 Nagar
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 JUDGESHIP
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.1/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 JudicialOfficers/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. FNIJC/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 counter-signing 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 postively by 15th of May, in every year.

(ii) C.J.Ms & Judicial Magisrtrates

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-Magistrstes 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-ई0एम-81-83

कार्मिक अनुभाग-4

लखनऊ: दिनांक: 4 अक्टूबर, 1983

महोदय,

मुझे आपका ध्यान कार्मिक अनुभाग-4 के शासनादेश संख्या -283 /का-4-ई0एम0/81, 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/VIIId-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-VIIId-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/VIb-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 alongwith 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 alongwith 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 alongwith 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.

* 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.

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
... 8 cases per day
- (b) Where all accused are convicted under Section 229 Cr.P.C

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 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

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

- 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
- 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
(b) Cases in which there are two sets of claimants. case,
.....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.
- 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.

- 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. 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:

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 13th 2 days for one case

Sept., 1985.

(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.

QUANTUM OF WORK FOR JUDICIAL OFFICERS

G.L.. No. 24/IV-h-14/07 Dated: Allahabad: May 19, 2007

By way of orientation to Court's General letter Nos. 1/IV-h- 14/90, dated 8.11.1990; 28/IV-h-14/96, dated 1.6.1996 and 25/IV-h- 14/06, dated 12.7.2006, on the above subject, I am directed to say that the Hon'ble Court after consideration and detailed deliberation in the matter dealing with guiding the District Judge in making assessment of subordinate judicial officers by way of point wise objective method, such as integrity, personal relations judgment writing ability, health, regularity, and to encourage the Judicial Officers to do the work more punctually, efficiently and devotedly has been pleased to make the following amendment (s) modification(s)/deletion in various Schedules of the G,L. dated 8.11.1990:-

1. Schedule 'D' of Court's G.L. No.1/IV-h-14/90, dated 8.11.1990 be amended by inserting new item (H), is under:

(H) Committal of Cases 24 cases per day to the Court of Sessions.

2. Schedule 'E' of Court's G.L. No.1/IV-h-14/90, dated 8.11.1990 be amended by inserting new clause 3 (a) as under:

“Credit will be given to the senior most additional District & Sessions Judge for administrative work.

- (i) In Judgeships having not more than 20 Courts 1 day per month
- (ii) In Judgeships having not more than 30 courts 1.5 days per month
- (iii) In judgeships having more than 30 Courts 2 days per month

3. Schedule 'A', 'B' and 'C' of Courts G.L. No 1/IV-h-14/90 dated 8.11.1990 be amended by insertions as under:

(i) New clause (c) as below be inserted in the 'Explanation' appended to Clause (A) of 'A' schedule

(c) where all public witnesses of fact Half of the quantum of disposal

turn hostile and the trial ends in prescribed for trial after full
Acquittal contest.

New Explanation as below be inserted at the end of each clause (A), Clause (B) and Clause (c) of the 'D' Schedule:

Note Where all public witnesses of fact turn Half of the quantum of disposal
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 ex parte- 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

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.

* Direction about the preparation of the statement are contained in G.L. 3/IV-h-14, dated 29th January, 1955.

- (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.
- (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	
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	Warrant Cases
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.	Summons Cases
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 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	Summary Trial Cases
19.	Non-appealable Cases	
20.	Appealable Cases	
21.	Non-appealable Cases	
22.	Cases where the accused pleaded guilty at the commencement of the trial.	
23.	Cases under Motor Vehicles Act etc.	Other Works
24.	Appeals against conviction by Magistrate II Class.	
25.	Sessions enquiry on complaint under S. 202(2) Cr.P.C.	
26.	Cases in which appeal lies under Section 378 Cr.P.C.	
27.	Number of days devoted to the disposal of criminal miscellaneous cases, bails and remands.	GENERAL
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.	

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 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. |
|----|---|

* This Schedule has been modified by G.L. No. 28/IV-h-14/96, dated June 1, 1996 for modified Schedule

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. 1/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, 1-½ days in a week
Civil Judges having more than 300 suits, and permanent Munsifs.
 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 | ...No credit. |

- Cr. P.C. without any evidence having been recorded.
- (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/- and2-1/2 days per contested case after Petitions Hindu Marriage Act. full trial.
2. Suits above Rs. 25,000/-3 1/2 days per contested suit after

3. Cases decided ex part (except the cases dismissed in default) full trial.
...10 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 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 ...One contested appeal per day.

Appeals under Section 22 of U.P. Act No. 13 of 1972 decided after contest.

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, Plaintiff 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 appended 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.
- (l) 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. I/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.

I 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 sublet.

(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-1-2374/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, 985, 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 court's 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-I-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-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 कालों 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 Independence 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-l-94-l 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.

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CHAPTER - II

STAFF

[1] APPOINTMENTS

(i) Ad-hoc

C.L. No. 29/Ve-4/Admn.(D) dated 5th May, 1985

The District Judges are requested to dispose of the pending matters of regularisation of adhoc appointees in accordance with the law laid down by a Division Bench of Allahabad High Court in Writ petition No. 1207/1984 U.P. Civil Court's Ministerial Service Association through its General Secretary, Lucknow v. State of U.P. and others, wherein it has been held that adhoc appointees who fulfil the requisite conditions, as laid down in the Regularisation Rules, shall be considered by the District Judge for regularisation.

C.L. No. 16/IVh-36, Admn. "G" dated 27th March, 1989

Adhoc appointments which are generally made in the district courts of class III employees bring bad name to the judgeship, and, therefore, it has to be discouraged. It may be resorted to only in very urgent cases.

C.L. No. 17/Admn. (D) Section dated March 12, 1991

Concerning Ad hoc employees working in the Judgeship

I am directed to say that since in some Judgeship ad hoc employees are retained in service according to the sanction made by Government whereas simultaneously in some other Judgeships they are ceased to act, the ultimate result of such abrupt retrenchment is that a number of representations are filed before the Court, Considering this aspect of the matter and also to maintain an uniform policy on the subject the Court has been pleased to direct you to send a complete list of employees working on ad hoc basis in your Judgeship. It must also indicate the dates from which the ad hoc appointment were given to each of such employees. Their nature of appointment may also be specified whether they are appointed under Rule 269 General Rules (Civil) to clear off the arrears for a certain period or their appointment is on year to year basis under Government Order.

You may also inform the Court whether retention of such employees is necessary in future considering the work load of Judgeship. Also specify whether present strength is insufficient to cope with the work load of Judgeship. If so, you may send justification within a week from the receipt of Court's order so that matter may be moved to Government for creation of regular posts.

I am also to add that Government often puts barrier on fresh appointments and issue orders for termination of ad hoc appointees-. You are hereby informed that you may not act merely on Government orders in this regard without prior permission of this Court as it kills the interest of litigant public and if you have ceased the employees merely on the basis of G.O., their services be restored so that work may not suffer.

C.L. No. 35/Ve-4/Admn. (D) dated May 27, 1992

Appointment of class III employees on Ad-hoc basis

I am directed to inform that no ad hoc appointment on class III posts be made without prior approval of Hon'ble the Chief Justice.

C.L. No. 66/2007Admin(D) : Dated :13.12.2007.

Recruitment of Staff .

It has been brought to the notice of the Hon'ble Court that a large number of vacancies are pending in various judgeships of the State which is hampering the judicial functioning of the Subordinate courts which are already under tremendous constraint due to mounting rate of new cases being filed every year necessitating the increase in the existing sanctioned strength of the staff. Therefore the Hon'ble Court has desired that in the first place, to surmount this problem, in all the judgeships, the existing vacancies be filled up immediately making recruitment under the existing Rules, Circular Letters and the G.Os. adopted by the Court.

Therefore you are requested to kindly fill up the existing vacancies in your judgeship at the earliest in accordance with the existing Rules C.Ls. And the G.Os.

C.L. No. 36 Dated : Allahabad : July 19, 1996

Information Regarding ad hoc Appointments made in the Judgeships subordinate to High Court it has come to the notice of the Hon'ble Court that ad-hoc appointments have been made by the District Judges without the prior permission/sanction of the Hon'ble Court,

The Hon'ble Court has directed that the District Judges should furnish, the following information's so that appropriate action in the matter may be taken:

1. State the number, the name of the candidates with details of parentage, their addresses, the date of their appointments and the period for which they have been appointed,
2. Whether any previous permission of the Hon'ble Court has been obtained before making such appointments/, if so, the copy of the order communicated by the Hon'ble Court may be enclosed.
3. State whether the appointments have been made under Rule 269 of. General Rules (Civil) or any other provisions contained in any Statuette
4. Also enclose the photo-stat copy of the appointment letters.

I am therefore, to request you to kindly comply the directions of the Hon'ble Court by furnishing the aforesaid information's at the earliest.

C.L. No. 10/Admn. (D) dated March, 11, 1997

Information regarding Ad-hoc appointments made in the Judgeship. to High Court

I am directed to refer to the courts circular letter No. 36/Admn. (D) dated 19.7.1996 on the above subject and to request you kindly to furnish requisite informations as asked for therein to the court, at a very early date.

(ii) Apprentices

G.L. No. 451/A dated 8th February, 1923

All apprentices in a judgeship should be brought on to one consolidated list and District Judges should assign them to various courts and post them as required to fill casual vacancies.

(iii) Amins

G.L. No. 15/A-9 dated 7th May, 1940

The Court considers that a District Judge is not obliged to insist that a candidate for the post of Amin should have passed in theoretical and practical survey, if he is satisfied that the requirement of Chapter XXI, rule 522 of the General Rules (Civil), 1957 are fulfilled; but except in special circumstances, exemptions should not be granted.

C.L. No. 65/Ve-501 dated 1st August, 1968

Only trained Amins should be appointed to the post of Amins, if available and only those untrained officials should be appointed as Amins who give an undertaking to take the training of Amins at the Kanungo Training School at Hardoi.

(iv) Stenographers

G.L. No. 19/Ve-47-6(4) dated 20th December, 1946

Government has sanctioned a post of stenographer for each permanent Civil Judge or Small Cause Court Judge. A stenographer may also be entertained on a temporary basis in the scale sanctioned by the Government, for additional courts of Civil Judge, if any, in each judgeship.

C.L. No. 106/Ve-47 dated 22nd November, 1961 and

C.L. No. 9/Ve-47 dated 18th February, 1965

When an official is substantively appointed as a stenographer of the court of a District Judge or the court of an Additional District Judge, his name, date of birth and also the date of confirmation should be communicated to the Court, indicating the vacancy in which he is confirmed.

C.L. No. 67/Ve-47 dated 19th July, 1969

Annual remarks in respect of stenographers should not be sent to the Court as the Selection Grade in their cadre has been abolished in terms of the report of the U.P. Pay Rationalization Committee.

(v) Retrenched employees

C.E. No. 96 dated 15th November, 1967

Attention is invited to U.P. Absorption of Retrenched Employees Rules, 1967, published in U.P. Gazette, dated November 4, 1967. In clarification of rule 2(b) of the said Rules it has been decided that the certificate to be granted to employees liable to retrenchment will be granted in proforma No. 1 by the concerned appointing authority.

It is further decided that in case of those employees also who have already been retrenched, a certificate by the concerned appointing authority will be necessary which will be in proforma No. 2.

Under sub-rule (2) of rule 4, cent-per-cent reservation will be made for retrenched employees on all class IV posts and technical posts of class III which are beyond the purview of the Public Service Commission.

C.E. No. 7 dated 16th January, 1969

Attention is also invited to para 3 of G.O. No. 41/2/67 Appointment (Kha), dated May 28, 1968, under which cent-per-cent: reservation of class IV posts and such technical posts of class III category as are not under the purview of the Public Service Commission, has been granted for the retrenched employees and it is clarified that in those establishments where there is a provision for appointment of paid apprentices, the post of apprentices will be reserved cent-per-cent for the retrenched employees, that is, only such employees will be appointed on all the posts of the paid apprentice.

(vi) Copyists

G.L. No. 3/Ve-81 dated 27th February, 1952

As the outturn of a typist is more than that of an ordinary copyist, appointments in the copying office should, so far as possible, be made from amongst persons who know typewriting.

C.L. No. 62 dated 1st November, 1955

District Judges should employ only such copyist as can write legibly. Indiscriminate appointment of copyists is undesirable and must be guarded against.

G.L. No. 7/Ve-77 dated 10th May, 1952 read with

C.L. No. 119/Ve-77 dated 17th November, 1952 and

C.L. No. 125/Ve-77 dated 6th December, 1969

All District Judges in Uttar Pradesh have been empowered to entertain extra temporary copyists in the lowest sanctioned scale in their Copying Department at a cost not exceeding Rs. 600 in a year (excluding clearness allowances) in each judgeship, in case all the copyists are fully engaged and additional staff is necessary to cope with the work in order to ensure speedy disposal.

Normally ordinary copies should be issued within a week. If such copies are issued after a week, without any special circumstances, the work should be treated to be falling in arrears.

At the end of each financial year the expenditure incurred on this account should be reported to Government.

The charge will be debited to “27 -Administration of Justice-D-Civil and Sessions Court-(f) Record Room or Copy making charges”^{*} and every effort should be made by

^{*} Now 2014 Administration of Justice – 105 Civil and Sessions Court – 06 Record Room or Copy making charges.

District Judges to meet the cost on the above account by affecting savings on non-essential items in their sanctioned budget allotment.

C.L. No. 48 dated 26th July, 1962

Under GO. No. A-1-3431/X-14(9)-1961, dated September 12, 1961, the District Judges, in supersession of the C.L. No. 7/Ve-77, dated May 10, 1952, have been authorised to entertain extra copyists and execution clerks in the lowest sanctioned scale subject to the condition that no demand for extra funds or supplementaries will be entertained on account of this delegation (vide serial no. 10 of the Caption "Temporary Establishment" in the Annexure to the G.O. referred to).

In case they find it necessary to entertain any extra temporary copyist or copyists which they cannot do for want of savings in their budget they should immediately move the Court in the matter with facts and figures justifying their demand so that the Court may sanction the entertainment of such temporary post or posts for a period not exceeding one year in view of the powers delegated to the Court under serial no. 2182-1954, dated August 5, 1955 and provide funds from the grant placed at its disposal.

C.L. No. 67/Ve-77 dated 9th June, 1952

District Judges should notify such appointments made by them to Government through the High Court.

C.L. No. 80/Ve-77 dated 19th July, 1952 read with

G.L. No. 24/Ve-77-1 dated 11th September, 1974

While reporting to the Court the appointment of additional copyist or while applying for extra assistance in the Copying office, District Judges shall furnish information on the points mentioned below:

- (1) Existing number of copyists, permanent and temporary.
- (2) Number of words copied out by each one of the copyists during the six months preceding the month in which extra assistance is asked for. The number of English and Urdu or Hindi words, in manuscript or type, should be shown separately.
- (3) Number of days on which each copyist worked during the six months.
- (4) Average number of words (English and Urdu or Hindi, in manuscript or type, to be shown separately) applied for, by applicants for copies, during the twelve preceding months.
- (5) Number of English and Urdu or Hindi words in manuscript or type pending for copy.
- (6) Whether the copyists were allowed to avail of the whole of the last vacation; if not, the number of days in the vacation on which each copyist worked.
- (7) Reasons for accumulation of arrears.

C.L. No. 95-1 dated 19th October, 1957

The practice of allowing the Head Copyist the assistance of a copyist who, in lieu of the assistance rendered by him, is exempted from giving his daily outturn of work is objectionable as it contravenes the provisions of rule 267, Chapter X of General Rules (Civil), 1957.

Previous sanction of the Court may, however, be obtained where it is considered necessary to exempt a copyist from doing copying work.

C.L. No. 31/VIIIb-1 dated 27th April, 1963

As far as practicable, English and Hindi typists should work on English and Hindi typewriter respectively and should not be permitted to prepare copies by hand.

(vii) Temporary execution clerks

C.L. No. 114 dated 13th November, 1953

Whenever execution work falls heavily in arrears on account of creation of additional courts, proposal for appointment of an execution clerk for the permanent or temporary court of Civil Judge or Munsif, as the case may be, may be submitted to the Court with facts and figures in support of the case.

(viii) Additional staff for temporary and Honorary Courts

C.L. No. 73/B dated 30th October, 1950

Temporary staff of additional courts should, unless there are orders to the contrary, be employed only from the date the presiding officer takes over charge and should be disbanded on the presiding officer handing over charge or the court becoming vacant as the case may be.

G.L. No. 53/B dated 18th September, 1934

The Staff attached to a temporary court such as that of a temporary Additional District and Sessions Judge which is provided for a specified period should, in the interest of economy, be dismissed when the court has been expressly held in obedience or when the presiding officer goes on leave for more days and no substitute is provided.

After the temporary court has been revived or on the return of the presiding officer from leave, the sanctioned staff should be re-employed.

C.E. No. 40/IXg-19 dated 19th June, 1964

As a measure of economy, Government have decided that on the non-plan side, except in Public Sector commercial takings, staff for new offices and new schemes under the heads of department should be drawn from the existing staff under their control by internal rearrangement and the powers to create temporary posts delegated to them should be exercised only when it is necessary to abolish a post and to create another in its place with a view to giving effect to such rearrangement. When it is absolutely impossible to make any such adjustments and entertainment of new staff is unavoidable the matter should be referred to the Government in the administrative department.

(ix) Central Nazir

L. No. 1624/2-A-(1) dated 11th June, 1918

The Munsarim is responsible for drawing the attention of the District Judge to orders, contained in the letter referred to in the margin, whenever the post of the Central Nazir has to be filled up. In making the appointment the District Judge should consider the hardship upon Deputy and Assistant Nazirjs when an outsider is brought over their heads. It will be difficult to expect efficiency from the Central Nazir if on the occurrence of every vacancy the post is given to a man who has not gone through the inferior grades.

G.L. No. 3617 dated 25th September, 1924

Whenever an official of the court has to carry on the duties of Nazir or the permanent incumbent of any other office and which duties do not properly belong to the office of the official carrying on such duties, he should carefully follow the rules relating to the office of the absentee in the discharge of his duties. It is desirable that some members of the staff should be trained in the duties of "accountant Nazir" so that in the Nazir's absence another trained official may be in a position to discharge his duties.

(x) Readers and Ahalmads

C.L. No. 4 VIIIs-88 dated 31st January, 1955

In order to prevent loss through dishonesty, negligence or connivance of the court officials, it is essential that care is taken in selecting official to work as Readers and Ahalmads. An official whose integrity is beyond doubt should be appointed to fill up these posts.

(xi) Mali-Chaukidars

G.L. No. 3765/A-6(1) dated 13th September, 1915

Mali-Chaukidars on a fixed salary should be appointed in place of chaukidars at all sessions bungalows, so that not merely the grounds outside but the bungalows themselves and their contents may be kept in a clean and proper condition.

C.L. No. 32/Admn. (G) Sec./2005dated 29th Oct, 2005

Appointments on posts under sub Rule 3 of Rule 4 of the Uttar Pradesh Subordinate Civil Court Inferior Establishment Rules, 1955.

I am desired to say that the Hon'ble Court (Hon'ble Mr. Justice Sunil Ambwani) in C.M.W.P. No. 24665 of 2003-Sachin Kumar and others Vs. State of U.P. and others connected with C.M.W.P. No. 24298 of 2003-Dinesh Kumar Yadav Vs. District Judge, Baghpat and others has held that though no procedure for appointment to the post of Chaukidar, Mali, Waterman and Sweeper is prescribed under the Uttar Pradesh Subordinate Civil Court Inferior Establishment Rules, 1955 but still the discretion given to the District Judge under rule 4(3) of 1955 Rules is not to be exercised on his whims and for oblique purposes. The discretion given to the District Judges to make appointments on the post of Chaukidar, Mali, Waterman and Sweeper is by way of a trust and must therefore, be exercised in accordance with settled principle of fairness, transparency and reasonableness. The appointment on a civil post even if made at the sole

discretion of the eligible person, and thereafter by following a selection procedure which should be fair, transparent and reasonable.

I am, therefore, directed to send out herewith a copy of judgment and order dated 22.4.2005 in Writ Petitions afore detailed, for information, guidance and compliance faithfully

C.L. No. 131/Admn. (D) dated 9th December 1994

Security Guards for Courts Premises and raising of strength of Chaukidars.

In the Matter of security guards for courts premises and raising the strength of Chaukidars for the Subordinate Courts, the Hon'ble Chief Justice and Judges have been pleased to direct that this matter be considered on a case by case basis. If, therefore, security guards are, in your opinion, required to be posted in the premises of the courts in your Sessions Division or the strength of Chaukidars requires to be raised, a specific reference may be made, in this behalf, with full justification for it.

This Circular Letter is being issued in supersession of Circular Letter No. 122 of November 23, 1994

(xii) Kursi-Bunker

C.E. No. 58/Ve-105/Admn. (D) dated 4th September, 1984

The District Judges are requested to comply with the instruction contained in G.O.No. 7479(2)/Seven-Subordinate Courts-512/82 dated 31st Dec., 1983 directing engagement of blind persons as "Kursi-Bunker" on daily wages when so needed.

(xiii) Process-servers

G.L. No. 40/Vlc-4 dated 17th May, 1949

In judgeships where the process-serving staff may be found to be in excess of requirements, the services of temporary or officiating hands among process-servers and peons including orderly peons should be dispensed with and no further recruitment made against permanent or temporary vacancies until the strength of process-servers is brought down to a level conforming to the standard prescribed by rule 123, General Rules (Civil), 1957. The services of extra process-servers may be utilised to the best advantage such as peons or bastabardars in the record room or in any other department where their services may be properly utilised.

C.L., No. 38/Vlc-4 dated 5th April. 1958

The District Judges should examine from time to time say after every six months, the strength of process-serving staff of their judgeships and, if the staff is found to be in excess of the actual requirement, steps should be taken to reduce the strength by not filling up permanent, temporary or leave vacancies.

C.L. No. 28 dated 13th March, 1970

The position of the process-servers should be reviewed annually keeping in view the observations/recommendations contained in the Report on the Reorganisation and Rationalisation for the Civil Court Offices in Uttar Pradesh and the provisions of rule 123 of the General Rules (Civil), 1957, Volume I. Steps should be taken for providing extra

duties to the process-serving staff in the absence of enough work or to keep the posts in abeyance.

While forwarding proposals for entertainment of peons, orderlies, bundle lifters, etc. mention may be made whether or not the work proposed to be allotted to those members of the staff can be allotted to the surplus process-serving staff, if any.

(xiv) Peons for record-room

G.L. No. 2628/385 dated 7th August 1912

District Judges should attach a peon to the record-room. He should in no case be a process-server and should not, so far as possible be changed. Changes in the record-room especially in the case of the low paid staff are to be deprecated and District Judges should satisfy themselves that employees in the record room are given no other work.

(xv) Orderly peons

C.L. No. 80 dated 7th August 1958, read with

G.O. No. 1982-A/III-170K/1958 dated 16th June, 1958

The Government have decided that officers doing court work should not be allowed to retain more than two peons, be they orderly peons or court messangers. Accordingly the District Judges should not retain with them more than two peons. None of the two peons allowed to the District Judges should be attached with them outside normal office hours.

(xvi) Peon for Amins

C.L. No. 58/Vlc-3 dated 22nd May, 1961

Civil Court Amins are exempt from the operation of the orders contained in Government letter no. 708-A/III-22-K-1961, dated April 13, 1961 and are allowed to have peon.

(xvii) Staff of Judge Family Court

C.L. No. 7/Ve-4/ Admn.'D' Sec: Dated: 1-4-1999

Provision for the staff of Judges Family court.

The matter of regulating the services of Class III and Class IV employees appointed in Family Court in the State of Uttar Pradesh is in consideration of the Hon'ble Court. Before finality is achieved the Hon'ble Court has issued the following directions for strict compliance by all.

1. No appointment/recruitment shall be made by the Judge Family Court in the State of Uttar Pradesh from the date of the issuance of the Circular order/ notification of any Class III or Class IV posts created in their Courts.
2. In case or any urgent circumstances which may require the necessity of further staff of class III and IV employees to the Family Court, the same may be met from the establishment of the district concerned in consultation with the Judge, Family Court.

3. In case of any demand being made during this period by the Judge, Family Court for Class III and Class IV employees the District Judge of that district is directed to provide class III and Class IV employees from its establishment.

I am, therefore, directed to communicate the aforesaid directions of the Court for strict compliance till further orders.

(xviii) Drivers

C.L.No. 50: Dated; August 29, 1996

Creation of the post of drivers in the pay scale of Rs. 950-20-1150-EB-25-1500.

I am directed to send herewith a copy of the G.O. No. 797/VII-Nyay-9 (Budget) 20 (B) 95, dated March 14, 1996, on the above subject and to say that the Hon'ble court has already given an order to M/s Hindustan Motors Limited, 9/1, R.N. Mukherjee Road, Calcutta to supply 164 Cars of which the allocation of the Cars in the Judgeships are given herein as under:

Name of Judgeships		No. of Cars
Agra	..	09
Kanpur Nagar	..	08
Varanasi	..	09
Ghaziabad	..	08
Mathura	..	05
Meerut	..	10
Moradabad	..	07
Azamgarh	..	06
Faizabad	.	05
Jaunpur	..	05
Barabanki	..	04
Badaun	..	04
Deoria	..	05
Etawah	..	04
Bahraich	..	03
Allahabad	..	09
Lucknow	..	10
Dehradun	..	04
Haridwar	..	02
Nainital	..	02
Bareilly	..	07
Aligarh	..	06
Gorakhpur	..	06
Gonda	..	05
Muzaffar Nagar	..	05
Basti	..	04
Bulandshahar	..	04
Etah	..	04
Ghazipur	..	04

I am, therefore, to request you kindly to make the appointment of the drivers equal to the number of cars allotted to your Judgeship in the pay scale of RS. 950-20-1150-EB-25-1500, after the receipt of the cars from the authorised dealer M/s Hindustan Motors Ltd., Calcutta.

संख्या 797/सात-न्याय-1(बजट)20(ब)/95

न्याय अनुभाग-9 (बजट) लखनऊ

दिनांक 14 मार्च 1996

विषय: मा0 उच्चतम न्यायालय के निर्देशानुसार उत्तर प्रदेश न्यायिक सेवा के अधिकारियों को पूल में स्टाफकार एवं कार चालकों के पदों की स्वीकृति।

महोदय,

मुझे यह कहने का निदेश हुआ है कि मा0 उच्चतम न्यायालय के निर्देशानुसार उत्तर प्रदेश उच्चतर न्यायिक उ0 प्र0 न्यायिक सेवा के अधिकारियों को पूल में वाहन उपलब्ध कराने हेतु 208 स्टाफ कारों के क्रय के लिए रूपया 423.11 लाख (रूपये चार करोड़ तेइस लाख तथा ग्यारह हजार मात्र) को धनराशि के व्यय को श्री राज्यपाल महोदय सहर्ष स्वीकृति प्रदान करते हैं।

2. उत्तर प्रदेश के न्यायिक सेवा के अधिकारियों को पूल में उपलब्ध करायी जाने वाली 261 स्टाफ कार के लिए 261 कार चालकों के अस्थायी पद, वेतनमान रूपया 950-20-1150-द0रो0-25-1500 में इस शासनादेश जारी होने या नियुक्ति तिथि से, जो भी बाद में हो 28 फरवरी, 1997 तक के लिए, यदि इसके पूर्व बिना किसी सूचना के यह पद पहले ही समाप्त न कर दिए जायें, सृजन करने को श्री राज्यपाल महोदय सहर्ष स्वीकृति प्रदान करते हैं।

3. उक्त कार चालकों को मंहगाई तथा अन्य भत्ते इस सीमा तक प्राप्त होंगे, जिस सीमा तक समय समय लागू नियमों एवं राजाज्ञाओं द्वारा उनके अधिकारी होंगे।

4. उक्त गाड़ियों का क्रय वर्तमान स्टोर परचेज नियमों के अन्तर्गत किया जायेगा।

5. इस सम्बन्ध में होने वाला चालू वित्तीय वर्ष 1995-96 के आय व्ययक में अनुदान संख्या-42 के अधीन लेखा शीर्षक 2014-न्याय प्रशासन आयोजनेतर-105-सिविल और सेशन न्यायालय-03-जिला तथा सेशन न्यायाधीश-08-कार्यालय के प्रयोग के लिए स्टाफ कारों और अन्य मोटर गाड़ियों का क्रय के नामे डाला जायेगा।

C.L. No.39/ve-107/Admin. (D)/Dated: 5-9- 2007

Compensatory honorarium to the Drivers vide Office Memorandum. No. 4-E.M./90-Ka-4-2007, dated 6.7.2007.

I am directed to enclose herewith the Officer Memorandum No.- 4- E.M./90-Ka-4-2007, dated 6.7.2007 issued by the Government of Uttar Pradesh, on the above subject and to request you to kindly follow the directions given therein.

(xix) Typist for S.A.O.

C.L. No. 123/Admn. (D) dated November 23,1994.

I am directed to say that the Court has been pleased to order that a post of typist be created for the Senior Administrative Officer in your Judgeship.

I am therefore, to ask you kindly to furnish your report in the light of G.O No 1924/Sat-Aa-Nya-13/89, dated 19.8.1988 issued on the subject.

(2) ABSORPTION OF EMPLOYEES

C.L. No. 54/Ve-4/Admn. (D) dated May 30, 1994

Absorption of class III and IV employees on shifting of Courts from one Judgeship to another.

I am directed to say that the Court has made following directions in connection with the absorption of Class III and IV employees of the respective Judgeships whose services are likely to be affected due to shifting of courts from one Judgeship to another:

1. That every effort be made to ensure that the shifting of the court does not result in the termination of the service of any employee on the grounds that such employee has become surplus.
2. That in the first instance option be invited from employees for transfer to the place to which the court has been shifted.
3. That in the event of the requisite staff not opting for transfer the junior most staff in class III and IV on the establishment of the Judgeship concerned be transferred.
4. That in the first instance ad hoc employees, if any, be transferred before regular employees are selected for transfer.
5. That employees transferred against their consent shall be given priority in transferring back to their original place of appointment if and when the court is next shifted to that place.
6. That transferred staff will be entitled for T.A., D.A, and joining time and he will be given his due seniority at the new station and his seniority will be counted from the date he is working in the scale against substantive vacancy.

All the District Judges concerned are requested kindly to send the informations through special messenger by 3rd June, 1994 about the names, Pay scales, nature of appointment of such class III and IV employees who are likely to be ceased due to shifting of courts to other districts and such particulars of those employees also who are opting for being transferred to such other districts and thereafter transfer orders will be sent by this Court about such employees and in the meanwhile no employee will be ceased and no fresh appointment will be made against the post available, arising out of shifting of such courts.

The District Judges of the places where the courts are being transferred are also requested to send the requirement of staff, along with their post and pay scales through special messenger by the above mentioned date, consequent upon such shifting.

C.L No. 64/Ve-4/Admn. (D) dated July 27,1994

Absorption of class III and IV employees on shifting of Courts from one Judgeship to another Judgeship.

In continuation of C.L. No. 54/Ve-4/Admn. (D) dated 30.5.1994, I am directed to say that the Court has further been pleased to make following directions on the above subject:-

- (1) That candidates from the existing select list duly prepared for the District be given preference in filling up vacancies caused by the shifting of Courts as against ad hoc employees other than such ad hoc employees as are entitled to regularisation under the rules;
- (2) If after absorbing candidates from the select list vacancies are available, they may be filled from amongst ad hoc employees who have become surplus on account of shifting of Courts; and
- (3) That the services of the left over ad hoc employees of the Districts from where Courts have been shifted, be terminated.

I am, therefore, to request you kindly to make compliance of the directions with immediate effect.

C. L. No, 21/2007 : Admin 'G' Dated : 14 May, 2007

Entitlement of Class IV Employees.

With reference to above I am directed to inform that the Hon'ble Court has laid down following criteria for entitlement of Class IV employees at the residence of the Judicial Officers :-

“In the District Courts also, on the same pattern each additional District Judge will be permitted to have two employees at his residence and a Judicial Officer below the rank of the Addl. District Judge in the Subordinate courts will be permitted to have only one class IV employee at their residences.

.....the District Judges in the district judgeships will be permitted to have four employees at their residences”

I am, therefore, to request you to kindly ensure strict compliance of the directions quoted herein as above and make the arrangement as per directions of the Court immediately.

C.L. No. 24/Ve-4/Admn.(D)/Sec:Dated: 25-9- 1999

Regarding taking officials on deputation in newly created Judgeship to fill up the promotional posts from parent District.

It has come to the notice of the Court that the District Judges of the parent districts have not favourably responded for sparing the staff to the newly created Judgeship. The Court has considered the matter.

I am directed to convey the following decision of the Court for strict compliance in the matter of taking official on deputation in newly created Judgeship to fill UP promotional posts from parent district.

- (i) District Judges of the parent district be requested to serve a general notice inviting options from the willing officials of the Judgeship for joining on transfer at the newly created district.

- (ii) Options may also remain open for one up promotion, and
- (iii) The list of all such officials who will prefer to go to the newly created district be scrutinized by the District Judges of the parent Judgeship and also of the newly created Judgeship and after giving final shape to the same be referred to the High Court for the transfer of those officials.

I am, therefore, directed to communicate you the aforesaid direction of the Court for strict compliance.

C.L. No. 14/VIIb-104/Admn.(D), dated 15th April, 2005

Re-habilitation of class III and class IV ex-employees of abolished Fast Track Courts in various Judgeships of the State.

I am directed to say that aforesaid matter was brought to the notice of the Court, after considering the Hon'ble court has been pleased to resolve that during the period while the final decision about fast track courts is pending phased absorption of the above employees be made by the District Judges as under :-

- (i) If vacancies for promotion in the next higher scale of pay are available, the District Judges may undertake exercise to fill up promotional posts and all eligible existing regular class III and class IV employees should be immediately considered for promotion strictly as per rules.
- (ii) On the basis of seniority (length of service) and suitability and continuous utility of the said ex-ad hoc employees, they may be offered re-employment on ad-hoc basis in the concerned district judgeship where at they were earlier working in the Fast Track Courts against the available vacancies in ministerial and inferior establishment of the judgeship provided the said ex-ad hoc employee of the Fast Track Courts so desires and is willing to seek employment in the judgeship on ad-hoc basis for a fixed term in the initial scale of pay/initial fixed pay.
- (iii) If no vacancy at the said district Judgeship is available, the information of the said ex-ad hoc employee (s) may be communicated to other judgeships within the same administrative zone and if the ex-ad hoc employee (s) in the same judgeship are not available the ex-ad hoc employees of other judgeship who are willing to work in such out side court be offered ad hoc employment after preparing their inter-se seniority at the level of administrative zone.
- (iv) If the sufficient vacancies are not available in the same administrative zone, the left over ex-ad hoc employees may be considered in the adjoining administrative zone following the same principles as laid down above.

If still some ex-ad hoc employees remain for want of vacancies, they may be considered for providing ad-hoc employment in any of the Judgeship where the vacancies are available. The information in respect of (iii), (iv) and (v) above may be collected at the High Court level and after preparing a common seniority list of such persons

appropriate employment may be offered under the direction of the High Court, by the concerned appointing authority

The entire re-employment above indicated, should be on ad-hoc basis and subject to filling the vacancies in concerned judgship on regular basis in accordance with rules where the re-employed ad-hoc employees may if necessary, be given an opportunity to compete after giving relaxation in the matter of age etc.

It has been directed that rehabilitation of such persons by re-ad hoc employment against vacancies in ministerial and inferior establishment of the Districts Judgships may be considered provided if prior approval of the Hon'ble the Chief Justice as is required under Circular Letter No. 35/Ve-4/Admn. (D), dated 27.5.1992 and Circular Letter No. 9/VIIb-104/Admn. (D), dated 29th April, 1998, is accorded.

It has been also resolved that no advertisement be issued as the persons to be employed are already on the list. Further resolved that no reservation regarding caste etc. be made as the persons are already employed.

I am, therefore, directed to communicate you the aforesaid directions of the court for strict compliance.

[3] DYING IN HARNESS

Family member of a government servant dying in harness

C.L. No. 63/Ve-4 dated 26th April, 1974

Directions contained in G.O, no, 6/12/1973-Niyukti-4 dated December 21, 1973 regarding employment of the members of the family of a government servant dying in harness should be followed.

C.L. No. 26/Admn.(D) Section dated July 4, 1995

Directions regarding appointment under Dying in Harness Rules, 1974

I am directed to say that the Court has been pleased to order that the application of a dependant of an employee who died in harness, shall be considered for appointment in the district where he/she had last served or last resided.

The Court has further taken a decision that regarding relaxation in upper age limit for appointment Hon'ble the Chief Justice may exercise his discretion keeping in view the facts and circumstances of each case.

C.L. No. 93/Ve-4/Admn. (D) Section dated October 3, 1994

Appointment of dependants of employees dying in harness under the Uttar Pradesh Recruitment of Dependants of Government Servants, Dying in Harness Rules, 1974

I am directed to say that certain guidelines have been prescribed by the Hon'ble the Supreme Court of India in regard to the claims for appointment under the Dying in Harness Rules on compassionate grounds in SLP No. 10504 of 1993* Umesh Kumar Nagpal v. State of Haryana and others) connected with SLPs Nos. 2385 of 1994 (Anil Malik v. State of Haryana). A copy of the judgment delivered on May 4, 1994 is enclosed

* The Judgement of the Hon'ble Supreme Court referred in this CL has been reported in 1994 (4) SCC 138

herewith. The guidelines so prescribed may kindly be strictly followed in future and while submitting report to the Court in this regard the test prescribed in the Uttar Pradesh Recruitment of Dependants of Government Servants Dying in Harness Rules, 1974 together with G.Os. on the subject should strictly be adhered to by you.

[4] RESERVATION:

Representation of Scheduled Caste

C.L. No. 25/Ve-94 dated 11th March, 1970

While making recruitment to the ministerial and inferior establishments in the judgeship the District Judges should see that the instructions contained in G.O. No. 65/3/69-Ra-Aki (M.R. 13), dated June 9, 1969 and G.O. No. 65/9/69-Ra-Aki, dated February 12, 1970, regarding representation of scheduled caste candidates in government service are strictly complied with.

C.L. No. 85/Ve-94 dated 31st May, 1971 and

C.L. No. 142/Ve-94 dated 3rd December, 1975

Directions regarding representation of scheduled caste and backward class candidates should be strictly followed while making appointment to the subordinate court staff.

C.L. No. 38/Ve-94 dated 23rd March, 1976

All efforts should be made to complete the prescribed quota for scheduled caste/tribes candidates in government service while making appointments to class III and class IV posts.

C.E. No.83/Ve-94/Admn. (D) dated 7th December, 1987

All the District Judges are requested to take necessary steps to fill the vacancies according to the percentage prescribed for reservation of scheduled castes and scheduled tribes candidates.

C.E. No. 77/Ve-9 Admn. (D) dated 28th November, 1985

The District Judges are requested to comply with the instructions contained in Government Letter No. 2886/Ten-58/11787/85, dated 4th October, 1985, regarding filling of reserved seats for scheduled castes in accordance with the G.O. No. 65/25/73(2)-Ra. Eki. dated 10th May, 1976.

C.E. No. 73/Ve-94 dated 19th July, 1970

Quarterly statements regarding recruitment of scheduled caste candidates should be sent to the Chairman, Minority Commission, Vidhan Bhavan, Lucknow within 15 days of the close of every quarter.

C.E. No. 15/Ve-97 dated 17th Februry, 1973

District Judges should make a sympathetic consideration of applications for employment received from persons engaged in service of ex-rulers according to State Government G.O. No. 46-11/72 Sa Pra-Anu, (2) Lucknow, dated October 28, 1972.

C.L. No 52/Ve-94/Admn. (D) dated September 25, 1992

Representation of Scheduled Caste and Scheduled Tribes, reservation quota in Subordinate Courts.

I am directed to invite your attention to Court's circular letters issued from time to time noted on the margin, on the above subject, and to request you kindly to ensure that

1. C.L. No. 25/Ve-94 dated 11.3.1970
2. C.L. No. 85/Ve-94 dated 31.5.1971
3. C.L. No. 142/Ve-94 dated 3.12.1975
4. C.L. No. 38/Ve-94 dated 23.3.1976
5. C.E. No. 83/Ve-94 dated 7.12.1987
6. C. No. 77/Ve-9 dated 28.11.1985

while making recruitment in the ministerial and inferior establishment in the Judgeships, Rules regarding reservation quota in respect of representation of Scheduled Caste & Scheduled Tribes candidates in Government services, are strictly complied with.

C.L. No. 134/Ve-94/Admn. (D) dated December 12, 1994

Regarding reservation facility provided to SC/ST and other Backward Classes in Government Services

I am directed to enclose herewith Government letter No.1/1/ 94/Karmik-1/94, dated 29-3-1994 alongwith its enclosure Notifications No. 481/Ka-1/94-1/1/1994, Notification No. 482/ka-1/94-1/1/1994, GO No. 483/ka-1/94-1/1/1994, G.O. No. 484/Ka-1/94- 1/1/1994 all dated 29-3-1994, on the above subject and to request you to follow these notifications and Government Orders, save reservation in promotion and forming Committee consisting of a member of SC/ST and one member of Backward class, as provided in G.O. No. 483 dated 29.3.94.

उत्तर प्रदेश लोक सेवाओं में अनुसूचित जातियों, अनुसूचित जन-जातियों और अन्य पिछड़े वर्गों के लिए आरक्षण।

शासनादेश संख्या 1/1/94-कार्मिक- 1-94, दिनांक 29 मार्च 1994

उपरोक्त विषयक समसंख्यक शासनादेश दिनांक 25 मार्च, 1994 का कृपया अवलोकन करें जिसके साथ “उत्तर प्रदेश लोक सेवा (अनुसूचित जातियों, अनुसूचित जन-जातियों और अन्य पिछड़े वर्गों के लिए आरक्षण) अधिनियम, 1994” की प्रति अनुपालनार्थ संलग्न कर प्रेषित की गई थी।

2- उपरोक्त के क्रम में उपर्युक्त अधिनियम, 1994 की विभिन्न धाराओं के तहत निम्नलिखित अधिसूचित आदेश/आदेश जारी किए गए हैं:-

- (1) अधिसूचना संख्या 481/ का-1/94-1/1/1994, दिनांक 29 मार्च 1994
- (2) अधिसूचना संख्या 482/ का-1/94-1/1/1994, दिनांक 29 मार्च 1994
- (3) शासनादेश संख्या 483/ का-1/94-1/1/1994, दिनांक 29 मार्च 1994
- (4) शासनादेश संख्या 484/ का-1/94-1/1/1994, दिनांक 29 मार्च 1994

3. उपरोक्त अधिसूचित आदेश/आदेशों की एक-एक प्रति संलग्न करते हुए आपसे यह अनुरोध करने का निदेश हुआ है कि कृपया सभी स्तरों पर उक्त अधिसूचित आदेश/आदेशों का अनुपालन सुनिश्चित करने का कष्ट करें। यह भी अनुरोध है कि उपरोक्त से अपने अधीनस्थ सभी अधिकारियों/प्राधिकारियों को भी आप कृपया अवगत करा दें ताकि इन का सभी संगत मामलों में कड़ाई से अनुपालन सुनिश्चित किया जा सके।

No. 481/Ka-1-94-1.1.94 dated March 29, 1994.

In exercise of the powers under sub-section (5) of Section 3 of the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and other Backward Classes) Act, 1994 (U.P. Act No. 4 of 1994), the Governor is pleased to issue the following roster for applying the reservation under sub-section (1) of the said section:-

1. Scheduled Caste	51. Unreserved
2. Unreserved	52. Scheduled Caste
3. Other Backward Class	53. Unreserved
4. Unreserved	54. Other Backward Class
5. Scheduled Caste	55. Unreserved
6. Unreserved	56. Scheduled Caste
7. Other Backward Class	57. Unreserved
8. Unreserved	58. Other Backward Class
9. Other Backward Class	59. Unreserved
10. Unreserved	60. Unreserved
11. Scheduled Caste	61. Other Backward Class
12. Unreserved	62. Unreserved
13. Other Backward Class	63. Scheduled Caste
14. Unreserved	64. Unreserved
15. Scheduled Caste	65. Other Backward Class
16. Unreserved	66. Unreserved
17. Other Backward Class	67. Other Backward Class
18. Unreserved	68. Unreserved
19. Other Backward Class	69. Scheduled Caste
20. Unreserved	70. Unreserved
21. Scheduled Caste	71. Other Backward Class
22. Unreserved	72. Unreserved
23. Other Backward Class	73. Scheduled Caste
24. Unreserved	74. Unreserved
25. Scheduled Caste	75. Other Backward Class
26. Unreserved	76. Unreserved
27. Other Backward Class	77. Other Backward Class
28. Unreserved	78. Unreserved
29. Other Backward Class	79. Scheduled Caste
30. Unreserved	80. Unreserved
31. Scheduled Caste	81. Other Backward Class
32. Unreserved	82. Unreserved
33. Other Backward Class	83. Scheduled Caste
34. Unreserved	84. Unreserved
35. Scheduled Caste	85. Other Backward Class
36. Unreserved	86. Unreserved
37. Other Backward Class	87. Other Backward Class
38. Unreserved	88. Unreserved

39. Other Backward Class	89. Scheduled Caste
40. Unreserved	90. Unreserved
41. Scheduled Caste	91. Other Backward Class
42. Unreserved	92. Unreserved
43. Other Backward Class	93. Scheduled Caste
44. Unreserved	94. Unreserved
45. Scheduled Caste	95. Other Backward Class
46. Unreserved	96. Unreserved
47. Scheduled Tribe	97. Scheduled Tribe
48. Unreserved	98. Unreserved
49. Scheduled Class	99. Scheduled Caste
50. Unreserved	100. Unreserved

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of Notification no. 482/Ka-1-1994 dated March 29, 1994.

No. 482/Ka-1-94-1-1-94, dated Lucknow, March 29, 1994

In exercise of the powers under sub-section (1) of Section 4 of the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and other Backward Classes) Act, 1994 (U.P. Act no. 4 of 1994), the Governor is pleased to entrust the appointing authority with respect to the public services and posts on which he is empowered to make appointment and the Principal Secretary or the Secretary, as the case may be of the concerned department, where the appointing authority is the Governor with the responsibility of ensuring the compliance of the provisions of the said Act.

चयन समितियों में अनुसूचित जाति/अनुसूचित जन-जाति तथा अन्य पिछड़े वर्ग के अधिकारियों का नामांकन।

शासनादेश संख्या 483/का-1/94-1/1/1994, दिनांक 29 मार्च 1994

“उत्तर प्रदेश लोक सेवा (अनुसूचित जातियाँ, अनुसूचित जन-जातियों व अन्य पिछड़े वर्गों के लिए आरक्षण) अधिनियम, 1994” की धारा 7 में प्रावधानित है कि राज्य सरकार आदेश द्वारा सेवा नियमावलियों के अधीन या अन्यथा गठित होने वाली चयन समितियों में अनुसूचित जाति या अनुसूचित जन-जाति तथा नागरिकों के अन्य पिछड़े वर्गों को प्रतिनिधित्व देने के लिए अधिकारियों के नाम-निर्देशन की व्यवस्था करेगी।

2. उक्त धारा द्वारा प्रदत्त शक्ति का प्रयोग करके राज्य सरकार द्वारा निर्णय लिया गया है कि जहाँ चयन समितियों में अनुसूचित जाति या अनुसूचित जन जाति तथा अन्य पिछड़े वर्ग के अधिकारी के नामांकन का वर्तमान नियमों में कोई प्रावधान न हो, वहाँ इस विषय में तात्कालिक प्रभाव से निम्नलिखित व्यवस्था लागू की जाय:-

- (1) जहाँ निर्धारित चयन समिति में सम्मिलित सदस्यों (अध्यक्ष सहित) में कम से कम एक सदस्य अनुसूचित जाति या अनुसूचित जन-जाति तथा एक सदस्य अन्य पिछड़े वर्ग से सम्बन्धित न हो, वहाँ अनुसूचित जाति या अनुसूचित जन-जाति के एक तथा अन्य पिछड़े वर्ग के एक अधिकारी को चयन समिति में अनिवार्य रूप से नामित किया जाय।
- (2) उक्त नामांकन चयन समिति के अध्यक्ष द्वारा किया जाएगा।
- (3) यह व्यवस्था सीधी भर्ती व पदोन्नति दोनों प्रकार के चयनों में लागू होगी।

3. यह भी अनुरोध है कि उपरोक्त व्यवस्था से अपने समस्त/सम्बन्धित अधीनस्थ अधिकारियों को भी अवगत कराने का कष्ट करें ताकि प्रत्येक मामले में उपरोक्तानुसार चयन समिति का गठन सुनिश्चन किया जा सके।

राज्याधीन सेवाओं में आरक्षण हेतु जाति प्रमाण-पत्र

शासनादेश संख्या 484/का-1/94-1/1/1994, दिनांक 29 मार्च 1994

राज्याधीन लोक सेवाओं में सीधी भर्ती के प्रक्रम पर अनुसूचित जातियों, अनुसूचित जन-जातियों व नागरिकों के अन्य पिछड़े वर्गों को आरक्षण देने की व्यवस्था “उत्तर प्रदेश लोक सेवा (अनुसूचित जातियों, अनुसूचित जन-जातियों और अन्य पिछड़े वर्गों के लिए आरक्षण) अधिनियम, 1994” में की गई है अन्य पिछड़े वर्ग का विवरण उपरोक्त अधिनियम की अनुसूची-एक में अंकित है, परन्तु अनुसूची एक में समाविष्ट वर्ग का सदस्य होते हुए भी ऐसे व्यक्तियों का आरक्षण अनुमन्य नहीं है जो उक्त अधिनियम की धारा 3 की उपधारा (1) के परन्तुक के साथ पठित अनुसूची-दो से आच्छादित होते हैं।

2. उक्त आरक्षण अधिनियम के तहत आरक्षण-सुविधा प्राप्त करने के लिए “जाति प्रमाण पत्र” प्रस्तुत किया जाना आवश्यक है। अधिनियम की धारा 9 में यह प्राविधानित है कि ऐसा जाति प्रमाण-पत्र ऐसे प्राधिकारी या अधिकारी द्वारा तथा ऐसी रीति तथा प्रारूप में जारी किया जाएगा, जैसा राज्य सरकार आदेश द्वारा उपबन्ध करें।

3. उक्त धारा 9 द्वारा प्रदत्त शक्ति का प्रयोग करके सरकार द्वारा यह निर्णय लिया गया है कि भविष्य में ऐसा प्रमाण-पत्र जिलाधिकारी/अतिरिक्त जिलाधिकारी/ सिटी मजिस्ट्रेट/परगना मजिस्ट्रेट/तहसीलदार, जिसके क्षेत्र में सम्बन्धित अभ्यर्थी निवास करता हो अथवा वहां उसका जन्म हुआ हो, द्वारा जारी किया जाएगा। अनुसूचित जाति व जन-जाति के लिए ऐसा प्रमाण-पत्र किसी अन्य वेतन भोगी मजिस्ट्रेट या सम्बन्धित जनपद के जिला समाज कल्याण अधिकारी द्वारा भी प्रदान किया जा सकता है। शासन द्वारा अनुसूचित जाति तथा अनुसूचित जन-जाति एवं अन्य पिछड़े वर्ग के लिए जाति प्रमाण-पत्र के प्रारूप निर्धारित किए गए हैं, अतः

4. अनुरोध है कि निर्धारित प्रारूप में सक्षम प्राधिकारी/अधिकारी द्वारा ऐसे प्रमाण-पत्र जारी किए जाएं व इस प्रकार जारी प्रमाण-पत्र प्रस्तुत किए जाने पर उपर्युक्त अधिनियम के तहत आरक्षण के सम्बन्ध में नियमानुसार चयन की कार्यवाही सुनिश्चित की जाए।

5. यह भी अनुरोध है कि उपरोक्त से सभी सम्बन्धित/सक्षम अधिकारियों, जो आपके अधीनस्थ हों, को अवगत कराने का कष्ट करें तथा जिलाधिकारियों द्वारा अपने जनपद के प्रत्येक सिटी मजिस्ट्रेट/परगना मजिस्ट्रेट/तहसीलदार को भी सरकार के इस निर्णय से अवगत करा दिया जाय ताकि उक्त नीति के अनुसार सम्बन्धित व्यक्तियों की जाति प्रमाण-पत्र प्राप्त करने में तथा अनुमन्य आरक्षण की व्यवस्था को लागू किए जाने में कोई असुविधा न हो।

उत्तर प्रदेश की अनुसूचित जाति तथा अनुसूचित जन-जाति के लिए प्रमाण-पत्र का प्रारूप

प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारी.....सुपुत्र/सुपुत्री श्री
..... निवासी ग्रामतहसील..... नगर.....जिला.....
..... उत्तर प्रदेश राज्य कीजाति के व्यक्ति हैं जिसे संविधान (अनुसूचित जाति, आदेश, 1950) जैसा कि समय-समय पर संशोधित हुआ। संविधान (अनुसूचित जन जाति, उत्तर प्रदेश) आदेश 1967 के अनुसार अनुसूचित जाति/अनुसूचित जन जाति के रूप में मान्यता दी गई है।

श्री/श्रीमती/कुमारी.....तथा/अथवा उनका परिवार उत्तर प्रदेश के.....ग्राम.....
..तहसील.....नगर.....जिला.....में सामान्यतया रहता है।

स्थानहस्ताक्षर

दिनांकपूरा नाम

मुहरपदनाम.....

जिलाधिकारी/अतिरिक्त जिलाधिकारी/सिटी
मजिस्ट्रेट/परगना मजिस्ट्रेट/तहसीलदार/अन्य
वेतन भोगी मजिस्ट्रेट, यदि कोई हों/जिला
समाज कल्याण अधिकारी।

उत्तर प्रदेश के अन्य पिछड़े वर्ग के लिए जाति प्रमाण-पत्र का प्रारूप

प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारीसुपुत्र/सुपुत्री श्री.... निवासी ग्राम... तहसील..... नगर.....जिला.....उत्तर प्रदेश राज्य की..... पिछड़ी जाति के व्यक्ति हैं। यह जाति उत्तर प्रदेश लोक सेवा (अनुसूचित जातियां, अनुसूचित पिछड़ी जन जातियों तथा अन्य पिछड़े वर्गों के लिए आरक्षण) अधिनियम, 1994 को अनुसूची-1 के अन्तर्गत मान्यता प्राप्त है।

यह भी प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारी.....उक्त अधिनियम, 1994 की अनुसूची-2 से आच्छादित नहीं है।

श्री/श्रीमती/कुमारी.....तथा/अथवा उनका परिवार उत्तर प्रदेश के ग्रामतहसील.... नगर.....जिला...में सामान्यतया रहता है।

स्थान : हस्ताक्षर.....

दिनांक : पूरा नाम.....

मुहर : पदनाम

जिलाधिकारी/अतिरिक्त जिलाधिकारी/

सिटी मजिस्ट्रेट/परगना मजिस्ट्रेट/तहसीलदार।

नोट: उपर्युक्त शासनादेश 30 प्र0 शासन के कार्मिक अनुभाग-2 के शासनादेश सं0 22/16/92-का-2-95 टी.सी. दिनांक 13-12-95 द्वारा संशोधित किया जा चुका है जो नीचे उद्धृत है।

शासनादेश संख्या-1/1/94-का-1/1994, दिनांक 01 जून, 1994 तथा 05 जुलाई, 1995 के क्रम में मुझे यह कहने का निदेश हुआ है कि उत्तर प्रदेश लोक सेवा (अनुसूचित जातियों अनुसूचित जनजातियों और अन्य पिछड़े वर्गों के लिये आरक्षण) अधिनियम, 1994 की अनुसूची-दो को समयसंख्यक अधिसूचना दिनांक 8 दिसम्बर, 1995 द्वारा संशोधित कर दिया गया है। अनुरोध है कि कृपया अन्य पिछड़े वर्गों के पक्ष में अब जाति प्रमाण पत्र उपरोक्त संशोधित अनुसूची-दो के अनुसार संलग्न प्रपत्र पर जारी करने का कष्ट करें।

उत्तर प्रदेश के अन्य पिछड़े वर्ग के लिए जाति प्रमाण-पत्र का प्रपत्र

प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारी.....सुपुत्र/सुपुत्री श्री निवासी ग्रामतहसील..... नगर..... जिला..... उत्तर प्रदेश राज्य कीपिछड़ी जाति के व्यक्ति हैं। यह जाति उत्तर प्रदेश लोक सेवा (अनुसूचित जातियों, अनुसूचित जनजातियों तथा अन्य पिछड़े वर्गों के लिए आरक्षण) अधिनियम, 1994 की अनुसूची-ए एक के अन्तर्गत मान्यता प्राप्त है।

यह भी प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारी.....उक्त अधिनियम, 1994 की अनुसूची-दो (अधिसूचना सं-22/16/92-का-2/1995 टी.सी. दिनांक 8 दिसम्बर, 1995 द्वारा तथा संशोधित) से आच्छादित नहीं है।

श्री/श्रीमती/कुमारी.....तथा/अथवा उनका परिवार उत्तर प्रदेश के ग्रामतहसील.... नगर.....जिला...में सामान्यतया रहता है।

स्थान : हस्ताक्षर.....

दिनांक : पूरा नाम.....

मुहर : पदनाम

जिलाधिकारी/अतिरिक्त जिलाधिकारी/

सिटी मजिस्ट्रेट/परगना मजिस्ट्रेट/तहसीलदार।

C.L. No. 56/Ve-94/Admn. (D) Dated 2nd July, 1994

Reservation in favour of physically handicapped persons.

I am directed to send herewith a copy of G.O. No. 3/4/86 (T/C.) / ka-2/93, dated 26th August, 1993 sent by the Secretary, U.P. Government, and to request you to comply with the rules of reservation in favour of physically handicapped persons as detailed in the G.O., whenever any recruitment is made in future.

राज्याधीन सेवाओं में सीधी भर्ती के प्रक्रम में विकलांग व्यक्तियों के लिये अनुमन्य आरक्षण का बंटवारा।

शासनादेश संख्या 3/4/86(टी.सी.)/का-2/93, दिनांक 26 अगस्त, 1993

मुझे आपका ध्यान शासनादेश संख्या 22/53/82-का-2/89, दिनांक 4 अगस्त 1989 की ओर आकृष्ट करते हुये यह कहने का निदेश हुआ है कि उक्त शासनादेश द्वारा विकलांग व्यक्तियों को राज्याधीन सेवाओं के समस्त समूहों में सीधी भर्ती के अवसर पर क्रमशः दो-दो प्रतिशत का आरक्षण अनुमन्य किया गया है।

2. राष्ट्रीय दृष्टिहीन संघ 2020 लखनऊ द्वारा शासन से अनुरोध किया गया कि भारत सरकार के अनुरूप प्रदेश सरकार की सेवाओं हेतु भी दृष्टिहीनों के लिये आरक्षण पृथक किया जाय। अतः सम्यक विचारोपरान्त शासन ने यह निर्णय लिया है कि राज्याधीन सेवाओं में विकलांग व्यक्तियों के लिये अनुमन्य दो प्रतिशत आरक्षण को दृष्टिहीन, वधिक तथा शारीरिक रूप से विकलांग व्यक्तियों में बराबर बराबर विभक्त कर अनुमन्य होगा अर्थात् विकलांग व्यक्तियों को विभक्तिकरण के उपरान्त राज्याधीन सेवाओं के समस्त समूहों में सीधी भर्ती के अवसर पर निम्न प्रकार आरक्षण अनुमन्य होगा।

1. दृष्टिहीन	0.67 प्रतिशत
2. वधिर	0.67 प्रतिशत
3. शारीरिक रूप से विकलांग	0.67 प्रतिशत

3. कृपया इन आदेशों से अपने अधीन समस्त सम्बन्धित व्यक्तियों को अवगत कराने तथा इनका कड़ाई से अनुपालन सुनिश्चित कराने का कष्ट करें।

G.L. No. 56/Ve-94/Admn. (D) Allahabad : Dated : 1st October, 1996

Regarding fulfillment of quota of SC/ST in the Governing Departments, Subordinate Offices, Self Governing Body and other Government/Semi-Government Offices (Except Corporations).

I am directed to send herewith a copy of Government letter No 1057/VII-Nyay-1-125/88, dated 21.8.1996 alongwith enclosure, on the above subject and to request you kindly to send the desired information in the prescribed proforma showing the position as on 31.7.1996 correctly filled in direct to the Government under intimation to this Court

I am further to request you in future send the information in the prescribed proforma on quarterly basis in the next month after completion of each quarter.

संख्या 1057/सात-न्याय-1-125/88

न्याय अनुभाग-1 (उच्च न्यायालय) लखनऊ दिनांक 21 अगस्त 1996

विषय: शासकीय विभागों/अधीनस्थ न्यायालयों/कार्यालयों तथा स्वायत्तशासी संस्थानों एवं अन्य शासकीय/अर्द्धशासकीय संस्थानों/कार्यालयों (निगमों को छोड़कर) को सेवाओं के विभिन्न समूहों में अनुसूचित जातियों तथा अनुसूचित जनजातियों का आरक्षण कोटा पूरा किया जाना।

महोदय,

उपर्युक्त विषयक विधान सभा सचिवालय समिति (सामान्य) अनुभाग-1 के पत्र संख्या-104415/अ0जा0/94, दिनांक 10-11-1994 व पत्र संख्या-762 / 5 अ0जा0 /94, दिनांक 7-6-95 जिसकी प्रति आपको पूर्व में भेजी जा चुकी है के संदर्भ में शासन के पत्र संख्या-वि0स0

65/सात-न्याय-1-125/88, दिनांक 21-11-1994 तथा अनुस्मारक पत्र दिनांक 20-11-1995 की ओर आपका ध्यान आकृष्ट करते हुए मुझे यह कहने का निदेश हुआ है कि उक्त पत्र में वांछित सूचना निर्धारित प्रपत्र पर दिनांक 31-7-1996 तक की स्थिति के अनुसार शासन को प्राथमिकता के आधार पर तत्काल उपलब्ध कराने का कष्ट करें। भविष्य में यह सूचना त्रैमासिक आधार पर समाप्त होने वाले त्रैमास के आगामी मास के अन्दर नियमित रूप से उपलब्ध कराने का कष्ट करें।

1. मा0 उच्च न्यायालय से अभी तक इस सम्बन्ध में कोई सूचना प्राप्त नहीं हुई है। जिलों से जो सूचनाएँ प्राप्त होती हैं वह निर्धारित प्रपत्र पर नहीं होती हैं एवं अपूर्ण व त्रुटिपूर्ण होती हैं। इस संबंध में प्रमुख सचिव, न्याय की ओर से भी अर्द्ध शासकीय पत्र दिनांक 5-7-96 द्वारा पूर्व में भेजे गये पत्रों को उल्लेखित करते हुए वांछित सूचना नियमित रूप से भेजने के लिए अनुरोध किया जा चुका है।

3. अतः आपसे अनुरोध है कि कृपया अपेक्षित सूचना संलग्न प्रारूप में दर्शाते हुए प्रत्येक विन्दु को बायीं ओर लिखकर उसके सम्मुख स्पष्ट उत्तर दायी ओर अंकित करते हुए प्रत्येक प्रति सक्षम अधिकारी द्वारा हस्ताक्षरित प्रतियों में समिति के अवलोकनार्थ प्रस्तुत करने हेतु शासन को तत्काल उपलब्ध कराने का कष्ट करें। यदि समिति प्राप्त विवरण से सन्तुष्ट नहीं हुई तो वह इस संदर्भ में आपसे विचार-विमर्श भी करेगी। सुविध हेतु निर्धारित प्रपत्र पुनः संलग्न है।

अनुसूचित जातियों/अनुसूचित जनजातियों को विभिन्न संवर्गों में आरक्षण की आद्ययावधिक स्थिति दिनांक.....
विभाग/कार्यालय अदि का नाम.....

पदों का वर्गीकरण (ग्रुपो) पदनाम सहित	कुल स्वीकृत पदों की संख्या	कार्यरत अधिकारियों/कर्मचारियों की संख्या	अनुसूचित के कार्यरत अधिकारियों/कर्मचारियों की		अनुसूचित जाति के कार्यरत अधिकारियों/कर्मचारियों की		सूचना देने की तिथि तक रिक्तियों की संख्या			आरक्षण पूरा न होने का कारण
			संख्या	प्रतिशत	संख्या	प्रतिशत	कुल रिक्तियाँ	अनु0 जाति	अनु0 जनजाति	
1	2	3	4	5	6	7	8	9	10	11
समह "क" अलग-अलग पदनाम सहित										
योग										
समह "ख" अलग-अलग पदनाम सहित										
योग										
समह "ग" अलग-अलग पदनाम सहित										
योग										

समूह "घ" अलग- अलग पदनाम सहित										
योग										
महायोग										

- नोट:- 1. पिछड़ी जाति के संबंध में सूचना नहीं देनी है।
2. प्रत्येक समूह के अन्तर्गत आने वाले प्रत्येक पद के लिये सूचना स्तम्भवार दी जानी है
3. समूह-घ में स्वीपर्स के पदों को छोड़कर सूचना दी जानी है।

C.L. No. 16/Ve-94/Admn. (D) dated 4th April, 1997

Regarding fulfillment of quota of SC/ST in the Government Departments, subordinate offices, Self Governing Body and other Govt./Semi Govt. offices (Except Corporations)

I am directed to refer to the Court's G.L. No. 56/Ve-94/Admn. (D) dated 1.10.1996, subsequent reminder dated 31.1.1997 and the Government letter No. 317/VII-Nyay-1-97-125/88 dated 18.2.1997 (copy enclosed) and to say that you may kindly depute an official of your Judgeship who will proceed to Lucknow alongwith the said information personally and deliver it to Sri S.M.A. Abdi, Joint L.R.U.P. Government, Lucknow.

The matter may be treated as most urgent.

संख्या 317/सात-न्याय-1-97-125/88

अनुभाग-11 उच्च न्यायालय। लखनऊ: दिनांक: 18 फरवरी, 1997

विषय: शासकीय विभागों, अधीनस्थ विभागीय कार्यालयों तथा स्वायत्तशासी संस्थाओं एवं अन्य शासकीय/अशासकीय निकायों (निगमों को छोड़कर) की सेवाओं के विभिन्न समूहों में अनुचित जातियों तथा अनुसूचित जनजातियों का आरक्षण कोटा पूरा किया जाना।

महोदय,

उपर्युक्त विषयक विधान सभा सचिवालय समिति (सामान्य) अनुभाग-1 के पत्र संख्या-104415/अ0जा0/94, दिनांक 10.11.1994 व पत्र संख्या- 762/5/अ0जा0/94, दिनांक 7.6.1995 जिसकी प्रति आपको पूर्व में भेजी जा चुकी है, के सन्दर्भ में शासन के पत्र संख्या-वि0स0-63/सात-न्याय-1-125/88, दिनांक 21.11.1994 तथा तत्सम्बन्धी पूर्व में प्रेषित 29 अनुस्मारक पत्रों की ओर आपका यान आकृष्ट करते हुए मुझे यह अनुरोध करना है कि अधीनस्थ न्यायालयों की बाबत मा0 उच्च न्यायालय द्वारा जी0 एल0 नंबर-56/वी0ई0-94- एडमिनिस्ट्रेशन (डी), दिनांक 1.10.1996 जारी किए जाने के बावजूद केवल 27 जनपदों यथा मथुरा, हमीरपुर, लखीमपुर खीरी, उरई, बाराबंकी, उन्नाव, टिहरी गढ़वाल, भदोही, फरुखाबाद, मैनपुरी, देहरादून, लखनऊ, बिजनौर, इटावा, मऊ, चमौली, गोपेश्वर, गाजीपुर, गोरखपुर, मिर्जापुर, कानपुर देहात, पौड़ी गढ़वाल, नैनीताल, झांसी, प्रतापगढ़, रामपुर, जौनपुर व महाराजगंज से अपेक्षित सूचना प्राप्त हुई है। शेष जनपदों से कोई सूचना प्राप्त नहीं हुई है।

2. उक्त 27 जनपदों में से भी 4 जनपदों तथा-प्रतापगढ़, रामपुर, जौनपुर व महाराजगंज की सूचना निर्धारित प्रपत्र पर नहीं है। शेष 23 जनपदों की सूचना भी सही नहीं है। किसी भी जनपद ने प्रपत्र के साथ संलग्न बिन्दुवार आख्या प्रेषित नहीं की है। समूह क और ख के कर्मचारियों की बाबत अधिकांश जनपदों का कथन है कि उक्त सूचना से मा0 उच्च न्यायालय सम्बन्धित है। आरक्षण की स्थिति के विषय में कुछ जनपदों ने संवर्ग के पदों की संख्या को आधार बनाया है जबकि कुछ जनपदों ने रिक्तियों की संख्या को आधार बनाया है।

3. चूंकि अपेक्षित सूचना वर्ष 1994 से अभी तक प्राप्त नहीं हो पायी है, इसलिए मेरा प्रस्ताव यह है कि आप अपने स्तर से सभी जिला न्यायाधीशों को आदेशित कर दें कि संलग्न प्रपत्र में उल्लिखित/अपेक्षित सूचना वह सम्बन्धित अधिकारी/कर्मचारी के माध्यम से शासन को प्रेषित करने का कष्ट करें।

4. समूह क और ख में न्यायिक अधिकारी भी आते हैं। कदाचित उनकी बाबत सही स्थिति मा० उच्च न्यायालय के संज्ञान में होगी।

5. विलम्ब को बचाने हेतु मैं श्री सै० मज़हर अब्बास आब्दी, संयुक्त सचिव एवं संयुक्त विधि परामर्शी, उ०प्र० शासन को आपकी सेवा में भेज रहा हूँ। कृपया उनसे विचार विमर्श करने के पश्चात् अपेक्षित सूचना अविलम्ब उपलब्ध कराने के विषय में प्रदेश के समस्त जिला न्यायाधीशों को निदेशित करने का कष्ट करें। अपेक्षित सूचना 10.12.1993 और 1.1.1997 की स्थिति के अनुसार निवेदित है।

समिति-(सामान्य) अनुभाग-1 विधान सभा सचिवालय उत्तर प्रदेश

संख्या: 1044/5/अ०जा०/94 लखनऊ दिनांक 10 नवम्बर 1994

विषय: शासकीय विभागों, अधीनस्थ विभागीय कार्यालयों तथा स्वायत्तशासी संस्थाओं एवं अन्य शासकीय/अर्द्धशासकीय निकायों (निगमों को छोड़कर) की सेवाओं के विभिन्न समूहों में अनुसूचित जातियों तथा अनुसूचित जनजातियों का आरक्षण कोटा पूरा किया जाना।

महोदय,

उपर्युक्त विषयक पर इस सचिवालय के पत्र संख्या 738/5(अ०जा०)/94, दिनांक 15 सितम्बर, 1994 का कृपया संदर्भ ग्रहण करने का कष्ट करें, जिसके साथ राजकीय सेवाओं के विभिन्न संवर्गों में अनुसूचित जातियों तथा अनुसूचित जनजातियों के लिए निर्धारित आरक्षण कोटा पूरा किये जाने सम्बन्धी उत्तर प्रदेश विधान मण्डल की अनुसूचित जातियों, अनुसूचित जन जातियों एवं विमुक्त जातियों सम्बन्धी संयुक्त समिति के अवलोकनार्थ आख्या उपलब्ध कराने हेतु आपके विभाग को उक्त प्रारूप तथा बिन्दु भेजे गये थे। उक्त प्राप्ति तथा बिन्दुओं में कुछ पिसंगतियां रहजाने के कारण आरक्षण सम्बन्धी वास्तविक स्थिति समिति के सम्क्ष नहीं आ पा रही थी। जिन्हें संशोधित कर दिया गया है।

2. अतः परिष्कृत प्रारूप तथा बिन्दुओं को पुनः संलग्न कर भेजते हुए, मुझे आपसे यह निवेदन करने का निदेश हुआ है कि कृपया अपने विभाग के प्रशासनिक नियंत्रणाधीन कार्यालयों में सेशोधित संलग्न प्रारूपानुसार प्रत्येक कार्यालय की जलग अलग स्थिति दशाते हुए प्रत्येक बिन्दु को वार्यों ओर लिखकर उसके सम्मुख उत्तर दायी और अंकित करने हुए प्रत्येक प्रति प्रमुख सचिव/सचिव/विशेष सचिव द्वारा हस्ताक्षरित, इस पत्र की प्राप्ति के 15 दिनों के भीतर पांच प्रतियों में इस पचिवसलय को भेजने का कष्ट करें। यदि समिति प्राप्त विवरण से संतुष्ट न हुई तो वह आपसे इस संदर्भ में विचार विमर्श भी करेगी।

3. कृपया इस हेतु समस्त अधीनस्थ कार्यालयों से सम्बन्धित विवरण, अलग अलग 40-40 प्रतियों में तैयार करवाने के आदेश अपने अधीनस्थ समस्त कार्यालयोंको जारी करने का कष्ट करें ताकि विचार मिर्श हेतु आमंत्रित किये जाने पर उपावधिक स्थिति के साथ उक्त विवरण समिति के सदस्यों की बैठक की तिथि से पर्याप्त समय पूर्व उन्हें उपलब्ध कराया जा सके।

4. आप से अनुरोध है कि कृपया अपने अधीनस्थ कार्यालयों की एक सूची भी उक्त सूचना के साथ अलग से संलग्न करें।

अनुसूचित जातियों/अनुसूचित जनजातियों को विभिन्न सेवाओं में आरक्षण को आद्यावधिक स्थिति दिनांक....

.....तक.....

विभाग/कार्यालय अदि का नाम.....

पदों का वर्गीकरण (ग्रुपों) पदनाम	कुल स्वीकृत पदों की	कार्यरत अधिकारियों/कर्मचारियों की संख्या	अनुसूचित के कार्यरत अधिकारियों/कर्मचारियों की	अनुसूचित जाति के कार्यरत अधिकारियों/कर्मचारियों की	सूचना देने की तिथि तक रिक्तियों की संख्या	आरक्षण पूरा न होने का कारण
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सहित	संख्या		संख्या	प्रतिशत	संख्या	प्रतिशत	कुल रिक्तियाँ	अनु० जाति	अनु० जनजाति	
1	2	3	4	5	6	7	8	9	10	11
समह "क" अलंग- अलग पदनाम सहित										
योग										
समह "ख" अलंग- अलग पदनाम सहित										
योग										
समह "ग" अलंग- अलग पदनाम सहित										
योग										
समह "घ" अलंग- अलग पदनाम सहित										
योग										
महायोग										

नोट:- 1. पिछड़ी जातियों के संबंध में सूचना नहीं देनी है।

2. प्रत्येक समूह से अन्तर्गत आने वाले प्रत्येक पद के लिये सूचना स्तम्भदार दी जानी है।

3. समूह-घ में स्वीपर्स के पदों को छोड़कर सूचना दी जानी है।

सचिव/विशेषसचिव के हस्ताक्षर

विभाग का नाम.....

पदनाम मुहरसहित

अनुसूचित जातियों तथा अनुसूचित जनजातियों का विभिन्न विभागों/प्रशासनिक नियंत्रणधीन कार्यालयों में आरक्षण कोटा पूरा करने सम्बन्धी बिन्दु:

कृपया विभाग कार्यालय की ऐतिहासिक पृष्ठभूमि का संक्षेप में वर्णन करें विभाग/कार्यालय का संगठनात्मक ढांचा प्रदर्शित करते हुए पदों का विवरण दें विभाग/कार्यालय में उक्त जातियों के लिए आरक्षण कब से लागू हैं।

उत्तर प्रदेश लोक सेवा (अनुसूचित जातियों, अनुसूचित जनजातियों तथा अन्य पिछड़ी जातियों के लिये आरक्षण) अधिनियम 1994 जो 11 दिसम्बर, 1993 को प्रवृत्त हुआ था, के पूर्व क्या आरक्षण सम्बन्धी शासनादेशों के अनुसार विभाग/कार्यालय की विभिन्न सेवाओं के सभी संवर्गों में सीधी भर्ती तथा पदोन्नतिमें आरक्षण कोटा पूरा था।

यदि बिन्दु 4 के अनुसार विभाग/कार्यालय में आरक्षण कोटा पूरा नहीं था तो क्या आरक्षण कोटा पूरा न करने वाले नियुक्ति प्राधिकारी की चरित्र पंजिका में आवश्यक प्रविष्टि की गयी। कृपया दोषी अधिकारी के विरुद्ध क त कार्यवाही का विवरण दें।

उपर्युक्त अधिनियम पारित होने के पूर्व भी विशेष भर्ती अभियान चलाकर विभाग/कार्यालय में आरक्षण कोटा पूरा करने के स्पष्ट आदेश थे। विगत 5 वर्षों में आरक्षण कोटा पूरा करने हेतु कितनी बार विशेष चयन अभियान चलाकर कोटा पूरा करने का प्रयास किया गया। यदि प्रयास नहीं किया गया तो कृपया कारण बतायें।

उक्त संदर्भित अधिनियम के लागू होने के पूर्व अर्थात् 11 दिसम्बर 1993 के पूर्व क्या विभाग/कार्यालय के सभी संवर्गों के भर्ती/प्रोन्नति रोस्टर बनाकर उसके आधार पर की जाती रही है।

उपर्युक्त अधिनियम के प्राविधानों के अनुसार क्या 11 दिसम्बर 1993 के बाद की जाने वाली सीधी भर्ती में रोस्टर बनाकर विभाग/कार्यालय में आरक्षण कोटा पूरा करने की व्यवस्था कर ली गयी है।

सूचना देने की तिथि तक 11 दिसम्बर 1993 के बाद यदि किसी संवर्ग को सीधी भर्ती से चयन विभाग/कार्यालय द्वारा किया गया हो तो कृपया बतायें कि यंपन कितने पदों के लिये था उन में अनुसूचित जाति तथा अनुसूचित जनजाति की संख्या तथा प्रतिशत कितना था।

आपके विभाग/कार्यालय द्वारा अनुसूचित जातियों/जनजातियों के उत्थान के लिए यदि कोई योजनाएं/कार्यक्रम चलाये जा रहे हों तो कृपया उनका विवरण उपलब्ध करायें।

प्रारूप के स्तम्भ 9 और 10 में दर्शायी गयी आरक्षित रिक्तियों के भरने हेतु शासनादेशों के अनुसार विशेष भर्ती के लिए क्या कार्य किये हैं, यदि नहीं तो कृपया कारण बताएं।

C.L. No. 20/Ve-94/Admn. (D) dated May 23, 1997

Regarding fulfilment of quota of SC/ST in the Government Departments, Subordinate offices, self Government Body and other Govt./semi Govt. offices (Except corporations).

I am directed to refer to the court's C.L. No. 16/Ve-94/Admn. (D) dated 4.4.1997, on the above subject and to say that if the desired information have not been provided to the Government the same may be provided to the Government immediately.

The matter may be treated as most urgent.

C.L. No. 842 / Ve-94/ Admn. (D) Dated : January 21, 2000

Information regarding fulfilment of quota of scheduled Castes/Scheduled Tribes according to position as on 1-3-1999 in the subordinate courts.

I am directed to invite a reference to the Court's G.L. No. 6652/Ve-94/Admn. (D), dated 4-5-1999 and reminders dated 3.8.99 and 1.12.99, on the above subject and to request you that you were requested to furnish the information to the Government in the prescribed proforma according to position as on 1-3-1999 duly filled in alongwith reply of pointwise questionnaire in five copies as required by the Government under intimation to the Court but the same has not yet been received in the Court.

I am, therefore, to request you kindly to send the desired information to the Government under intimation to the Court immediately.

Reservation applicable for post in Class-III and Class-IV establishment of District Judgeships.

C.L. No. 1/VII-b/104 Admin (D): Dated 2.1.2008

While enclosing herewith the copies of GOs and Govt. Gazette ((1) GO No. 18/1/99/Ka-2/06 Karmik Anubhag-2, Lucknow Dated: 9th January, 2007 (2) GO No.

433/65-3-2004-120-2000-TC Viklang Kalayan Vibhag Lucknow dated 20th August, 2004 and (3) govt. Gazette, Uttar Pradesh Asadharan Vidhai, Parishistha Anubhag-1 No. 1485/Satarah-VI-1-1(ka) 23-1999 Dated 28th July, 1999), I am directed to say that upon consideration of the matter, the Hon'ble Court has been pleased to direct that reservation in recruitment to the posts in Class-III and Class-IV in the establishment of District Judgeships shall apply as per the various Acts and Rules read with Government Orders and Circulars in force in the matter.

Therefore, you are requested to kindly ensure that the compliance is made of the above directions of the Hon'ble Court.

संख्या-433/65-3-2004-120-2000-टी0सी0

प्रेषक,

आर0 रमणी,
समाज कल्याण आयुक्त एवं प्रमुख सचिव,
उत्तर प्रदेश शासन।

सेवा में,

समस्त प्रमुख सचिव/सचिव
उत्तर प्रदेश शासन।

विकलांग कल्याण अनुभाग-3

लखनऊ: दिनांक 20-8-2004

विषय:- विकलांगों को सेवाओं में 3 प्रतिशत आरक्षण प्रदान किया जाना।

महोदय,

उपर्युक्त विषय पर शासनादेश संख्या 381/65-3-2004-120/2000 टी0सी0, दिनांक 21 जुलाई, 2004 द्वारा आपसे भर्ती के समय विकलांगों को प्रदत्त 03 प्रतिशत आरक्षण के अनुसार नियुक्तियों दिये जाने की अपेक्षा की गयी है।

2- इस सम्बन्ध में मुझसे यह कहने का निदेश हुआ है कि विकलांगजनों को विभिन्न प्रकार की सुविधा/सहायता प्रदान करने के उद्देश्य से निःशक्तता (समान अवसर अधिकार संरक्षण एवं पूर्ण भागीदारी) अधिनियम-1996 बनाया गया है। इसकी धारा-33 में प्रत्येक में प्रत्येक श्रेणी यथा 1- दृष्टिहीनता या कम दृष्टि 2- श्रवण ह्रास, 3- चलन क्रिया सम्बन्धी निःशक्तता या प्रअविक्रिय अंगघात के लिए रिक्तियों का एक-एक प्रतिशत आरक्षण प्रदान किया गया है। रिक्तियों को भरे जाने के सम्बन्ध में धारा-36 में यह व्यवस्था की गयी है कि यदि किसी चयन वर्ष में विकलांगजनों के लिए आरक्षित कोई रिक्ति उपयुक्त विकलांग अभ्यर्थी की अनुपलब्धता अथवा अन्य किसी पर्याप्त कारण के बिना परी रह जाती है तो ऐसी रिक्ति अगले चयन वर्ष के लिए अग्रणीति (कैरी फारवर्ड) की जायेगी और यदि अगले चयन वर्ष भी उपयुक्त व्यक्ति उपलब्ध नहीं होता है तो तीनों विकलांगों के मध्य इन्टरचेंज करके भरी जायेगी और इस वर्ष यदि कोई विकलांग व्यक्ति उस पद के लिए उपलब्ध नहीं होता है तो सेवायोजक द्वारा उक्त प्रकार की रिक्ति विकलांगजन के अतिरिक्त अन्य व्यक्ति से भरी जा सकती है। उक्त धारा में यह भी व्यवस्था की गयी है कि यदि किसी अधिष्ठान/कार्यालय में रिक्ति की प्रकृति ऐसी है कि एक विशेष प्रकार के विकलांग को सेवायोजित नहीं किया जा सकता है, तो रिक्ति की उक्त तीनों श्रेणियों में शासन की सहमति से इन्टरचेंज किया जा सकता है।

कृपया, उपरोक्तानुसार आगामी भर्ती के समय विकलांगजनों को रिक्तियों में 03 प्रतिशत का आरक्षण प्रदान करने की कार्यवाही सुनिश्चित कराने का कष्ट करें।

संख्या-18/1/99/का-2/2006

प्रेषक,

पी0एन0 यादव,
विशेष सचिव, उत्तर प्रदेश शासन।

सेवा में,

1- समस्त प्रमुख सचिव/सचिव, उत्तर प्रदेश शासन। 2- समस्त विभागाध्यक्ष/कार्यालयाध्यक्ष, उ०प्र०।

3- समस्त मण्डलायुक्त / जिलाधिकारी, उ०प्र०

कार्मिक अनुभाग-2

लखनऊ: दिनांक 9 जनवरी, 2007

विषय:-राज्याधीन लोक सेवाओं और पदों पर सीधी भर्ती के प्रक्रम पर महिलाओं के लिए आरक्षण।

महोदय,

उपर्युक्त विषयक समसंख्यक शासनादेश दिनांक 26 फरवरी, 1999 तथा 30 अगस्त, 1999 का कृपया संदर्भ ग्रहण करें।

2- उपर्युक्त परिप्रेक्ष्य में मुझे आपसे यह कहने का निदेश हुआ है कि उक्त शासनादेशों द्वारा राज्याधीन लोक सेवाओं और पदों पर सीधी भर्ती के प्रक्रम पर महिलाओं के लिए 20 प्रतिशत आरक्षण प्रदान किये जाने के संबंध में निम्नलिखित निर्देश प्रसारित किये गये थे:-

- (1) आरक्षण राज्याधीन लोक सेवाओं और पदों पर केवल सीधी भर्ती के प्रक्रम पर होगा। पदोन्नति के पदों पर नहीं होगा।
- (2) आरक्षण हारिजेन्टल प्रकृति का होगा अर्थात् किसी राज्याधीन लोक सेवा और पद पर महिला आरक्षण के अधीन चयनित महिला जिस श्रेणी की होगी उसे उसी श्रेणी के प्रति समायोजित किया जायेगा।
- (3) यदि कोई महिला किसी राज्याधीन लोक सेवा और पद पर मेरिट के आधार पर चयनित होती है तो उसकी गणना उस पदों पर महिलाओं के लिए आरक्षित रिक्ति के प्रति की जायेगी।
- (4) राज्याधीन लोक सेवाओं पर पदों में सीधी भर्ती के लिए किसी चयन में महिलाओं के लिए आरक्षित पद यदि महिला अभ्यर्थियों के उपलब्ध न होने के कारण नहीं भरा जा सके तो वह पद उपर्युक्त पुरुष अभ्यर्थियों से भरा जायेगा व भविष्य के लिए अग्रणीत नहीं किया जायेगा।
- (5) राज्याधीन लोक सेवाओं और पदों पर सीधी भर्ती के लिए महिलाओं के लिए सेवा में वांछित सभी अर्हतायें पद सम्बन्धी सुसंगत नियमावली में उल्लिखित पूर्ववत् आरक्षण के अनुरूप रहेगी व उनमें इस शासनादेश से कोई परिवर्तन नहीं होगा।
- (6) यह आदेश तत्काल प्रभाव से लागू होंगे, लेकिन जिन रिक्तियों को भरने के लिए विज्ञापन जारी किये जा चुके हैं, या जिन रिक्तियों के लिए चयन की प्रक्रिया प्रारम्भ हो चुकी हो उन पर यह आदेश लागू नहीं होंगे। चयन की प्रक्रिया प्रारम्भ होने का आधार भर्ती का आधार केवल लिखित परीक्षा या साक्षात्कार होने की स्थिति में ऐसी परीक्षा/साक्षात्कार प्रारम्भ हो जाने से है। जिन पदों पर भर्ती का आधार लिखित परीक्षा और साक्षात्कार देना है उनके सम्बन्ध में चयन प्रक्रिया प्रारम्भ होने का आशय लिखित परीक्षा प्रारम्भ हो जाने से है।
- (7) लोक सेवाओं एवं पदों का तात्पर्य उ०प्र० लोक सेवा (अनुसूचित जातियों, अनुसूचित जन जातियों और अन्य पिछड़े वर्ग के लिए आरक्षण) अधिनियम, 1994 में परिभाषित “लोक सेवाओं और पदों” से है।

3- शासन के संज्ञान में यह तथ्य आया है कि उपर्युक्त निर्देशों का समुचित अनुपालन नहीं किया जा रहा है। अतः आपसे अनुरोध है कि कृपया उक्त शासनादेशों की व्यवस्था का सभी स्तरों पर कड़ाई से अनुपालन सुनिश्चित कराने का कष्ट करें।

4- यह भी स्पष्ट किया जाता है कि राज्याधीन लोक सेवाओं और पदों पर सीधी भर्ती के प्रक्रम पर महिलाओं को अनुमन्य उपरोक्त आरक्षण केवल उत्तर प्रदेश की मूल निवासी महिलाओं को ही अनुमन्य है।

अधिसूचना

विविध

“भारत का संविधान” के अनुच्छेद 200 के अधीन राज्यपाल महोदय ने उत्तर प्रदेश विधान मण्डल द्वारा पारित उत्तर प्रदेश लोक सेवा (शारीरिक रूप से विकलोग, स्वतंत्रता संग्राम सेनानियों के आश्रित और भूतपूर्व सैनिकों के लिए आरक्षण) संशोधन विधेयक, 1999 पर दिनांक 27 जुलाई, 1999 की अनुमति प्रदान की और वह उत्तर प्रदेश अधिनियम संख्या 29 सन् 1999 के रूप में सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश लोक सेवा (शारीरिक रूप से विकलोग, स्वतंत्रता संग्राम सेनानियों के आश्रित और भूतपूर्व सैनिकों के लिए आरक्षण संशोधन अधिनियम, 1999)

(उत्तर प्रदेश अधिनियम संख्या 29 सन् 1999)

(जैसा उत्तर प्रदेश विधान मण्डल द्वारा पारित हुआ)

उत्तर प्रदेश लोक सेवा (शारीरिक रूप से विकलोग, स्वतंत्रता संग्राम सेनानियों के आश्रित और भूतपूर्व सैनिकों के लिए आरक्षण) अधिनियम, 1995 का अग्रतर संशोधन करने के लिए

अधिनियम:

भारत गणराज्य के पचासवें वर्ष में निम्नलिखित अधिनियम बनाया जाता है:-

संक्षिप्त नाम और प्रारम्भ:

1-(1) यह अधिनियम उत्तर प्रदेश लोक सेवा (शारीरिक रूप से विकलोग, स्वतंत्रता संग्राम सेनानियों के आश्रित और भूतपूर्व सैनिकों के लिए आरक्षण) अधिनियम, 1999 कहा जायेगा।

(2) यह 21 मई, 1999 को प्रवृत्त हुआ समझा जायेगा।

उत्तर प्रदेश अधिनियम संख्या 4 सन् 1993 की धारा 2 का संशोधन:

उत्तर प्रदेश लोक सेवा शारीरिक रूप से विकलोग, स्वतंत्रता संग्राम सेनानियों के आश्रित और भूतपूर्व सैनिकों के लिए आरक्षण अधिनियम, 1993 की, जिसे आगे मूल अधिनियम कहा गया है, धारा--- के खण्ड (घ), के पश्चात् निम्नलिखित खण्ड बढ़ा दिया जायेगा, अर्थात्-

“(घ-1) “समूह क के पद” का “समूह ख के पद” का तात्पर्य राज्य सरकार द्वारा समय-समय पर उस रूप में विनिर्दिष्ट पद से है,”

धारा-3 का संशोधन:

3- मूल अधिनियम की धारा-3 में, उपधारा (1) में खण्ड (ए) के स्थान पर निम्नलिखित खण्ड रख दिये जायेंगे, अर्थात्:-

“(एक) लोक सेवाओं और पदों में रिक्तियों का दो प्रतिशत के आश्रितों के लिए,

(एक-क) समूह “क” के पदों का समूह “ख” के पदों के भिन्न लोक सेवाओं और पदों में 21 मई, 1999 की ओर से रिक्तियों का दो प्रतिशत और ऐसे दिनांक को और से जब उत्तर प्रदेश लोक सेवा (शारीरिक रूप से विकलोग, स्वतंत्रता संग्राम सेनानियों के आश्रित और भूतपूर्व सैनिकों के लिए आरक्षण) (संशोधन) अधिनियम, 1999 गजट में प्रकाशित किया जाय, रिक्तियों का भूतपूर्व सैनिकों के लिए,

धारा 5 का संशोधन:

4- मूल अधिनियम की धारा 5 में, उपधारा (1) के स्थान पर निम्नलिखित उपधारार्य रख दी जायेंगी, अर्थात्:-

“(1) उत्तर प्रदेश लोक सेवा (शारीरिक रूप से विकलोग स्वतंत्रता संग्राम सेनानियों के आश्रित और भूतपूर्व सैनिकों के लिए आरक्षण, संशोधन अधिनियम, 1997 द्वारा यथासंशोधित इस अधिनियम के उपबन्ध ऐसे

मामलों में लागू नहीं होंगे जिनमें 1997 के उक्त अधिनियम के प्रारम्भ के पूर्व चयन प्रक्रिया प्रारम्भ हो चुकी हो और ऐसे मामले इस अधिनियम के ऐसे उपबन्धों के अनुसार, जैसे थे ऐसे प्रारम्भ के पूर्व थे, व्यवहृत किये जायेंगे।

(1-क) उत्तर प्रदेश लोक सेवा (शारीरिक रूप से विकलॉग स्वतंत्रता संग्राम सेनानियों के आश्रित और भूतपूर्व सैनिकों के लिए आरक्षण (संशोधन) अधिनियम, 1999) द्वारा यथा संशोधित इस अधिनियम के उपबन्ध ऐसे मामलों में लागू नहीं होंगे जिनमें 1999 के उक्त अधिनियम के प्रारम्भ के पूर्व चयन प्रक्रिया प्रारम्भ हो चुकी हो और ऐसे मामले इस अधिनियम के ऐसे उपबन्धों के अनुसार, जैसे थे ऐसे प्रारम्भ के पूर्व थे, व्यवहृत किये जायेंगे।

स्पष्टीकरण - उपधारा (1) और (1-क) के प्रयोजनों के लिए वहाँ चयन प्रक्रिया प्रारम्भ की गयी समझी जायेगी, जहाँ सुसंगत सेवा नियमावली के अधीन की जाने वाली भर्ती,-

(एक) केवल लिखित परीक्षा या साक्षात्कार के आधार पर की जानी हो और वहाँ यथास्थिति लिखित परीक्षा या साक्षात्कार प्रारम्भ हो गयी हो, या

(दो) लिखित परीक्षा और साक्षात्कार, दोनों के आधार पर की जानी हो और जहाँ लिखित परीक्षा प्रारम्भ हो गयी हो।

उत्तर प्रदेश अध्यादेश संख्या 1 सन् 1999:

5-(1) उत्तर प्रदेश लोक सेवा (शारीरिक) रूप से विकलॉग, स्वतंत्रता संग्राम सेनानियों के आश्रित और भूतपूर्व सैनिकों के लिए आरक्षण (संशोधन) अध्यादेश, 1999 एतद्द्वारा निरसित किया जाता है।

(2) ऐसे निरसन के होते हुए भी, उपधारा (1) में निर्दिष्ट अध्यादेश द्वारा यथासंशोधित मूल अधिनियम के उपबन्धों के अधीन कृत कोई कार्य या कार्यवाही इस अधिनियम द्वारा यथासंशोधित मूल अधिनियम के तत्समान उपबन्धों के अधीन कृत कार्य या कार्यवाही समझी जायेगी मानो इस अधिनियम के उपबन्ध सभी सारवान समय पर प्रवृत्त थे।

[5] RECRUITMENT

(i) Procedure

C.L. No. 55/Ve-4 dated 28th August, 1950

The rules published under notification no. 0-1119/II-B-50, dated July 11, 1950, in Uttar Pradesh Gazette, Part I-A, dated July 15, 1950, supersede the Subordinate Civil Courts' Ministerial Establishment Rules, 1947, published under notification no.2494/VII-612-40, dated August 1, 1947, in the Gazette dated the 16th August, 1947, Part I-A in respect of recruitment only.

C.L. No. 79/Ve-4 dated 28th July, 1951

Candidates recruited in accordance with the rules in force before July 15, 1950, will continue to be absorbed and further recruitment will be made on the lines indicated in the rules published under the notification, dated 11th July, 1950

C.L. No- 25 dated 16th April, 1964

According to rules 9 and 14 (3) of the U.P. Subordinate Civil Courts' Ministerial Establishment Rules, 1947 and rules 4, 5 and 7 of the rules for the recruitment of ministerial staff of the subordinate offices contained in the Government notification no. 01119/II-B-50, dated July 11, 1950, the competitive test for recruitment of ministerial staff should, as far as possible, be invariably held every year in the second week of August; as far as practicable the probable number of vacancies, if any, during the course of the year should be correctly ascertained; the list of the approved candidates should not be prepared without taking into consideration the vacancies likely to occur in the course of the year and the name of the candidate who had not been given an appointment within one year of the date of recruitment should, as provided in rule 14(3) of the said rules,

stands automatically removed. The provisions contained in sub-rule (2) of rule 7 of the rule contained in the Government notification, dated July 11, 1950, do not supersede nor are in conflict with rule 14 (3) of the U.P. Subordinate Civil Courts' Ministerial Establishment Rules, 1947.

C.L. No.14/Ve-4 dated 12th February, 1973

While making appointments to the establishment of the civil courts the District Judges should make it clear that all applications should be addressed to him and routed through the Employment Exchange and should further require that candidates should send advance copies of their applications direct to the District Judge for being ascertained whether all applications have been forwarded to him by the Employment Exchange or not. In case, applications of certain suitable candidates have been withheld, the District Judge may, in his discretion permit such candidates to take the test as contemplated in paragraph 7 of G.O. 2248/11-1950, dated August 30, 1950.

In the case of candidates who are appointed to fill up casual vacancies without appearing in the regular test and are already working on the staff of the civil court concerned they should be treated as departmental candidates and should be allowed to take the test without any reference to the Employment Exchange in order to enable them to qualify for regular appointment.

C.L. No.1/Ve-4 Admn. (D) dated 2nd January, 1987

Rules 9 to 12 of the Subordinate Civil Courts' Ministerial Establishment Rules, 1947 were superseded by the Rules for the Recruitment of Ministerial Staff to the Subordinate Offices, 1950, which were made by the Governor under Article 309 of the Constitution-vide Notification no. O-1119/II-B-50, dated 11.7.1950, as amended from time to time, and separate provision in place of the provision of Rules 9 to 12 of the Subordinate Civil Court's Ministerial Establishment Rules, 1947 was made in these rules. As observed by the Supreme Court in the case of Om Prakash Shukla AIR 1986 SC 1043, the provisions made in the Rules for the Recruitment of Ministerial Staff to the Subordinate Offices, 1950, as amended from time to time, still hold good in so far as recruitment to the ministerial establishments in the subordinate courts is concerned.

The Rules for the recruitment of Ministerial Staff to the Subordinate Offices, 1950, as amended from time to time, should, therefore, be followed and acted upon until necessary amendments are made in the appropriate rules. The notification No. 27/1-72-Appointment-4 dated November 1, 1973 was published in the U.P. Gazette, Part I-A, dated November 17, 1973 embodying the recruitment of Ministerial Staff to the Subordinate Offices (Amendment) Rules, 1973 which prescribe latest syllabus applicable to the test (see Annexure).

The selection and appointments, if any, made before March 18, 1986 when the Supreme Court gave its decision in the case of Om Prakash Shukla (Supra) on the basis of the Subordinate Civil Courts Ministerial Establishment (Amendment) Rules, 1969, which were circulated through Court's Circular Endorsement No, 118 dated October 30, 1969, shall remain undisturbed.

ANNEXURE

The Recruitment of Ministerial Staff to the Subordinate Offices (Amendment) Rules, 1973.

1. Short title and commencement. - (1) These rules may be called the Recruitment of Ministerial Staff to the Subordinate Offices (Amendment) Rules, 1973.

(2) They shall come into force at once.

2. Amendment of Rule 6(2).-In the Rules for the Recruitment, of Ministerial Staff to the Subordinate Offices for sub-rule (2) of Rule 6 as set out in column 1, the sub-rule as set out in column 2, shall be substituted.

COLUMN 1		COLUMN 2	
Subjects	Marks	Subjects	Marks
Oral		Written	
(1) Personality	25	(1) Simple Drafting (in Hindi)	50
(2) General knowledge and suitability for the particular post	25	(2) Essay and precis writing in Hindi	50
Written		(3) Simple Drafting and precis writing (in English)	50
(1) Simple drafting in Hindi	50	(4) General knowledge	
(2) Essay and précis	50		
(3) Simple drafting and précis writing (in English)	50		
Optional		Optional	
(1) Typewriting in English and Hindi	50	(1) Typewriting in English and Hindi	50
(2) Shorthand in Hindi and English	50	(2) Shorthand in Hindi and English	50

C.L. No- I Admin (D) Dated: 09-01-2003*

Appointment of Class III and Class IV employees in the subordinate courts.

To obviate the difficulties and the problems faced by the District Judges and to bring in uniformity in the recruitment of Class III and Class IV employees of the subordinate court, I am desired to issue directions as under:-

1. No appointment / recruitment for post in class III and class IV category be made without prior information of the same to the Registry with regard to number of vacancies to be filled up, fees levied for the form as well as for appearing in the examination and the date of holding of examination.
2. For filling up newly created or vacant post of class III and class IV employees, before making appointments, the case of already working junior employees for promotion/appointment who are eligible as per rules, be considered and if competent employee is not available, then only the post be filled up by direct recruitment.
3. Before declaration of the result of the recruitment of the employees the list of the selected candidates mentioning the reservations applicable, be sent to the Court for perusal of Hon'ble the Chief Justice.

I, am therefore, directed to communicate you the aforesaid directions of the Court for strict compliance.

C.L. No. 14 /Admn , (D) Dated : April 17-2003

Appointment of class III and Class IV employees in the subordinate Courts.

I am directed to say that the Hon'ble Court has been pleased to withdraw its earlier Circular better No. 1/Admn,(D), dated 09.01.2003 issued by the Court.

* Withdrawn by C.L. No. 14/Admn. (D) dt. 17.04.2003

C.L. No. 28/ dated 26th September, 2005

Appointments in respect of posts governed by the Subordinate Civil Courts Ministerial Establishment Rule, 1945 read with the Uttar Pradesh Rules for the Recruitment of Ministerial Staff of the Subordinate Offices in Uttar Pradesh, 1950.

Upon Consideration of the matter pertaining to the appointments in respect of the posts governed by the Subordinate Civil Courts Ministerial Establishment Rule, 1945 read with the Uttar Pradesh Rules for the Recruitment of Ministerial Staff of the Subordinate Offices in Uttar Pradesh, 1950 the Hon'ble Court in Special Appeal No- 702 of 2005- The District Judge, Baghpat and another Vs. Anurag Kumar and others has observed and held as below:

1. Rule 9 of the 1947 Rules empowers the District Judges to recruit as many candidates as are required for the vacancies 'likely to occur in the course of the year'. The exercise has to be commenced early in each year or as the circumstances may require. This entails an exercise by the district Judges of identifying the number of vacancies existing or likely to occur in the course of the year. The Rule requires that such vacancies shall be calculated and necessary steps shall be taken to make this fact generally known. What follows is that the advertisement to be made has to be preceded by an exercise by calculating the number of vacancies in the manner indicated herein above.
2. Rule 10 of the 1947 Rules provides for an advertisement, disclosing the number of vacancies, inviting applications in a particular form. The advertisement, therefore, will be presumed to have included only such number of vacancies/posts which are available in accordance with the calculation made under Rule 9 and no other future vacancy. The Rule does not contemplate advertisement of future vacancies, which can be taken into account after the advertisement has been made.
3. The recruitment is to be made on the basis of the result of the examination under Rule 11 and for the said purposes; the list of selected candidates has to be entered in a register in order of merit to be maintained by the District Judges under Rule 14. Sub rule (3) of Rule 14, in no uncertain terms, provides that in case a candidate who has not been offered appointment in accordance with the said list within one year from the date of his recruitment, his name shall automatically be removed from the register. These Rules establish that the number of vacancies, which have to be advertised, are to be in accordance with the Rule 9 and, therefore, the recital in the advertisement that the vacancies are likely to increase or decrease has to be strictly construed in accordance with the aforesaid Rules.
4. What logically follows is that the District Judge is not at liberty to prepare a list dehors the number of vacancies advertised. The position stands further clarified by the Circular Letter No. 9/VIIb-104, Admn. dated 29-4-1999 issued by the High Court which clearly states that the select list shall not be prepared by the District Judges for more than the double of the vacancies advertised.
5. The preparation of the select list for more than the double of this vacancies advertised, is illegal and contrary to the Rules applicable.
6. The selected candidates have right to appointment only against 'vacancies notified' and that too during the life of the select list as the panel of selected

candidate cannot be valid of indefinite period. Moreover, empanelled candidates "in any event cannot have a right against future vacancies."

7. Once vacancies notified are filled up the selection process stand exhausted and the authority concerned become functus officio.
8. Any appointment made beyond the number of vacancies notified shall be without jurisdiction, therefore, a nullity, in executable and unenforceable in law.
9. (a) The District Judge loses all authority and jurisdiction and is completely forbidden from picking up any name out of the said list after the expiry of the aforesaid period of one year for appointment.
(b) The District judge has no authority in law to give extension to the life of which not only be operation of the Rules but also by declaration of law, stood exhausted.

As the menace of illegal and unauthorized modes of recruitment continue unabated, I am directed to send out herewith a copy of judgment and order dated 31-05-2005 aforesaid, with the request that the contents of and directions in the judgment and order be unerringly gone through all the way for ensuring well again standards of recruitment.

(ii) Age Limit

C.L. No. 2/VIIIf-208/Admn. (D) dated 7th January, 1986

The Court has adopted the maximum age limit prescribed in Rule 2 of the Uttar Pradesh Recruitment to Services (Age Limit) (Second Amendment) Rules, 1983 issued under Government notification No. 18/2/1981-Personnel-2 dated February 24, 1983. Accordingly, maximum age limit for recruitment to ministerial establishment of subordinate civil courts shall be 30 years and it shall be deemed to have been raised from 28 years to 30 years under Rule 6 of the U.P. Subordinate Civil Court's Ministerial Establishment Rules, 1947.

C.L. No. 39/Ve-92 dated 20th April, 1972

Scheduled caste candidates are entitled to a concession of five years in the maximum age limit prescribed for recruitment.

C.L. No. 87 dated 16th October, 1968

The age of a candidate should be ascertained and scrutinized before allowing him to appear at the test and in exceptional circumstances only exemption from the upper age limit should be sought from the Court and this should be done before a candidate is allowed to take the test.

C.L. No. 54/VIIIf-208/Admn.(D) dated August 26, 1991

I am directed to invite your kind attention to the Court's Circular No.2/VIIIf-208/Admn. (D) Deptt. dated 7.1.1986, on the above subject, by which the maximum age for recruitment to the ministerial establishment in the Subordinate Civil Courts was raised to 30 years and to say that the Court has been pleased to adopt the Government Notification No.18/2/1981-Karmik-2, dated 30th March, 1991 raising the upper age limit for recruitment to all such service and posts under the rule making powers of the Governor to 32 years. Accordingly, the upper age limit for recruitment to the ministerial establishment and also for recruitment to the Inferior Establishment of the Subordinate

Civil Courts shall be 32 years and it shall be deemed to have been raised from 30 years to 32 years under Rule 6 of the U.P. Subordinate Civil Courts Ministerial Establishment Rules, 1947 and under Rule 8 of the U.P. Subordinate Civil Courts Inferior Establishment Rules, 1955 w.e.f. 30th March, 1991.

I am, therefore, to request you that the above instructions may be given effect to while making recruitment.

C.L. No. 23 / Admn.(D) section: Dated 10-07-1999

The cut-off date for the purpose of computing the age-limit for direct recruitment in the Civil Courts Ministerial Establishment.

I am directed to say that after considering the matter at length the court has been pleased to observe that the cut-off date for the purpose of computing the age-limit for direct recruitment in the Civil Courts Ministerial Establishment should be the first day of July of the Calender year in which vacancies for direct recruitment are advertised.

[iii] Mode of Selection

C.L. No 115/Admn. 'G' dated November 23, 1994*

Mode of selection and appointment with regard to Class III employees in the subordinate court

I am directed to inform you that the Court has taken a decision that in the matter of recruitment of class III employees in the subordinate courts, the selection process shall be at the Commissioner's Division level, meaning thereby that all vacancies in the Commissioner's Division shall be advertised at one time, applications shall be invited for all such posts, though the selection/interview test may be held at different centers as may be deemed feasible. Such selection shall be held by a team of not less than 3 District Judges of the region to be nominated by the Hon'ble Chief Justice. Necessary instructions with regard to the conduct of the selection and appointment process may be issued from time to time by the Hon'ble Chief Justice as may be deemed appropriate.

C.L. No. 138/Admn.(G) dated December 21,1994

Withdrawal of Circular Letter No. 115/Admn.(G) dated 23.11.1994 regarding mode of selection and appointment with regard to Class III employees in the Subordinate Court

Hon'ble the Chief Justice and Judges have been pleased to direct to withdraw the Court's C.L. No. 115/Admn (G) dated 23.11.94 regarding mode of selection and appointment with regard to Class III employees in the subordinate courts.

C.L. No: 27/Vilb-104/Admn. (D) dated May 24, 1996*

Holding of examination for recruitment of Class III employees under the existing Uttar Pradesh Subordinate Civil Courts Ministerial Establishment Rules, 1947 and the Uttar Pradesh Rules for the recruitment of Ministerial Staff of the Subordinate Offices in Uttar Pradesh 1950 on the guidelines evolved by the Court.

In supersession of the Circular Letter No. 14, dated 14.2.1995, I am directed to convey the decision of the Hon'ble High Court for strict compliance in the matter of recruitment and selection of Class III employees on the guidelines evolved by the Court

* Withdrawn by Hon'ble Court through C.L.No. 138/Admn. (G) Dt. 21.12.1994

* Withdrawn by C.L. No. 9/viib.104/Admn.-D/dt. 29.12.1998

as detailed below without disturbing the qualifications provided under Rules 4, 5, 6, 7 & 8 of U.P. Subordinate Civil Courts Ministerial Establishment Rules, 1947 and also the syllabus applicable to the post of Class III employees of the Civil Court provided in the U.P. Rules for the recruitment of Ministerial Staff of the Subordinate Offices in Uttar Pradesh 1950:-

- (a) The District Judge should take into consideration the vacancies up to the date of examination and the vacancies which will occur in the year immediately following the date of examination.
- (b) In counting the vacancy the District Judge should take into account the existing vacancies and the vacancies which may likely to occur due to the retirement of the officials in the strength of the Judgeship. No other consideration shall be given by the District Judge in calculating the vacancy.
- (c) The District Judge shall inform the Hon'ble Inspecting Judge about the number of vacancies calculated by him before advertising the examination.
- (d) An advertisement shall be issued by the District Judge in the local newspaper and in a Hindi daily newspaper having a wide circulation in the district in which the examination is being held and also in a Hindi daily newspaper having a wide circulation in the State of Uttar Pradesh. The publication shall be issued soon after the decision of calculating the vacancy. The advertisement shall also provide the date fixed for the examination. The date of availability of application forms, the date of receipt of the application form duly filled in by the candidate and all other particulars shall be given by the District Judge.

After the close of the date of receipt of the application forms duly filled in by the candidate, the District Judge shall examine the application forms.

All these application forms which are incomplete and are submitted by the applicants who are not eligible shall be rejected by the District Judge by speaking order.

When these procedures are complete, the procedure for preparing the question paper, examination of the copies shall be adopted. In order to check the leakage in question paper, tampering in answer books and manipulation in the examination of the copies, following checks and balances are introduced:

- (A) The whole of the State of Uttar Pradesh is divided in three zones, shown by the alphabets 'A', 'B' & 'C'. If the examination is held in Zone 'A' then the District shown in 'B' & 'C' shall be zones for preparing question paper and examining answer books. Similarly if the examination is held in Zone 'B' then rest job shall be performed by districts of Zone 'A' & 'C' and so on.
- (B) The Court also decided that a separate Cell, headed by a Hon'ble Judge will be created in the Registry for supervising the examination. This Cell shall perform the job of selecting the districts in different zones for preparing the examination paper and the district for the examination of the answer books.
 - (i) The examination cell shall place the code numbers on the answer books so received from the districts in which the examination has been held. After the answer books are examined, the examined copies shall be received back in the High Court and correct roll

numbers shall be placed on the answer books and mark-sheet shall be prepared on the basis of the marks obtained by the candidates.

- (ii) The District Judge of the Zone 'B' or as the case may be, which has been allotted the work of preparing the question papers shall prepare three examination papers of each subject as per rules and shall send them to the Registrar, High Court in a sealed cover within 10 days of the receipt of the letter of the Registrar of the High Court. The Registrar of the High Court shall keep these papers with him in a sealed cover and only one paper chosen out of the three by the Registrar shall be delivered after getting them printed at place of his choice to the concerned District Judge in which the examination is going to be held one day before commencement of the examination through special messenger. The block of the question papers will be destroyed soon after the question paper is printed.

- (C) The answer books shall be printed in the following proforma:

SPECIMEN OF FIRST PAGE OF ANSWER BOOK

Code No. Rest blank	Roll No. Name of the Candidate
Signaute of the officer of Registry at the time of fixing Code No.	Father's Name Subject
	Date of Exam. Signature of D.J.	Signature of Invigilator

After the examination is over, half portion of the first page of answer book bearing name and roll number etc, shall be separated from the rest part and code number will be appended on both the portions in the Examination Cell of the High Court.

- (D) After the examination is over all the answer books shall be sent in a sealed bundle by the district in which the examination is held to the High Court where it shall be received by the Incharge, Examination Cell. The District Judge shall take proper care that all the pages of answer books shall be marked by his signature seal and few pages of the answer books will be signed by the invigilators also. The District Judge shall also take care that the answer books are properly sealed and dispatched through special messenger the same day after the examination is over. The process of sealing the answer books should take place in the presence of the observer of the Court sent by the Examination Cell.

- (E) The District Judge of the zone, to whom the job of the examination of answer books has been assigned, shall return the answer books duly examined within 15 days from the date of the receipt of the answer books. The District Judge can take help of his Officers for examining the copies. The District Judge of the Zone to whom the answer books have been sent shall return the examined answer books to the Examination Cell of the High Court, where the rest process of deciding the answer book and preparation of the mark-sheet shall be completed by the Incharge,

Examination Cell. The mark-sheet duly signed by the Incharge, Examination Cell shall be sent back to the District Judge, in which the examination has taken place for preparation of the final results.

(F) The District Judge in whose district examination has taken place will pick up the candidates strictly on the basis of the marks obtained by the candidates and the result shall be pasted on the notice board within three days of the receipt of the examined copies and marksheet.

(G) The District Judge shall prepare a select list as provided in Rule 14 of U.P. Subordinate Civil Court Ministerial Establishment Rules, 1947.

The District Judge shall follow the directions given in Rule 14 *mutatis-mutandis*. The District Judge shall prepare a select list on the basis of the marks obtained by the candidates. Separate merit list for each category i.e. general candidates and for reserved categories shall be prepared in equal number of vacancies and not beyond it.

(H) The select list shall be taken into consideration as the list of seniority of the candidates selected on the basis of the examination. The select list so prepared for all purposes will be a list for seniority. The appointments shall, howsoever, be made as per the roster provided in government notification out of the aforesaid merit list. The gradation list shall be prepared separately strictly in accordance with the merit and in the light of the government notification issued from time to time.

(I) The roster shall not be an evidence of seniority list and would not be used for any other purpose than using it for appointment as per reservation rules.

(J) The District Judge shall make appointment strictly in order of the seniority. If a candidate has seniority in the list of serial No. 6 or 7 there after, shall not be given appointment in any clear vacancy unless the claim of the candidate senior to him is not settled on a clear vacancy. The clear vacancy available should go to the candidate who is senior in order of seniority and to none else.

(K) No ad hoc appointment under Rule 269 of General Rules (Civil) shall be made without the previous permission of Hon'ble the Chief Justice.

(L) No appointment under Rule 269 of General Rules (Civil) will be for more than two months at a time and beyond a maximum period of three months.

This appointment too will be made with the previous sanction of Hon'ble the Chief Justice. In any case the appointment under this Rule will not continue for more, than three months.

(M) All other rules relating to probation, confirmation, seniority and promotion shall remain the same as has been provided in U.P. Subordinate Civil Courts Ministerial Establishment Rules, 1947.

(N) All expenses of printing, stationery etc. shall be borne by the District Judge conducting the examination and any clarification in the matter shall be sought from the Hon'ble the High Court and none else.

(O) As soon as there are more than one vacancy, the vacancy shall not be filled in by any ad hoc appointment but examination for the recruitment of the vacancy shall be held expeditiously by the District Judge.

I am further directed to say that the decision regarding the life of the select list of the candidates shall be intimated later on.

C.L. No. 9 /VIIb-104/Admn.(D) Dated 20th April, 1999

Holding of the examination for the recruitment of Class III employees in the Judgeship

In supersession of the C.L. No. 27/VIIb-104/ Admn. (D) dated Allahabad, May 24,1996 on the above subject I am directed to convey the following decision of the Hon'ble Court for strict compliance in the matter of recruitment and selection of Class III employees.

The Hon'ble Court directs that the aforesaid circular dated 24th May, 1996 issued by the High Court has been withdrawn and be not given effect any further

Appointment of Class III staff are to be made as per the provisions contained in U.P. subordinate Civil Courts Ministerial Establishment Rules 1947, U.P. Recruitment of Ministerial Staff of the Subordinate offices in Uttar Pradesh Rules 1950 and also in terms of the following suggestions of the Court.

- (1) The life of the select list shall be for one year from the date of its publication.
- (2) The select list shall not be prepared by the District judges for more than the double of the vacancies, advertised.
- (3) In counting the vacancies the District Judge shall take into account the existing vacancies and the vacancies which may likely to occur within a year due to the retirement of the officials.
- (4) No Ad-hoc appointments under Rule 269, General Rule (Civil) or otherwise shall be made without the prior permission of Hon'ble the Chief Justice.

It is further directed that the persons who have already been appointed as per the aforesaid circular letter dated 24.6.1996 their services will not be affected in any way and those who have already appeared in the examination which have already been held but result have not been published and those who have applied for but the examination not held, shall be allowed to appear in the next examination on the same application.

I am, therefore, directed to communicate you the aforesaid direction of the Court for strict compliance.

C.L.No. 14/Admn. (D) dated 14th March, 1995

Recruitment test of Class-III employees of Subordinate Civil Courts.

Hon'ble the Acting Chief Justice has been pleased to direct that no examination will be held for recruitment of class-III employee till further orders from the Court, in

view of the proposed amendments in the Uttar Pradesh Subordinate Civil Courts Ministerial Establishment Rules, 1947.

C.L. No. 8/Ve-4/Admn. (D) dated 9th February, 1995

Ambiguity regarding marks obtained in optional subjects and compulsory subjects in the recruitment test under the U.P. Subordinate Civil Courts Ministerial Establishment Rules, 1947

Hon'ble the Chief Justice and Judges have considered the matter of marks' obtained by candidates appearing in optional subjects in addition to the compulsory subjects, in recruitment tests held under the U.P. Subordinate Courts Ministerial Establishment Rules, 1947 as amended from time to time and it has been decided that the marks obtained by a candidate appearing in the optional subjects on his possessing the prescribed speed in shorthand and typewriting, may not be added to the marks obtained in the written test for the purpose of the merit list, which shall be prepared after conducting examination both in compulsory and optional papers, but while preparing the Register of selected candidates under Rule 14 (1) of the U.P. Subordinate Courts Ministerial Establishment Rules, 1947, an entry be made in remarks column against the name of the candidate who has qualified also as a stenographer or as a typist.

I am, therefore, to ask you to kindly ensure strict compliance of the Court's decision in the matter in connection with all recruitment tests held under the U.P. Subordinate Ministerial Establishment Rules, 1947, as amended from time to time.

(iv) Life of Select List

C.L. No. 66/Ve-4/Admn. (D) dated 28th July, 1994

Life of select list of Class III posts in subordinate courts

I am directed to say that the Court has been pleased to extend the validity of the select list prepared by you in your judgeship for Class III posts from one to three years.

You are, therefore, directed to implement the instructions contained in this circular letter with immediate effect.

C.L. No. 77/Ve-4/Admn.(D) dated 24th August, 1994

Guidelines concerning operation of select list of Class III candidates while offering appointments on the establishment of the subordinate courts.

In continuation of and with reference to the Court's C.L. No. 66/Ve-4/Admn.(D), dated July 28, 1994 regarding the life of the select list prepared for appointment to Class III posts to the subordinate courts, I am directed to send herewith the copies of two judgments delivered by the Court on 19.5.1993 and 5.8.1994 in the following cases for strict compliance :

1. Special Appeal No. 235 of 1993 connected with Special Appeals Nos. 233 of 1993 and 263 of 1993.*
2. Special Appeal No. 278 of 1993.

The guidelines prescribed in the two judgments, that appointment in short term leave vacancy is not protected under Rule 14(3) of U.P. Subordinate Civil Courts Ministerial Establishment Rules, 1947, must be strictly adhered to in the preparation of

* For perusal of Judgment see Sachida nand Singh v. State of U.P.; 1994 AWC 1023: 1994 (23) ALR 25 (H.C. Sum)

the approved or select list to be prepared in future and in case of any difficulty a clarification must be sought from the Court.

SPECIAL APPEAL NO. 278 OF 1993

*Ajay Kumar Asthana v. State of U.P. and another. S.S. Sodhi, C.J.**

The manouvered device of regular employees proceeding en masse on medical leave and creating thereby leave vacancies in order that persons selected as paid Apprentices, for whom no posts were available, could be appointed to such leave vacancies and thereby claim regular appointment, is what was resorted to, to help the appellant (one of the petitioners in the writ petition) achieve the object. It is now on this basis that the appellant seeks regular appointment.

To give the relevant factual background, in 1985-86 the District Judge, Jaunpur, held an examination for filling up some posts of the ministerial staff. This examination was for selecting paid Apprentices to be appointed against permanent posts of clerks in the civil court. A select list was prepared and duly published on March 24, 1986 and in accordance therewith 23 persons were appointed as Paid Apprentices.

As per the report of the District Judge of April 15, 1989, 46 employees took 35 days leave en masse to create thereby leave vacancies. It was against one such leave vacancy that the appellant was given appointment. The leave granted to the said 46 employees was, however, subsequently cancelled and they were directed to resume duty within 15 days. The claim of the appellant, now in 1993, is that he is entitled to regular employment on the basis of his short term employment in a leave vacancy in 1986.

Appointment to the Civil Courts is governed by U.P. Subordinate Civil Courts Ministerial Establishment Rules, 1947, (hereinafter referred to as 'the Rules'). A combined reading of Rule 9 and sub-rule (3) of Rule 14 leaves no manner of doubt that the select list is to enure for only a period of one year. These provisions read as under:

"9. Early in each year, or as the circumstances may require, each District Judge shall recruit as many candidates for his judgeship as are required for the vacancies likely to occur in the course of the year."

"14 (1).....

(2)

(3) If any such candidate has not been given an appointment offered in strict order of seniority according to the list in the bound register prescribed under sub-rule (1) within one year from the date of his recruitment, his name shall be automatically removed from the register of recruited candidates and he must then take his chance with others for recruitment again in a subsequent year."

It follows that a candidate on the select list can claim to be appointed only in respect of vacancies in the year for which the select list had been prepared and finalised. In the present case the relevant year was 1986 and no appointment could thus be claimed on the basis of this select list in 1993.

Such being the circumstances, no exception can indeed be taken to the judgment of the learned Single Judge, which is accordingly hereby upheld and affirmed and this Special Appeal is thus dismissed.

C.L. No. 8/ Dated 1st March, 1997

Life of select list of Class III Employees in Subordinate Court on the basis of the Regular test.

This is in continuation of the circular Letter No. 27 /VIIb-104/Admn.(D) issued by the High Court on 24th May, 1996, in which it was communicated that the decision on the life of the Select List of the candidates shall be intimated later on.

The Hon'ble Court has taken a decision that the Select List prepared under the rules will remain in force for the period of one year from the date of its publication and the circular letter of the Court dated 28th July, 1994 is withdrawn forthwith.

I am directed to communicate the decision of the Hon'ble Court for compliance.

I am, therefore, to request you to ensure the compliance of the instructions containing in the Circular Letter with immediate effect.

(v) Advertisement before appointment

C.L. No. 10 /2003/J.R. (I) Dated 7th March, 2003

To advertise the post before making any appointment of any nature.

The Hon'ble Court (Hon'ble Mr. Justice A.K. Yog) while giving Judgement in Civil Misc. Writ petition No. 18151 of 1997 Girish Lal and others Vs. District Judge, Ballia and another has directed that it is mandatory obligation of all the district Judgeship in the state to advertise the post before making any appointment of any nature and such advertisement shall be made in two newspaper (one Hindi and one English) having wide circulation in the district and in the State and such advertisement shall be issued at reasonable interval in three consecutive issues.

I am, therefore, directed to send herewith a copy of the Judgment passed in Civil Misc. Writ petition No. 16151 of 1997- Girish Lal and others Vs. District Judge, ballia and another for your information and strict compliance.

(vi) General Instructions

C.L. No. 5/Ve-4/Admn. (D) dated 25th January,1990

G.O.No. 5912/VII-AN/89-29/12 regarding stoppage of recruitments through out the State except that of the Scheduled Castes/Scheduled Tribes

I am directed to say that it has come to the notice of the Court that in pursuance of the directions of the Government issued on the above subject, appointments have been stopped in various Judgeships without seeking approval of the Court. In this connection the Court has taken the view that appointment, against the sanctionals strength should not be stopped.

I am, therefore, to ask you to make recruitment against the sanctioned strength strictly according to Rules giving due representation to all the reserved categories.

C.L No. 16/Ve-41 Admn. (D) dated 16th February, 1990

Cancelling ban on recruitment in the Subordinate Courts G.O.No. 31/VII-AN 123/89 dated January 31,1990.

In continuation of Circular Letter No. 5/Ve-4/Admn (D) dated January 25, 1990, on the subject of stoppage of recruitment under G.O.No. 5912/VII-AN/89 dated 29.12.1989, I am directed to say that the ban imposed by the Government on recruitments under the

said G.O. has been relaxed by the Government, vide G.O. on the above subject, to the extent that it shall not apply to the recruitments in the Subordinate Courts.

I am, therefore, to say that the directions issued in the aforesaid circular letter may be read in the light of the position clarified by the Government as above and now all recruitments and appointments may be made as usual, strictly according to Rules, giving due representation to all the reserved categories.

C.L. No.6/Ve-4/ Admn. (D) dated 20th February, 1996

Directions in respect of posts falling under Rule 12 of the U.P. Subordinate Civil Court Inferior Establishment Rules, 1955.

In compliance of the direction given in the Judgment dated 23.1.96 petition No. 5857 of 1994 Ram Babu and others vs. District Judge, Banda* (* For perusal Judgment, See: 1996 AWC 516 (All) Extracts of the Judgement are reproduced) connected with Civil Misc. Writ Petition No. 5913 of 1994 Ran Das Pal v. District Judge, Banda, I am sending herewith a copy of the same for information and necessary compliance in future.

Civil Misc. Writ Petition No. 5857 of 1994 Ram Babu v. District Judge, Banda Connected with

Civil Misc. Writ Petition No. 5913 of 1994 Ram Das Pal v. District Judge, Banda, 1996 A W C 516 (All)

Hon'ble S.P. Srivastava, J.

In this case, the Hon'ble High Court made the following observations:-

“The waiting list contemplated under rule 12 of the Rules has to be of a reasonable proportion qua the number of vacancies actually notified and it will not be reasonable to hold that the vacancies which are notified may be of any year beyond the year succeeding to the year of recruitment. A situation ought not to be created where an anticipated vacancy likely to occur beyond the year succeeding the year of recruitment is filled up on the basis of a list maintained under rule 32 of the Rules which vacancy is neither notified nor ought to be notified for preparing such list in any year of recruitment. It further seems to me that considering the context, there can be no escape from the conclusion that any other interpretation to the expression ‘reasonable dimension’ will render the rule 12 of the Rules constitutionally invalid and a constitutionally invalid provision cannot be saved by being put into an otherwise valid statute. An interpretation of a statutory provision must lean in favor of upholding the statutory provision as far as possible. In the circumstances, there can be no escape from the conclusion that the waiting list contemplated under Rule 12 must be deemed to have lapsed on the filling up of the notified vacancies whether existing or likely to become available for being filled up in the year of recruitment or the succeeding year thereto and should not and cannot be deemed to be subsisting so as to cover the vacancies likely to become available during an indefinite period, subsequent thereto. It is not permissible for the District Judge to prepare a waiting list taking into consideration such vacancies which are likely to occur beyond the year succeeding the year of recruitment so as to block the entertainment of applications for appointment against anticipated vacancies likely to occur beyond the succeeding year of the year of recruitment without any specification as such an action will be against the constitutional mandate noticed herein above.

“The mere fact that the rule provides for the revision of the list from time to time does not and cannot indicate that the list will be deemed to be subsisting till exhausted as this revision becomes necessary as the list has to be utilised for filling up temporary or officiating vacancies as well during the currency of the list as indicated herein above.”

The Hon’ble High Court has issued the direction “requiring the District Judge to ensure that:

- (a) all the available substantive vacancies in the posts covered by rule 12 of the Rules or such vacancies which are likely to become available in the year of recruitment and the year succeeding to it be notified inviting applications before the preparation of the waiting list contemplated therein.
- (b) the waiting list indicated above shall consist of the names of the candidates in the proportion of 1:3 qua the notified number of vacancies;
- (c) the waiting list shall cease to be operative and stand exhausted on the filling up of the last notified vacancy;
- (d) the fresh waiting list shall invariably be prepared before the accrual of the vacancies so that there may not be any unnecessary delay its being filled up.
- (e) all the existing ‘waiting lists’ prepared under rule 12 of the Rules which have served their purpose as indicated herein above shall cease to be operative forthwith. The appointments already made shall, however, remain undisturbed.”

(vii) Filling up of posts requiring particular skill by persons having that skill

C.L. No. 65/2007; Admin. (D): Dated 13.12.2007

It has been noticed by the Hon’ble Court that in the Subordinate courts on various posts such as accountant, amin, librarian etc. particular kind of skill related to that discipline is required to be possessed by the incumbent to ensure flawless and smooth functioning of the judgeship. Therefore the Hon’ble Court desires that while appointing persons on these posts the District Judge must give special preference to the persons having proficiency in these areas.

Therefore you are requested to kindly ensure that in your judgeship, on the occasion of any appointment having to be made on these posts such as librarian, amin and accountant, special preference is given to such persons who have proficiency in the concerned discipline such accountancy, survey and library science etc.

I am, further to add that kindly ensure compliance of the above direction in right earnest.

[6] REGULARISATION

(i) Of Ad-hoc employees

C.L. No. 29/Ve-4/Admn. (D) dated 5th May, 1985

The District Judges are requested to dispose of the pending matters of regularization of Adhoc appointees in accordance with the law laid down by a Division Bench of Allahabad High Court in Writ petition No. 12075/1984 U.P. Civil Court’s Ministerial Service Association through its General Secretary, Lucknow vs. State of U.P.

and others, wherein it has been held that Adhoc appointees who fulfil the requisite conditions, as laid down in the Regularization Rules, shall be considered by the District Judge for regularization.

C.L. No.70/Admn.(D) dated 24th December,1992

Regarding regularisation of Ad-hoc employees and submission of list of such Ad-hoc employees appointed under Rule 269 G.R.(Civil).

I am directed to say that the Court has been pleased to pass the following orders on the above subject :

1. That appointments of the Ad-hoc class III employees of the subordinate Courts, who are entitled to the benefit of the U.P. Regularisation of Ad-hoc appointment (on posts outside the purview of the Public Service Commission) Rules, 1979, as amended up-to-date (or as applicable on date), be regularised.

2. That Ad-hoc class III employees of the subordinate courts who are not entitled to the benefit of the U.P. Regularisation of Ad-hoc Appointment (on posts outside the purview of the Public Service Commission) Rules, 1979, but have been appointed prior to 21st May, 1992, be allowed to continue subject to their appearing at and passing the competitive test held for selection of class III employees of the subordinate courts.

3. That Ad-hoc class III employees, if any, appointed after the issuance of order dated 21st May, 1992, passed by the Hon'ble the Chief Justice in this regard be ceased and explanation of the appointing authority for making such appointments be also furnished to this Court.

4. That you are also hereby requested to prepare a list of Ad-hoc appointments made under rule 269 G.R. (Civil) and submit the same to the Court immediately.

The aforesaid directions may kindly be complied with forthwith.

तदर्थ सेवा की अवधि पर वेतन वृद्धि एवं अवकाश की अनुमन्यता और नियमित विनियमित होने पर सेवा की निरन्तरता

सी० ई० पृष्ठांकन सं० ८/सात-बी-104 प्रशासकीय (घ) अनुभाग दिनांक ४ फरवरी 1991

कतिपय जिला न्यायाधीशों द्वारा समय-समय पर कुल जिज्ञासाएं की गई हैं कि शासनादेश संख्या 3922/सात-अ०-न्य०-12/74 दिनांक 18 जून 1986 द्वारा सृजित तथा शासनादेश तथा संख्या 1609/7-अ०-न्य०-12/74, दिनांक 24 मई 1990 द्वारा स्थाई किये गये जिन 307 अतिरिक्त कापीस्ट के पदों पर शासन की अनुमति से तदर्थ नियुक्तियों की गई थीं और बाद में नियमित चयन अथवा विनियमितीकरण के फलस्वरूप उन्हें नियमित नियुक्ति प्रदान कर दी गई है, क्या उन्हें तदर्थ सेवा की अवधि के लिए वेतन वृद्धियां तथा अवकाश अनुमान्य होगी और यदि सेवा में कुछ व्यवधान आ गया हो तो क्या उस व्यवधान की अवधि के लिये अनुमन्य उपार्जित अवकाश अथवा वेतनरहित अवकाश तथा स्थिति स्वीकृत करके सेवा की निरन्तरता प्रदान की जा सकती है।

2. उपर्युक्त जिज्ञासाओं के सम्बन्ध में मुझे यह कहने का निर्देश हुआ है कि मूल्य नियमों (उ० प्र० वित्तीय हस्त पुस्तिका भाग-2 खण्ड-2 से 4) में वेतन वृद्धि एवं अवकाश की अनुमन्यता तदर्थ सेवा/स्थानापत्र/अस्थायी/स्थायी सेवा वाले सभी कर्मचारियों को एक समान उपलब्ध कराने की व्यवस्था पहले से है तथा नियमित नियुक्ति करने में यदि सेवा में कोई व्यवधान भी हो गया है तो उस व्यवधान की अवधि के लिए उपार्जित अवकाश अथवा अनुमन्य अन्य अवकाश जैसे असाधारण अवकाश (वेतन रहित) भी यथास्थिति स्वीकृत किया जा सकता है और सेवा की निरन्तरता प्रदान की जा सकती है।

3. अतः मुझे यह कहने का निर्देश हुआ है कि आप कृपया उपर्युक्त विषयक सभी कारणों का निस्तारण उपर्युक्त निर्देशानुसार शीघ्रातिशीघ्र करने का कष्ट करें ताकि किसी भी ऐसे कर्मचारी का सेवा संबंधी प्रकरण अब लम्बित न रहे और असंतोष समाप्त हो जाय।

C. L. No. 69/VIIb-104/Admn. (D) dated 10th November, 1993

Regularisation of Ad-hoc employees in Civil Courts, Uttar Pradesh.

I am directed to send herewith a copy of the judgment delivered by the Hon'ble High Court in W.P. No. 6219/93. * Arvind Kumar Yadav and Others v. State of U.P. & Others, And W.P. No. 6220/93 Rakesh Kumar Verma & Others v. State Of U.P. And Others and to say that cut off date mentioned as 1st October, 1986 in Rule 10 of the Uttar Pradesh Regularisation of Ad-hoc Appointments (Posts Outside the Purview of the Public Service Commission) (Second Amendment) Rules, 1989 has been held to be void, arbitrary, irrational, unreasonable and hit by Articles 14 and 16 of the Constitution of India. Hence cut off date will be the date of commencement of the Rules, i.e. 7th August, 1989 and all those Ad-hoc employees who were appointed on or before 7th August, 1989 and who have completed three years' service before the process of selection has started i.e. before the applications are invited are eligible to be considered for regularisation strictly in accordance with the Rules. Thus those Ad-hoc employees who were in service on or before 7th August, 1989 and have completed three years' service before the process of selection has commenced and who are found suitable on the basis of the service record by the duly constituted selection committee are entitled to be regularised in substantive vacancies. It is further added that any deviation from the circular is prohibited.

I am, therefore, to request you to regularise the services of Ad-hoc employees in accordance with the abovementioned directions made by the Hon'ble Court and send the compliance report within two months.

C.L. No. 18/VIIb-104/Admn. (D) Sec. dated 8th May, 2002

Regularisation of Ad-hoc Employees in Civil Courts, Uttar Pradesh.

In continuation of court's circular letter No. 69/VIIb-104/Admn (D) Sec. dated 10.11.1993 on the above subject I am directed to send herewith a copy of State Government notification No. 15/18/86 Ka-1-2001 dated 20.12.2001, making amendment in Rule 4 of U.P. Regularisation of Ad-hoc appointments (on posts outside the purview of Public Service Commission) Rules, 1979 by introducing the cut off date as 30.6.1998, and to say that aforesaid notification has been adopted by this Hon'ble Court.

I am, therefore, to request you kindly to take necessary step for the regularisation of Ad-hoc employees.

It is further added that any deviations from the directions contained in the abovenoted notification is prohibited.

[7] APPLICATIONS FOR APPOINTMENT TO OTHER POSTS

G.L. No. 55/46-204-10 dated 17th September, 1937

In some cases persons already in the service of the State in Uttar Pradesh are also eligible for direct recruitment to services and posts within the purview of the Public Service Commission. Such persons are required to apply through and with the consent of the head of their department or office. In such cases the head of department or office

* For perusal of Judgments See (1994) 2 UPLBEC 1019: (1994) 3 UPLBEC 1670

concerned should invariably forward the character roll of the candidate along with his application.

C.L. No. 88 dated 5th October, 1959

All the Officers and the staff dealing with such applications should see that these applications are submitted to Government in the appropriate department well in advance of the last date of submission and in no case should these reach Government less than a fortnight before the last date prescribed for their submission failing which the applications will be liable to be forwarded late and ultimately rejected by the Commission.

[8] EXTENSION OF SERVICE

G.L. No. 3297-5 dated 16th August, 1933

Orders granting extension of service to ministerial officers should not be passed ordinarily more than six months or less than three months before the date on which the official is due to retire. When such an order has been passed by a District Judge, it would be improper for his successor to cancel it unless the order is illegal or the health of the official concerned has broken down since the passing of the order or, for other reasons, it is detrimental in the public interest to retain him in service any longer.

C.L. No. 41 Admn. (D) Section dated 14th April, 1980

No re-employment or extension in service should be given to an employee who has completed the age of 58 years without prior reference to the Court and the Government orders in this behalf should be strictly complied with.

C.L. No. 25 / Main (A) / J.R. (I) Dated : 01. 9. 2004

Term of office of the class III employees who after their retirement have been deployed to work in the courts of Spl. Judicial Magistrate/ Spl. Metropolitan Magistrate.

The District Judges from time to time desired to know as to what is the term of office of class III employees who after their retirement, have been deployed to work in the courts of Spl. Judicial Magistrate/Spl. Metropolitan Magistrate.

In this regard, I am directed to inform you that after careful consideration of the matter, the Hon'ble Court has decided that with immediate effect the term of office of the class III employee who have been re-employed to work in the said courts after their retirement, shall be till attaining the age of 65 years.

I am also to add here that as per G.O. 3094/VII-Nyay-2-2010/95 dated Feb. 5, 1997 services of one peon who shall be paid Rs. 35/- per actual working day shall also be admissible to the spl. J.M. /Spl. M.M. the person so employed shall not be allowed to continue after he attains the age of 65 Years age.

I am, therefore, to request you kindly to bring the decision of the Hon'ble Court in the aforesaid matter to the notice of all concerned.

(9) SECURITY

(i) Court officials

C.L. No. 66/VIII-b-205 dated 25th November, 1954

The following instructions should be carefully noted for strict compliance:

1. Security Register prescribed under rule 546 Chapter XXIII of General Rules (Civil), 1957 should be properly written. In column no. 4 the amount ordinarily to be kept in hand should be noted. In column no. 6 the form of bond executed should also be noted. In the last column the character of security, i.e., the number of Post Office Savings Bank Pass Books or of National Certificates should be noted, and also whether security has been furnished to the full amount required or is being made in monthly instalments by deductions from pay.
2. A new register be prepared allotting separate pages for different posts requiring security Bonds in Forms 2-A and 2-D executed by the officials should be signed by the District Judge.
3. Account should be kept in office to show monthly deductions made and deposited in Post Office Savings Bank. A register in Form 2-G should also be maintained as required by Para 71-A of Financial Handbook Volume V-1. Pass Books should not be left with the officials. Monthly deductions should be made before disbursement of pay and deposited in Post Office Savings Bank Account.

C.L. No. 1/70-H-8 dated 3rd January, 1966

The disposal of unclaimed security deposits of the retired officials should be regulated in accordance with the instructions contained in Note (5) to paras 340, 351 and 352 of the Financial Handbook, Volume V, Part 1.

(ii) Librarian-cum-stationery clerk

C.L. No. 93/VIII 205/23 dated 31st October, 1968

Subject to the provisions of rule 541 of the General Rules (Civil) 1957, Volume I, the amount of security, to be furnished by the Librarian-cum-Stationery Clerk, for bigger judgeships shall be Rs. 1000/- and for smaller Judgeships Rs. 500/- which shall include the security, if any, deposited for the custody of saleable forms and may be furnished in the form of personal bond also.

(iii) Nazir

C.L. No. 44/VIII-b-111 dated 8th April, 1976

In exercise of the powers conferred by rule 541 of General Rules. (Civil) 1957, Vol. 1, the District Judges may suitably increase the amount of security of Nazirs and Deputy Nazirs of their judgeships.

(iv) Process-servers

G.L. No. 3185/2-C-1(a) dated 16th September, 1916

No person shall be appointed process-server or promoted from the lower to the higher grade of process servers, whether temporarily or substantively, until he has furnished security in the sum of Rs. 50.

(v) Acceptance of bhumidhari rights as security

C.L. No. 32/V-c-113 dated 21st May, 1954

Bhumidhari land may be accepted as security from government servants at 28 times the land revenue payable in 1360F.

(10) TRAINING

C.L. No. 29/Xe-3 dated 4th March, 1976

Officials belonging to junior cadre and willing to receive two week's training in maintenance, preservation and weeding of records at the office of the Director, Government Record Room, B-44, Mahanagar Extension, Lucknow may be deputed. Preference should, however, be given to officials working in the record- room.

C.L. No. 80/Admn. (D) dated 1st August, 1978

Whenever candidates are appointed to work in the civil courts they should be subjected to intensive job training. The modus operandi for imparting the job training will be that all candidates will, by rotation, be attached with the different senior officials in different sections for a period of six weeks so as to enable them to acquaint themselves with office work and procedure.

C.L. No. 57/Ve-50 dated 27th April, 1976

The Government has decided that subordinate court officials will be given Amins Training at the survey and Records Training Schools at Hardoi. The District Judges may send names of officials as and when required by the Court.

C.L. No. 118/Admn. (D) dated 23rd November, 1994*

Concerning training programme for the newly recruited Ministerial Staff of Subordinate Courts and Refresher Course

I am directed to say that the Court has ordered that there should be a training programme for the newly recruited ministerial staff and also refresher courses for employees of the Subordinate Courts.

C.L. No. 140/Admn. (D) dated 21st December, 1994

Withdrawal of Circular Letter No. 118/Admn. (D) dated 23.11.94, regarding Training Programme for the newly recruited Ministerial Staff of Subordinate Courts and Refresher Course

Hon'ble the Chief Justice and Judges have been pleased to direct to withdraw the Court's C.L. No. 118/Admn.(D) Section, dated 23.11.94, regarding Training Programme for the newly recruited Ministerial Staff of Subordinate Courts and Refresher Course.

[11] CONFIRMATION, PROMOTION AND SENIORITY

1. Class IV employees

C.L. No. 33/VIC-10 Admn. (D) dated 20th March, 1980

District Judges should, ensure that confirmation on permanent vacancies in the cadre of class IV employees is made timely and if no confirmation has been made thereon, the Court may be apprised of the detailed justification for such a deviation.

C.L. No. 49/Ve-60/Admn. (D) dated 21st September, 1985

The temporary employees should be made permanent in case permanent vacancies are available.

* Now withdrawn by C.L. No. 140/dt. 21.12.1994 (infra)

C.L. No. 41/VI-C-10/Admn. (D) dated 29th May, 1986

The District Judges should dispose of the matter relating to the confirmation of class IV employees as are working temporarily for a long time in their Judgeship.

C.L. No. 43 /Ve-60/2004: Dated 15, October, 2004

Consideration of the matter pertaining to the confirmation of the employees of the Subordinate Courts

In continuation of Court's Letter No. 49/Ve-60/Admn. 'D' Sec., dated September 21, 1985, I am directed to say that it has been brought to the notice of the Court that due to non-confirmation and non-promotion of the employees while permanent vacancies and vacancies for promotion are available in the Judgeships, there is resentment amongst the employees of the Subordinate Courts. The Court considers it necessary that in case permanent vacancies are available, the temporary employees should be considered for being made permanent as per rules and in case vacancies for promotion are available, eligible employees (s) should be considered for promotion as per rules in next higher scale of pay strictly as per rules.

I am further directed to request you to be good enough as to consider the confirmation and promotion matters of the employees of your judgeship as per rules immediately under intimation to the Hon'ble Court. Compliance of the above directions be ensured faithfully and punctually.

2. Promotion

(i) Representation

G.L. No. 35-10-107-173 dated 24th November, 1941

When any proposed arrangement involves a departure from the principle of seniority and where any clerk is passed over, the District Judge should, before passing final orders, give the persons concerned an opportunity of laying their claims before him for consideration.

C.L. No. 94 dated 31st October, 1968

Before passing orders of confirmation in cases where representations made under Para 376 of the Manual of Government Orders against promotion and appointment of any official, the District Judges should enquire from the Court about the result of the representation forwarded by them so that there may be no legal complications in case the representation is allowed by the Court.

(ii) Ahalmads and Readers

G.L. No. 887/44-28 dated 3rd March, 1914

If an Ahalmad or Court Reader cannot write legibly he should not be promoted.

(iii) Selection grade to class IV employees

C.L. No. 60/Ve-75/Admn.(D) dated 13th September, 1984

Attention of all the District Judges is invited to the instructions contained in G.O. No. 1915/VII-A-Nya-579/83, dated 4th May, 1984, regarding sanction of selection grade to class-IV employees.

(iv) Promotion of class IV employees

C.L. No. 24/Ve-4 dated 5th February, 1973

Instructions contained in G.O. No. 37/1/69-Niyukti (Kha) Vibhag, dated January 1, 1970 regarding reservation for class IV employees for promotion to the lowest post in class III should be followed.

C.L. No. 17/Ve-4-Admn. (D) dated 28th January, 1977

G.O. NO. 37/1/69, dated 1.1.1970 provided ten percent reservation for promotion to class III services to such class IV employees who had passed High School, were permanent and below 45 years of age.

G.O. No.37/1/1969-2, dated August 21, 1976, has partially modified the aforesaid G.O. of 1970 to the effect that henceforth those class IV employees who have put in five years continuous services-whether permanent or temporary - shall be eligible for promotion. Other conditions, however, remain the same.

The District Judges should keep in view these instructions while making promotion of class IV employees to class III service.

(v) Reservation in promotion

C.L. No. 67/Ve-94/Admn. (D) dated 28th September, 1984

The court has considered the question of reservation at the stage of promotion for the members of Scheduled Castes/ Scheduled Tribes and Backward classes working in civil courts and is of the view that the principle of reservation cannot, be applied at the stage of promotion.

C.L. No. 40/Ve-94/ Admn. (D) sec : Dated 2nd September, 1997

Regarding reservation of Scheduled Caste, Scheduled Tribe and Backward classes at the stage of promotion

In continuation of this court's C.L. No. 67/Ve-94/ (D) dated 28.9.94 and 55/Ve-94 Admn. (D) dated 25.9.93, I am directed to say that the Court has reiterated the view that U.P. Subordinate Civil Courts Ministerial Establishment Rules 1947 and U.P. Subordinate Courts Inferior Establishment Rules 1955 do not provide for reservation at the stage of promotion to any class including SC/ST and Backward Candidates. Reservation benefit at the stage of promotion is not available to employees belonging to SC/ST and Backward.

The above decision of the Courts communicated for compliance.

(3) Seniority List

C.L. No. 40/Ve dated 31st March, 1952

The gradation lists required to be maintained under rule - 404, Chapter 14 of General Rules (Civil) 1957 should be brought up-to-date every year, say in the month of January, and made available to all concerned so that they may have an opportunity of checking up their positions in the list.

C.L. No. 30/Ve-4 /Admn. (D) dated 9th March, 1990

Preparation of seniority list of Class III and Class IV employees

I am directed to say that it has come to the notice of the Court that seniority lists of Class III and Class IV employees are not being properly maintained in the judgeships and

confirmation of the employees are not made in due course in accordance with the Rules. This state of affairs at times becomes cause of grievance to many giving rise to representations to the High Court. In this connection reference may be made to the circular letter No.49/Ve-60/Admn. (D) dated September 21, 1985 relating to the demands of the U.P. Civil Courts Employees' Association where in one of the directions issued was to consider the matters of confirmation of temporary employees in case permanent vacancies are available in your Judgeship. But compliance of that direction does not appear to have been made so far.

It is now expedient that the Class III and Class IV employees should be confirmed in accordance with the Rules within two months and the seniority of the employees of both the classes should be determined within three months.

I am, therefore, to ask you to confirm the Class III and Class IV employees in accordance with the Rules within two months and determine the seniority of the employees of both the classes within three months.

I am further to ask you to submit the compliance report of the aforesaid directions to the Court giving details on the proforma attached herewith.

The above directions may kindly be followed strictly.

Seniority list of Class III/Class IV employees of.....Judgeship.

Sl.No.	Name of Employee	Date of Appointment	Nature of Appointment	Grade/Scale of Pay	Date of Probation	Date of Confirmation	Remarks
1	2	3	4	5	6	7	8

C.L. No. 36/VIC-1 dated 28 May, 1992

Preparation of list of Candidates of Class IV employees in terms of existing, U.P. Subordinate Civil Courts Inferior Establishment Rules, 1955

I am directed to say that the Government of Uttar Pradesh has desired to bring changes in the Uttar Pradesh Subordinate Civil Courts Inferior Establishment Rules, 1955 by replacing the same by the "Uttar Pradesh Subordinate Courts Group 'D' Services Rules, 1986", which are still under consideration by the High Court and Government of Uttar Pradesh. However, till finalisation of the U.P. Subordinate Courts Group 'D' Services Rules, 1986, the recruitment in Class IV services of the Judgeship shall be governed by the existing U.P. Subordinate Civil Courts Inferior Establishment Rules, 1955.

I am, therefore, to request you kindly to ensure compliance as stated above.

C.L. No. 60/Ve-31/Admn. (D) dated 14 October, 1993

Preparation of gradation list of various categories of the Civil Court employees

I am directed to request you to take immediate steps to prepare gradation list of various categories of employees of your Judgeship.

I am further to add that while preparing the gradation list it is to be kept in mind that the principle of reservation is applicable only to initial appointments and not at the stage of promotion and interse seniority of the officials is to be fixed according to Rule 14 of the U.P. Subordinate Civil Courts Ministerial Establishment Rules, 1947 and Rule 13 of U.P. Subordinate Civil Courts Inferior Establishment Rules, 1955 and not according to the list prepared as a result of the roster system.

I am, therefore, to request you to prepare the gradation list and send a copy of it to the Court within 15 days from the date of the receipt of this letter.

C.L. No. 55/Ve-94. Admn. (D) dated 25 September, 1993

Determination of seniority of candidates appointed to Class III and Class IV Posts in the Subordinate Courts-Strict compliance with Rules.

It has been brought to the notice of the Court that the Seniority List of the employees of Class III and Class IV in the subordinate courts is not being prepared and kept in accordance with Rule 14 of the U.P. Subordinate Civil Courts Ministerial Establishment Rules, 1947 and Rule 13 of U.P. Subordinate Civil Courts Inferior Establishment Rules, 1955 and instead, the roster prepared for general candidates and reserved categories under G.O. No. 15/28/78 Ra-Eki-133 dated 26.2.76 for offering initial appointments as a result of direct recruitment is wrongly being treated as the seniority list for the purpose of promotion to next higher grade.

The Court has considered the matter and has come to the conclusion that the G.O. referred to above applies only to initial appointments offered to the candidates directly recruited and not to the matter of fixation of the seniority. The Court has already conveyed its decision under C.L. No. 67, dated 18.9.1987 according to which the principle of reservation cannot be applied at the stage of promotion. The seniority list, prepared according to Rule 14 and not the list prepared as a result of the roster system, shall be the seniority list for all intents and purposes including seniority and promotion,

I am, therefore, to ask you to kindly prepare and maintain the lists of seniority according to the provisions of the Rule 14 of the U.P. Subordinate Civil Courts Ministerial Establishment Rules, 1947 in respect of Class III Posts and Rule 13 of U.P. Subordinate Civil Courts Inferior Establishment Rules, 1955 for Class IV Posts.

I am further to ask you to kindly make full compliance of these directions and prepare the seniority lists of class III and class IV employees accordingly within a month from the receipt of this Circular Letter.

C.L. No. 52/Ve-94/Admn.(D) dated 24 May, 1994

Determination of seniority of candidates appointed to class III and Class IV posts in the subordinate Courts, strict compliance with rules.

While sending a copy of the Court's Circular Letter No. 55/Ve- 94/Admn.(D), dated 25.9.1993, on the above subject, I am directed to ask you kindly to comply immediately with the order of the Court contained in the circular letter mentioned above, if not done so far and send the compliance report within a fortnight positively from the date of receipt of the letter.

C. L. No.37/VIC-10/Admn. (D) dated 8 May, 1991

Demands of Uttar Pradesh Himayat Chaprasiayan Civil Courts, Etah.

I am directed to say that the Court has received a charter of demands from the President, Anjuman Himayat Chaprasiayan, Etah, and after considering the matter, the Court is of the view that the demand of the Association as to filling up of the 15% of vacancies in Class III by promotion from Class IV employees is genuine and the same be done according to existing instructions.

I am further to say that the cases of temporary Class IV employees for making them permanent be also considered according to the rules in this behalf.

I am also to add that the demands for maintenance of correct and up-to-date account of G.P.F. is genuine and necessary directions be issued for its proper maintenance.

It is, therefore, requested that necessary steps be taken in respect of above mentioned matters and a report be sent to the Court.

[12] TRANSFER

(i) Munsarims

C.L. No. 11/Ve-40/Admn. (D) dated 11th February, 1987

Each District Judge is requested to send a report to the Court specifying therein the information on the following points latest by 15th March:-

1. Name of the Sadar Munsarim with home district.
2. Date of appointment as Sadar Munsarim.
3. Whether he has completed or will complete three years at his present station on 15th March.
4. Date of superannuation
5. Confidential remarks.

Since it has been resolved by the Court to transfer the Sadar Munsarims who have completed three year's stay at their respective stations, it is expedient that the Sadar Munsarim may be asked to keep in readiness for transfer if he has completed three years. He may also be asked to indicate and communicate through the District Judge the choice of stations to which he may like to be transferred or make representation, if any, latest by 15th March. Beyond that date, the matter will not be considered after the orders of transfer are passed by the Court.

In future whenever a new Sadar Munsarim is appointed or posted, his name and date of appointment or posting as well as his date of superannuation should be communicated to the Court immediately after his taking over as Sadar Munsarim for the record of the court.

C.L. No. 52/Ve-40 dated 7th April, 1952

The District Judge should also confidentially report to the Registrar of the Court if he would like his Sadar Munsarim to continue as such and whether he has received complaint against him.

C.L. No. 41/Admn.-ve-40 dated 7th April, 1979

The District Judge should send the requisite report along with representations, if any, with his comments.

C.L. No. 15/Ve-40 dated 9th February, 1970 and

C.L. No. 45/Ve-40 dated 26th March, 1974

Representations from the Munsarims who have been at a particular station for three years and more and are due for transfer but whose transfer is likely to cause hardship should be obtained and sent to the Court for consideration along with recommendations keeping in mind the desirability of such a transfer.

C.L. No. 19 dated 1st February, 1969 as amended by

C.L. No. 88/Ve-40-Admn. (D) dated 24th July, 1979

While recommending transfers of Sadar Munsarims, District Judges should see that the representations, if any, from such Munsarims as are due for transfer but whose transfer is likely to cause some such hardship as may ultimately be considered to be a genuine ground for cancelling their transfers are sent to the Court along with their recommendations in the matter for consideration keeping in view the desirability of transferring Sadar Munsarims after they have stayed at one station for three years or more.

(ii) Other officials

C.L. No. 26/Ve-4 dated 10th April, 1950

Assistants should not, except on strong administrative grounds such as promotion or punishment, be transferred from a station to which they belong or where they have settled down for the time being to another station which is not their home district or where they may find it difficult to get a house on rent having regard to their means; and no assistant should ordinarily be retained on the same post for more than five years unless his transfer to another post be impracticable or will not be in the interest of work.

(iii) Typists

G.L. No. 3/Ve-81 dated 27th February, 1952

As the outturn of a typist is more than that of an ordinary copyist, typist should not be frequently transferred out of the copying office.

(iv) Interchange of duties

G.L. No. 5283/18-A-4(D) dated 23rd December, 1915

The practice of interchanging the duties of court officials without regard to the pay which they may be drawing is open to objection and does not frequently lead to efficiency. The practice, wherever it exists, shall at once cease.

(v) Peons

C.L. No. 98/Vlc-1 dated 21st December, 1973

The above directions do not apply to officials of the inferior establishment. Ordinarily orderly peons should not be transferred unless under specific circumstances it becomes administratively imperative to shift them or when it is conveniently possible to do so on transfer of officers with whom they are attached.

C.L. No. 36/Vlc-10-Admn. (D) dated 22nd February, 1977

The Anjuman Himayat Chaprasian has made a grievance against transfer of office bearers of the Anjuman to tahsil head quarters/outlying courts. The Court has carefully considered the matter and has come to the conclusion that although no hard and fast rule can be laid down in this regard, the exigencies and convenience of the employees may be kept in view while making transfers.

(vi) On Shifting of Courts

C.L. No. 21/Ve-4 /Admn. (D) dated 16th May, 1995

Transfer of employees of subordinate courts appointed under rule 269 of G.R. (Civil) in other district on shifting of court.

The Hon'ble Chief Justice and Judge have been pleased to direct that the person appointed under Rule 269 of the General Rules (Civil) in Subordinate Civil Courts shall not be transferred when a court is shifted, having regard to the provisions of Rule 269.

It has further been directed that if any employee, who had been appointed under Rule 269, had been transferred at the time of shifting of the court, such an employee shall be recalled back to the district in which he had been appointed under Rule 269 and his continuance will depend upon the fulfilment of requirements of Rule 269.

[13] CHARGE LIST

C.L. No. 3/39C dated 15th January, 1970

In order to fix responsibility for loss of a record during taking over or making over charge by office assistants, following procedure should be followed:

- (i) The assistants proposed to be transferred should be given information of the proposed transfer at least one week before the actual date of transfer.
- (ii) They should prepare a list of records in their possession with the help of the registers maintained. Records requisitioned from the courts or record-room should also be included in that list.
- (iii) At the time of making/taking over charge, the successor should physically check the records with that list and sign it in lieu of receipt. That receipt should be counter signed by the Munsarim of the court concerned in which the transferred assistant had been working before his transfer.
- (iv) Three copies of such list should be prepared one copy should remain with the Munsarim of the court concerned; one with the transferred assistant and one with the successor.

Further, the rules prescribed in connection with the movement of records and books should be followed strictly in order to avoid loss of record from the record room or a book from the library.

[14] COMPLAINTS, DISCIPLINARY PROCEEDINGS, PUNISHMENTS AND APPEALS

(i) Complaints

C.L. No. 79/Admn. (D) dated 1st August, 1978

The Presiding Officers and the Officer-in-charge, Amanat should keep strict supervision and control over the Amins and their work, and whenever there is a complaint of corruption against an Amin, it should be enquired into promptly and if found correct, the Amin should be given deterrent punishment.

G.L. No. 4/X-31 dated 4th March, 1952

All complaints against members of the Subordinate Staff of the Judicial Department should be enquired by the local head of the office.

C.L. No. 12/Xf-21 dated 25th January, 1957

Whenever a complaint under the complaints Scheme is referred by the District Magistrate, District Judges should promptly inform him whether or not they wish the matter to be enquired into by the Complaints Organization.

C.L. No. 14/Ve-58-1 (6) dated 10th April, 1947

All subordinate courts should co-operate with the District Anti-corruption Committee in the eradication of bribery and corruption.

(ii) Disciplinary proceedings

C.L. No. 7/VIII-f-30 dated 18th January, 1951 and

C.L. No. 51/Ve-5 dated 18th May, 1951

Numerous cases of disciplinary proceedings against government servants in civil courts have come to the notice of the Government in appeal which revealed that one irregularity or the other was committed during the proceedings, thereby vitiating the order of punishment. Such orders have to be declared null and void and the government servants re-instated in service or the proceedings have to be held de novo. To avoid the embarrassment and the expenditure which is thus caused, the whole procedure to be followed in such cases was communicated to all Heads of Departments in G.O. No. 0-1827/IIB-641-41, dated March 30, 1950 and it was pointed out that it shall be the direct responsibility of the punishing authority to ensure that the statutory provisions of rule 55 of the Civil Service (Classification, Control and Appeal) Rules, read with Article 311 of the Constitution of India are scrupulously observed in all such cases.

C.L. No. 97 dated 7th June, 1976

Invites attention of the District Judges to the provisions of the U.P. Subordinate Courts Staff (Punishment and Appeals) Rules, 1976 which deal with the procedure for taking disciplinary action against officials of civil court.

C.L. No. 107/Ve-5/Admn (D) dated 27th November, 1990

Expeditious disposal of inquiries pending against suspended employees.

I am directed to say that the instances have come to the notice of the Court that after suspension of an employee neither any inquiry officer was appointed nor the charge sheet was served upon him for a considerable long time. This is against the settled principles of law that a suspension order cannot continue endlessly without issuing a charge-sheet.

I am, therefore, to say that whenever an employee is placed under suspension there should be no delay in serving the charge- sheet and holding an enquiry against the suspended employee and the enquiry should be concluded as expeditiously as possible.

C.L. No.69/2007Admin(D) : Dated : 13.12.2007

Expeditious disposal of the disciplinary proceedings

It has been observed by the Hon'ble Court that a large number of the disciplinary proceedings are pending in various judgements even after the retirement of the official concerned. Viewing it with concern the Hon'ble Court has desired that keeping the departmental proceedings pending for a considerable long time is prejudicial both to the interest of the administration as well as to the interest of the official concerned as on the one hand it would grant the guilty official continued opportunity to persist with wrongdoing consequently jeopardizing the cause of administration while on the other hand the innocent official would be adversely affected in getting his monetary and career related dues on time. Therefore it has been desired by the Hon'ble Court that such inquiries must be completed within a period of three months.

Therefore, I am directed to request you to kindly ensure that all the departmental inquiries against the staff members should be concluded within a period of three months from the date of their institution .

I am, further to add that the contents of this Circular Letter may please be brought to the notice of all the Judicial Officers working under your administrative control for strict compliance .

(iii) Punishment

G.L. No. 2838 dated 20th August, 1923

A copyist who after due and sufficient warning either cannot or will not write a legible hand should be dismissed.

G.L. No. 39/Xa-14 dated 1st June, 1955

Any official found responsible for neglect in the duty of enclosing copy of plaint or application with the summonses or notices should be seriously dealt with.

C.L. No. 84/VIII- b-10 dated 7th September, 1953

Whenever a notice is received from the Presiding Officer of a court by a District Judge of the proposed issue of a warrant of arrest against any member of the civil court staff in his judgeship, he should take steps to suspend or otherwise- relieve such government servant with as little delay, as possible and inform the Presiding Officer concerned of the probable date of such suspension or relief.

C.L. No. 34/Admn. (D) dated 1st April, 1978

Invites attention to the principles laid down in *G.K. Naidu versus State of M.P., AIR 1968 SC 240* and the provisions of Fundamental Rule 54(B) of Financial Hand Book Vol. II, Part II to IV as amended up-to-date.

All the District Judges are requested to see that before passing final orders for forfeiting or disallowing any part of the salary for the period of suspension in the case of a delinquent official, the aforesaid rule is strictly followed by giving the official notice of the quantum proposed and considering the representation, if any.

C.L. No. 18/Ve-94(99) Admn. (D) dated 2nd April, 1981

Encloses G.O. No. 5602/xx-1-80-13/167/77 dated 25th Nov., 1980 and requires all the District Judges to send information to the Government in the event of termination/compulsory retirement of a temporary scheduled caste/scheduled tribes government servant from service, within a month.

C. L.. No.74/2007Admin(D) : Dated : 13.12. 2007

Punitive action against defaulting process servers

The Hon'ble Court has observed that despite there being adequate number of process servers in each judgeship the sufficient number of processes are not being served by the process servers. As per Circular Letter no. 54 of 1968 every process server must effect service of at least 700 processes every year but the compliance of this direction is not being made.

Therefore, in continuation of the above noted Circular Letter I am directed to say that wherever the process servers are found wanting in achieving the target , punitive action against the defaulting process server must be initiated by the Officer In charge Nazarat and the District Judge concerned .

I am further to add that kindly make strict compliance of the above direction of the Hon'ble Court.

(iv) Appeals

C.L. No. 140/Ve-5-Admn. (D) dated 30th August, 1976

Invites attention to sub-rule 9 of rule 7 of the Uttar Pradesh Subordinate Court's Staff (Punishment and Appeals) Rules, 1976; and the District Judges are requested to send the list of withheld appeals regularly to the Court as provided under the Rules.

C.L. No. 69/Ve-5/Admn. (D) dated 23rd September, 1986

The District Judge, while forwarding the departmental appeals to the Court, should also send parawise comments on the appeal along with the enquiry file, character roll and service book/service roll, within 15 days of its receipt.

C.L. No. 17/Ve-5/Admn. (D) dated 28th March, 1989

The District judges are requested to follow the instructions contained in the above circular letter very strictly.

C.L. No. 50/Ve-5/Admn. (D) dated 17th April, 1990

Speedy disposal of departmental appeals

I am directed to invite your kind attention to the Circular Letters No. 69/Ve-5/Admn.(D) Department dated 23.9.1986 and No. 17/Ve-5/Admn.(D) Deptt. dated 28.3.1989, on the above subject wherein directions were issued to forward the departmental appeals alongwith your parawise comments, relevant enquiry file, character roll and service book/service roll to the Court within fifteen days from the date of receipt of the appeal, but, it is a matter of much concern that these directions are not being followed and the appeals are forwarded to the Court with long delay and without the relevant papers as desired. It is only after several reminders in individual cases that the comments and relevant papers are received and thus it causes delay in disposal of the appeals. This state of affair is not only deplorable but provides material for displeasure of the Court.

It is now desirable that you should look into the matter personally and instruct the Senior Administrative Officer/Sadar Munsarim to be vigilant in putting up the matter or departmental inquiries and appeals before you for necessary action promptly. Slackness, if any, in this regard will be viewed seriously by the Court.

I am, therefore, to request you kindly to decide the departmental inquiries expeditiously and forward the appeals preferred by delinquents alongwith comments and other relevant papers as required in the aforesaid circular letters expeditiously to the Court.

[15] PAY AND ALLOWANCES

(i) To substitutes

G.L. No. 3092-A-2(3) dated 14th September, 1917

Allowances up to the sanctioned scale should not be granted to substitutes appointed in place of paid apprentices in civil courts when the latter are appointed to officiate in permanent or sub-protompre vacancies and no substitute should be appointed in place of a paid apprentice, employed temporarily in short vacancies.

(ii) Travelling allowance to Amins

C.L.No. 3/VIc-14 dated 22nd January, 1968 read with

C.L. No. 27/Vc-14 dated 25th March, 1968 and

C.E. No. 75/Ve-74 dated 31st August, 1968

In view of the amendment made in Part 1 of Appendix II of the Financial Handbook, Volume III and addition of rule 530-A in the General Rules (Civil), 1957, the civil court Amins and their peons are entitled to travelling allowance for railway journeys and at ordinary rates in respect of road journeys within their jurisdiction (G.L. No. 8/VIc 1450 dated April 1, 1950)

The civil court Amins are entitled to daily allowance for the road journeys according to rules.

C.L. No. 3/4A-A-Admn. (D) dated 2nd January, 1984

The T.A. bills of civil court Amins should be regulated in accordance with the provisions of rule 24-A Chapter III and Appendix II Part I of the Financial Handbook volume III.

C.L. No. 43/VIII-b-135 dated 11th May, 1959

The separate book of traveling allowance bills of Amins and their peons required to be maintained under rule 530-A of the General Rules (Civil), 1957 as added by Court's notification no. 99/VIII-b-135, dated March 23, 1959, should be maintained only by those courts to which an Amin is attached.

A District Judge may, in his discretion, direct the maintenance of this book under the supervision of officer-in-charge of work of Amins.

(iii) Arrears

C.L. No. 30/Ve-75 dated 30th March, 1951

In order to reduce the number of cases in which District Judges move the High Court to sanction investigation of claims by the Accountant General, Uttar Pradesh in respect of arrears of pay and allowances due to a member of the staff of a subordinate court as required under paragraph 74(b) Financial Handbook, Volume V, Part I, it is necessary that all such claims should be looked into and taken up with as little delay as possible.

C.E. No. 26/VIII-23 dated 30th March, 1965

Before referring cases of time-barred claims covered under Para 74(b)(iv) of the Financial Handbook, Volume V, Part I to Vitta Vibhag for sanction, the courts will record satisfactory reasons for the delay caused clarifying convincingly that the claimant was not responsible for the delay. Vitta Vibhag will not insist on prior action being taken against the defaulters in cases in which the position has been explained fully and satisfactorily and the Administrative Department has assured that suitable action will be taken. Delay in payment is opposed to all rules and budgeting principle and when delay comes to light a serious notice has to be taken.

(iv) Maintenance of G.P.F. accounts

C.L. No. 166/Xb-15 dated 18th November, 1974

In order to facilitate proper maintenance of Provident Fund Accounts, the drawing Officer should see that the schedule of accounts (G.P.F. and C.P.F.) are prepared and submitted to A.G., U.P., separately according to the reference numbers allotted to the contributors.

C.L. No. 75/VIC-10 Admn. (D) dated 9th July, 1979

With a view to obviate chances of delay in payment of the G.P. Fund to the officials on their retirement, it is necessary that their G.P. Fund accounts which are now kept in the judgeship, should be maintained properly and the relevant records should be kept up to date.

District Judges should take necessary steps in this behalf by utilising the services of necessary number of clerks according to quantum of work.

C.L. No. 59/Ve-60/Admn. (D) dated 8th September, 1983

District judges should get the G.P.F. accounts of all the employees and their pass books, completed in all respects in view of G.O. No. 4/2450/X-503/1977, dated 12th December 1977.

C.L. No. 41/VIC-10/Admn. (D) dated 29th May, 1986

The District Judges should provide pass book of G.P.F. Account to the class IV employees of their judgeship.

No. 16215/57 A/Admn. (D) /Sec: Dated: 12th November, 2003

Sending debit figures of G.P.F. of L.J.U. series of employees of courts Subordinate to High Court of Judicature at Allahabad.

I am directed to send herewith a copy of email letter no. V-Sat (Cell) /03, dated 17.9.2002 of Assistant Accountant General, Office of Accountant General (A & E)-II, U.P., Allahabad along with its Annexure and to request you kindly to take necessary steps with regard to issues raised in the latter by the Assistant Accountant General, Office of Accountant General, U.P., Allahabad.

No. VSAT Cell/03 Dated 17th September, 2002

You are requested to send debit figures of GPF of LJU series to AG Office by electronic mode please send all figure related to period from 1 April, 2002 to 30th September, 2002 by 15th October, 2002. Thereafter please send it by 15th of subsequent month regularly.

2. This information should contain following details:

- (a) Name of Subscriber
- (b) Account Number of Subscriber
- (c) Treasury Voucher Number
- (d) Date of debit
- (e) Type of debit (whether temporary advance or the final withdrawal including 90% or total.)

3. Please send above information immediately in the case of following subscriber having debit payment during the year 2001-2002. Concerned DDOs have either quoted wrong account with the subscribers record in our office.

(v) Advances from provident funds

C.L. No. 28 dated 2nd May, 1964

The District Judges are required to impress upon drawing and disbursing Officers in their judgements that they should use Form Nos. 6-A and 6-B (Treasury Form Nos. 359 and 359-A) for gazetted and non-gazetted government servants respectively for drawal of advances from Provident Fund.

C.L. No. 43/Admn. (D) dated 5th, July, 1984

The District Judges should, before sanctioning G.P.F. advances to the officials, ensure that excess payment is not made and the G.P.F. Rules 15(1) and 115(2) be followed strictly.

G.L. No. 48-146/7-64 dated 13th September, 1935

The power to sanction temporary advances under rule 15(3) of the General Provident Fund (U.P.) Rules in respect of non-gazetted Officers has been delegated to District and Sessions Judges in Uttar Pradesh.

G.L. No. 51/Xb-15 dated 23rd April, 1970

A subscriber who has drawn non-refundable advance from provident funds for meeting expenditure on marriage purposes must within one month from the date of marriage or if he is on leave, within one month on return from leave, furnish to the sanctioning authority a certificate that the money has been actually utilized for the purpose it was intended. On failure to furnish the certificate or in the event the amount has been spent for a purpose other than that for which sanction was given the entire amount so drawn together with interest thereon will have to be re-deposited in one lump sum.

(vi) Pay and allowances of the period of strike

C.L. No.63/III-36/Strike Admn.(D) dated 10th December, 1992

Pay and allowances of the employees for the period of strike relating to Shahjahanpur matter.

I am directed to say that Hon'ble Court has considered about pay for the period of strike relating to Shahjahanpur matter and is of the opinion that the principle of 'No work no pay' is final. Whenever there is strike in future by the employees of Civil Court the District Judges will follow this principle without waiting for direction from the High Court.

In this regard I am to add that in view of the unconditional withdrawal of the strike by the employees in Shahjahanpur matter a lenient view has been taken and the Court is of the view that the principle of 'No work no pay' in their case will not have the effect of break in service.

C.L. No. 3 / Ve-60/Admn. (D) Sec: Dated 16th January, 1998

Payment of salary for the period the employees remained on strike from 13.9.1992 to 7.10.1992

I am directed to say that the court has considered the aforesaid matter and is pleased to order that the above period of absence of each employee on strike may be regularised in the form of earned leave if applied by each and every official.

(vii) Removal of anomalies

C.L. No. 45/Ve-60/Admn. (D) dated 19th July, 1991

Concerning removal of anomalies in pay of employees

I am directed to say that it has come to the notice of the Court that anomalies in the pay scale of employees continue to exist and as a result thereof they are put to harassment.

I am, therefore, to request you kindly to dispose of all such matters, if pending so far.

C.L. No. 30 / Ve-75/ Admn. (D) section: Dated: 6th August, 1998

Revised pay scales on the basis of the recommendations of U.P. Anomalies committee, 1989 in respect of permanent and temporary posts in the Subordinate Courts.

In continuation to the court's endorsement No. 11520/Ve-75/Admn.(D) section, dated 22.7. 1998, on the above subject, I am directed to send herewith a copy of G.O. No. 4084/sat- Nyaya-2-47G/91-TC, dated 22.4.1998 along with its enclosures for information and necessary action.

संख्या: 4084/सात-न्याय-2-47 जी/91 22 अप्रैल, 1998

न्याय अनुभाग-2 (अधीनस्थ न्यायालय)। लखनऊ: दिनांक: 22 अप्रैल, 1998

विषय:-समता समिति उत्तर प्रदेश 1989 की संस्तुतियों पर लिए गये निर्णयानुसार उच्च न्यायालय के अधीनस्थ न्यायालयों में विभिन्न पदों पर पुनरीक्षित वेतनमान की स्वीकृति।

महोदय,

मुझे उपर्युक्त विषयक शासनादेश सं0 2473/सात-अ0 न्या0-32/89 दिनांक 30 जून 1989 एवं शासनादेश संख्या 3082-सात-अ0 न्या0-749/84 टी0 सी0, दिनांक 13 मार्च 1990 के आंशिक संशोधन में यह कहने का निदेश हुआ है कि प्रदेश के विभिन्न वर्गों के कर्मचारियों हेतु समता समिति 1989 की संस्तुतियों पर विचार करने के लिये गठित मुख्य सचिव समिति की संस्तुतियों के परिप्रेक्ष्य में लिये गये निर्णयानुसार राज्यपाल महोदय ने उक्त शासनादेश दिनांक 13.3.90 के संलग्नक में क्रमांक 12ए के सम्मुख अंकित समस्त पविष्टियों को संशोधित करते हुए उनके स्थान पर इस शासनादेश के संलग्नक के अनुसार प्रविष्टि प्रतिस्थापित करने की स्वीकृति सहर्ष प्रदान कर दी है।

2. उपरोक्त सीमा तक उक्त संदर्भित शासनादेश दिनांक 30.6.89 एवं दिनांक 13 मार्च, 1990 संशोधित समझा जाये।

3. ये आदेश वित्त वेतन आयोग अनुभाग-1 के अशासकीय संख्या-वे0 आ0 -1-267/दस-90, दिनांक 17 अप्रैल, 1998 में प्राप्त उनकी सहमति से निर्गत किए जा रहे हैं।

शासनादेश संख्या-4084/सात-न्याय-2-47जी/91 टी0सी0, दिनांक 22 अप्रैल, 1998 का संलग्नक

क्र0 सं0 पद अथवा सेवा का नाम वर्तमान वेतनमान/ पदों की संख्या पुनरीक्षित वेतनमान अभ्युक्ति यदि कोई हो समयमान वेतनमान रु0

		स्थायी	अस्थायी		स्थायी		अस्थायी	
1	2	3	4	5	6	7	8	9
12ए	मुत्सरिम/रोडर/ मुत्सरिम-कम/रीडर/ सिविल जज/	430-685 470-735 (यदि कोई	1103	115	1103	115 (1)	1200-30- 1560-द0रो0- 40-2040	रु0 1350-2200 का वेतनमान केवल उन कर्मचारियों को

अपर सिविलजज/अतिरिक्त लघुवाद न्यायालय, मुन्सरिम/रीडर मुंसिफ/मुंसिफ मजिस्ट्रेट/अपर मुंसिफ मजिस्ट्रेट/जुडीशियल मजिस्ट्रेट रेलवे मजिस्ट्रेट	हो)	430-685				(2)1350-30-1440-40-1800-द0रो0-50-2200	अनुमान्य होगा जिन्हें दिनोंक 1.1.86 से पूर्व रु0 470-735 का वेतनमान मिल रहा था जिन पदों पर दिनोंक 1.1.86 से पूर्व रु0 430-685 का वेतनमान मिल रहा था उन्हें 1200-2040 का वेतनमान अनुमान्य होगा।
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विषय:- राज्य कर्मचारियों को समतासमिति 1989 की सस्तुतियों के सम्बन्ध में उत्पन्न विसंगतियां पर मुख्य सचिव की अध्यक्षता में गठित समिति द्वारा लिये गए निर्णय के परिपेक्ष्य में प्रोन्नति वेतनमान सम्बन्धी सामान्य निर्णय तथा राजकीय वाहन चालकों के सम्बन्ध में लिये गये विशिष्ट निर्णय के सम्बन्ध में।

उपर्युक्त विषयक इस न्यायालय के परिपत्र संख्या 74/पांच ई-75 प्रशासनिक (घ) अनु० दि० 8.8.1994 की निरन्तरता में शासन के पत्र संख्या 2235/सात- न्याय-1-77-14/91 दिनांक 11.11.1997 के साथ शासन के पत्र संख्या 203-सात न्याय -1-14/94, दिनांक 18.03.1994 तथा उसके संलग्नक की प्रतिलिपि को इस पत्र के साथ आपको सूचनार्थ एवं आवश्यक कार्यवाही हेतु संलग्न करने का निर्देश हुआ है।

न्याय अनुभाग-1 उच्च न्यायलय। लखनऊ: दिनांक: 11 नवम्बर, 1997

महोदय,

उपर्युक्त विषयक आप के पत्र संख्या 11427/पांच-ई-75/प्रशा0(घ) अन्तु0, दिनांक 8 अगस्त 1997 के संदर्भ में मुझे शासन के पत्र संख्या 203/सात-न्याय - 1.14.94, दिनांक 18.3.1994 के संलग्नक की छाया प्रति संलग्न कर भेजने का निदेश हुआ है।

संख्या 203/सात-न्याय-1-14-94 18 मार्च, 1994

न्याय अनुभाग-1 (उच्च न्यायालय) लखनऊ: दिनांक: 18 मार्च, 1994

विषय:-राज्य कर्मचारियों को समता समिति 1989 की संस्तुतियों के सम्बन्ध में उत्पन्न विसंगतियों पर मुख्य सचिव की अध्यक्षता में गठित समिति द्वारा लिये गये निर्णय के परिप्रेक्ष्य में प्रोन्नति वेतनमान सम्बन्धी सामान्य निर्णय तथा राजकीय वाहन चालकों के लिये गए विशिष्ट निर्णय के सम्बन्ध में।

महोदय,

उपर्युक्त विषय के सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि राज्य सरकार ने समता समिति (1989) की संस्तुतियों के सम्बन्ध में विभिन्न सेवा संगठनों तथा विभागों से प्राप्त प्रत्यावेदनों पर विचार करने के उपरान्त मुख्य सचिव की अध्यक्षता में गठित समिति की संस्तुतियों के परिप्रेक्ष्य में यह निर्णय लिया गया है कि शासनादेश दिनांक 3.6.1989 में समय मान वेतन मान के लाभ के अन्तर्गत दस वर्ष की सेवा के आधार पर वेतन अगले स्तर पर निर्धारित करने तथा नियमित पद धारकों को 16 वर्ष की संतोषजनक सेवा जिसमें 6 वर्ष का सलेक्शन

ग्रेड के लाभ की सेवा सम्मिलित होगी, के पश्चात वैयक्तिक रूप से प्रोन्नति वेतनमान अथवा अगले वेतन मान को दिये जाने की व्यवस्था है। ऐसे पद धारकों जिनके लिये प्रोन्नति का अगला वेतनमान उपलब्ध नहीं है, उनके सम्बन्ध में उल्लिखित वेतनमान दिये जाने का निर्णय लिया गया है।

अतः आप से अनुरोध है कि अपने अधीन समस्त जिला जजों को उपर्युक्त व्यवस्था से अवगत कराने का कष्ट करें ताकि अनावश्यक प्रत्यावेदन राज्य सरकार को प्राप्त न हो।

(क) प्रोन्नति वेतनमान सम्बन्धी सामान्य निर्णय

शासनादेश दिनांक 3.6.1989 में समयमान वेतनमान के लाभ के अन्तर्गत 10 वर्ष की सेवा के आधार पर वेतन अगले स्तर पर निर्धारित करने तथा नियमित पद धारकों को 16 वर्ष की संतोष जनक सेवा जिसमें 6 वर्ष की सलेक्शन ग्रेड के लाभ की सेवा सम्मिलित होगी के पश्चात् वैयक्तिक रूप में प्रोन्नति वेतन मान अथवा अगले वेतन मान को देने के आदेश हैं। यह निर्णय लिया गया है कि ऐसे पद के पद धारक जिनके लिये प्रोन्नत का कोई अगला पद उपलब्ध नहीं है और जो नीचे स्तम्भ-2 में अंकित साधारण वेतन मान में कार्यरत होंगे उनको निर्धारित शर्तों की पूर्ति करने पर अगला वेतन मान वह माना जायेगा जो नीचे स्तम्भ-3 में अंकित है।

क्र०सं०	वेतनमान	अगला वेतनमान
1	2	3
1	800-1150	950-20-1150 ₹ ₹0-25-1400
2	950-1500	975-25-1150 ₹ ₹0-30-1660
3	1350-2200	1400-40-1800 ₹ ₹0-50-2400
4	1400-2300	1400-40-1600-50-2300 ₹ ₹0-60-2600
5	1400-2600	1640-60-2600-₹ ₹0-75-2900

(ख) राजकीय वाहन चालकों के लिए प्रोन्नति वेतनमान सम्बन्धी निर्णय

शासनादेश दिनांक 3.6.1989 के अन्तर्गत अर्ह राजकीय वाहन चालकों को दिनांक 1.7.1988 अथवा इसके बाद किन्तु दिनांक 1.4.1991 से पूर्व वैयक्तिक प्रोन्नति वेतनमान देने हेतु अगला वेतनमान रु 975-1600 का अनुमान्य किया जाए और दिनांक 1.4.1991 से रु 1200-30-1440- ₹ ₹0-30-1800 का वेतनमान अगला प्रोन्नति वेतनमान के रूप में अनुमान्य किया जाये।

यह भी निर्णय लिया गया है कि जहां पर वैयक्तिक प्रोन्नति वेतनमान के रूप में किसी भी पद धारक को दिनांक 1.4.1991 के पूर्व रु 975-1660 का वेतनमान दिया गया होगा उस का दिनांक 1.4.1991 को परिवर्तित वेतनमान रु 1200-1800 में वेतन निर्धारण सामान्य नियमों के अन्तर्गत निर्धारित होगा अर्थात् यदि वह स्तर रु 1200-1800 के वेतनमान में उपलब्ध हो तो उसी स्तर पर निर्धारित होगा और यदि वह स्तर उपलब्ध नहीं है तो नीचे के स्तर पर निर्धारित होगा और अन्तर के बराबर की धनराशि वैयक्तिक वेतन के रूप में दी जायेगी जिसका समायोजन अगली वेतन वृद्धियों में किया जाएगा।

(viii) Grant of Special pay to cashier, Treasurer, etc.

C.L. No. 25/Admn. (D) dated 16th June, 1995

Concerning grant of special pay of Rs. 70/- per month to Cashier Treasurer, Storekeeper working in the Judgeships of the District.

I am directed to say that the Court has been pleased to decline the request of the Cashier, Treasurer and Store-keeper working in the judgeships of the Districts for payment of special pay of Rs. 70/- P.M. for doing additional duty.

(ix) Revised pay Scale of Stenographers

C.L. No. 41/Ve-75/Admn.(D) dated 12th October, 1995

Regarding sanction of revised pay scale of stenographers in the subordinate courts.

I am directed to enclose herewith a copy of the G.O. No. 282/Sat- Nyaya-2-47G/91, dated 9.3.1995, on the above subject, and to ask you kindly to grant the revised pay scale of Rs. 1640-2900 to the stenographers attached to the Officers carrying the pay scale of Rs. 4500-5700 and less than Rs. 5900-6700 in between 1.1.1986 and 31.3.1989 in accordance with the directions contained in the above noted G.O. No. i.e. according to strict seniority.

C.L.No. 30/Ve-75/ Admn. (D) section: Dated 1st October, 2005

Grant of revised pay-scale to the Stenographer Grade II of the Civil Courts in the State of Uttar Pradesh.

I am directed to enclose herewith a copy of the G.O. No. 2468/Sat-Nyaya-2-05-33-Writ/92, dated 5.9.2005 on the above subject that has been issued in accomplishment of the directions in Writ Petition No. 560 (S/S) of 1992 Civil Courts Employees Association Vs. State of U.P. and others, for information and implementation.

(ix-a) Pay scale of stenographer of fast track courts

C.L. No. 45/Ve-4/Admin. (D) Sec: Dated: Alld. 24.10.2007

It has come to the notice of Hon'ble Court that in several Judgeships, the Stenographers appointed in Fast Track Court are being given the pay scale of Rs. 4500-7000 instead of the admissible pay scale of Rs. 4000-6000. Upon consideration, the Hon'ble Court has been pleased to direct that the Stenographers appointed on posts in the Fast Track Courts are entitled to the pay scale of Rs. 4000-6000 in pursuance of the G.O. No. 1695/VII-Nyaya-9 (Budget)-2001-827/98, dated 6.8.2001.

I am, therefore, directed to intimate you if any stenographer has drawn/is drawing salary in higher scale, the excess amount drawn by him will be adjusted. The current salary as per entitlement in terms of G.O. dated 6.8.2001 be started to be paid w.e.f. the salary of the month of October, 2007 to be paid in November, 2007.

Providing of pay scale of Rs. 5200-20200+1800 to the Class IV Employees under G.O. Dated 8.9.2010

Letter No. 20486/Admin. 'D' dated 23.12.2010

I have been directed to ask you to give benefit of Government Order No. Ve. Aa. 2052/Ten-59(M)/2008, dated 08.09.2010, providing pay scale of Rs. 5200-20200+1800 to all Class IV Employees of your Judgeship.

(x) Pay Fixation

C.L.No. 18/Ve-75/ Admn. (D) section: Dated 21st May, 1998

Fixation of pay in the pay scales recommended by the Vth Pay Commission.

I am directed to send herewith a copy each of the G.O. No. P.Ma-Ni-356/Das-20(M)/ dated 23-12-1997, G.O. No. P. Ma-Ni-357/Das- 20 (M) dated 31.12.1997, G.O. V.Aa-l-75l/Das-42(M)/97,dated 23.12.1997 and G.O. P.Ma-Ni-352/Das-20 (M)/97 dated 22. 12. 1997 on the above subject, and to request you kindly to comply the above Government Order in toto and no fresh instruction from the High Court is required.

[16] PENSION

(i) Submission of papers

G.L. No. 5 dated 27th August, 1908

Pension cases of non-gazetted Officers of subordinate courts may be sent by District Judges direct to the Accountant General, Uttar Pradesh and not through the High Court for verification and report.

C.E. No. 25/Ve-91 dated 9th February, 1971

The District Judges should ensure that the certificate of payment of provisional pension and Death-cum-Retirement Gratuity is recorded on each and every pension case and then only the cases be submitted to the Accountant General and delay in authorising final payment of pension and Death-cum- Retirement Gratuity should be avoided.

C.L. No. 60/IVf-67 dated 3rd May, 1971

District Judges should ensure that a list of such gazetted and non-gazetted government servants as are due to retire during the next 12 to 18 months, is prepared in the prescribed proforma after every six months, i.e., January 1, and July 1, and sent by January 31, and July 31, respectively, a copy each to A.G., U.P., Allahabad and Government of U.P. under intimation to the Court as provided in paragraph 905(3) of the Civil Service Regulation.

NOTE: G.O. No. Sa-3-786/Ten-1988 dated 26th May, 1988 and G.O. No. Sa-3-893/Ten-88-912-85 dated 2nd June, 1988, now require such communications to be addressed to the Director, Pension Directorate, U.P. established to deal with the pension cases.

C.E. No. 33/Ve-91 dated 20th July, 1967

Instructions contained in G.O. No. FD/SAO/PI/5235/X-P-63, dated December 16/18, 1963 regarding submission of quarterly statement of pension cases should be meticulously followed. In future the statement should be submitted as under :

- | | | | |
|----|-------------------------------|-----|---------------------------|
| 1. | Quarter ending 31st March | ... | 15th May |
| 2. | Quarter ending 30th June | ... | 15th August |
| 3. | Quarter ending 30th September | ... | 15 th November |
| 4. | Quarter ending 31st December | ... | 15th February |

It is the responsibility of Head of Department to ensure that the return in the prescribed proforma reaches the Finance Department (Pensions) on the due dates fixed. Defaulting subordinate officers should be dealt with suitably. The information in the proforma should be thoroughly scrutinized and fresh additions of old cases in subsequent returns should be avoided.

C.L. No. 91/Ve-91 dated 7th September, 1978

The Court feels that at least one of the pensionary benefits must be made available to the retired government servants within 24 hours of his retirement while other benefits should also be made available within a week or ten days thereafter.

The Court will view with appreciation if the rules and directions on the subject are observed meticulously and claims are settled without delay and at least one of the pensionary benefits is made available within 24 hours of retirement of the government servant concerned. At the same time any inordinate delay will be viewed with great concern.

A statement of cases which have not been settled within a month of retirement or death of a government servant, with reason for the delay, should be prepared and submitted to the court positively upto the 15th of the subsequent month.

C.L. No. 23/Ve-86/Admn. (D) dated 7th April, 1983

In order to obtain sanction for commutation of pension of an employee of the civil court it is necessary to look into the particulars mentioned in the pension payment order of the official who applies for commutation of his superannuation pension.

In future a certified/attested copy of the P.P.O. may be obtained from the pensioner and sent invariably with all the applications for commutation of pension, which are forwarded to the Court for sanction of commutation.

(ii) Pension cases to be expedited

C.E. No. 77/Ve-91 dated 29th July, 1972 and

C.E. No. 86/IVb-57 dated 9th August, 1972

Pension cases of government servants should be finalized as early as possible to avoid inconvenience to them.

C.L. No. 46/VC-86/Admn.(D) dated 27th August, 1992

Expeditious Disposal of pension cases of the staff of subordinate court in accordance with the procedure contained in G.O. dated 13.12.77 and 28.7.89.

I am directed to enclose herewith a copy of D.O. Letter No. Pay Ni/102/80, dated 21.4.1992 addressed to the Registrar received from the Pension Directorate Lucknow along with a copy of judgment in Writ Petition No. 10134/91;* Mukti Nath Rai v. State of Uttar Pradesh issuing mandamus to all the Heads of the Departments for compliance of the General Mandamus, on the above subject and to request you kindly to submit all the pending pension papers to the Director Pension, Lucknow without any delay and ensure that in future also all the pension papers of the employees working under your Judgeship retiring within six months of the date of superannuation be sent to the Directorate Pension, Lucknow well in advance in accordance with the procedure contained in G.O. No. Sa-3-2085/X-907/76, dated 13.12.77 and subsequent G.O. No. Sa-3-1713/X-933/89, dated 28.7.1989 and also mandamus issued in Writ Petition referred to above.

I am further directed to request you kindly to intimate the Court as well as to the Directorate Pension, Lucknow immediately about the cause of delay in submitting the pension papers of the persons named in the enclosed list.

अ.शा.प.सं. पे.नि./102/92/80, दिनांक 21 अप्रैल, 1992

जैसा कि आप अवगत हैं कि शासनादेश संख्या सा-3-2085/दस/907/76 दिनांक 13/12/77 द्वारा पेंशन के मामले को अन्तिम रूप देने में होने वाले विलम्ब को दूर करने के उद्देश्य से जारी किया गया था। पुनः शासनादेश संख्या सा-3-1713/दस-933/89 दिनांक 20.7.89 द्वारा पेंशन नियमों/प्रक्रियाओं में काफी सरलीकरण किया गया है। उपरोक्त शासनादेश में पुनः यह दोहराया गया है कि सेवानिवृत्त होने वाले सरकारी सेवकों के पेंशन प्रपत्र 6 माह पूर्व पेंशन स्वीकृत कर्ता अधिकारी के पास भेज दिये जायें ताकि सेवानिवृत्त होने वाले सेवकों को पेंशन का भुगतान सेवानिवृत्त के बाद पहली तारीख को कर दिया जाय। इस 6 माह की अवधि में पेंशन निदेशालय स्तर पर पेंशन प्रपत्र, सेवा अभिलेखों के परीक्षण के अनन्तर पायी गयी कमियों का निराकरण तथा नियम संबंधी औपचारिकताओं को पूर्ण कराया जाता है।

* For perusal of Judgment See Mukti Nath Rai v. State of U.P.; 1993 All. L.J. 835

उपरोक्त सरलीकरण के बावजूद भी यह देखने में आया है कि विभिन्न जिला एवं सत्र न्यायाधीशों के कार्यालय से पेन्शन प्रपत्र सेवानिवृत्ति के बाद विलम्ब से पेन्शन निदेशालय को प्रेषित किये जाते हैं। फलस्वरूप इस निदेशालय को परीक्षण आदि के लिए पर्याप्त समय नहीं मिल पाता है और पेन्शनर को समय से नैवृत्तिक लाभ न स्वीकृत होने से उसकी समस्याएँ बढ़ती हैं जिनके निराकरण में शासन का आवश्यक समय तथा धन खर्च करना पड़ता है। विलम्ब से प्रेषित किये गये प्रकरणों को दृष्टान्त के रूप में एक सूची संलग्न कर रहा हूँ।

संदर्भित शासनादेशों में यह भी व्यवस्था की गयी है कि यदि किन्हीं कारणवश पेन्शन प्रपत्रों के प्रेषण में विलम्ब हो तो अनन्तिम/उपादान स्वीकृत कर दिया जाय। अनन्तिम पेन्शन स्वीकृत करना अनिवार्य है वैकल्पिक नहीं हैं। मृतक के मामलों में भी अनन्तिम पारिवारिक पेन्शन/उपादान स्वीकृत करने की व्यवस्था है। मैं शासनादेश दिनांक 28.7.89 की एक प्रति संलग्न कर रहा हूँ।

मैं आपका ध्यान माननीय उच्च न्यायालय के एक निर्णय जो “पायनियर” में दिनांक 6.3.92 को प्रकाशित हुआ था (सुलभ संदर्भ हेतु फोटो प्रति संलग्न है) की ओर आकर्षित करना चाहूँगा कि जिसमें माननीय न्यायमूर्ति श्री मारकण्डे काटजू ने पेन्शन प्रकरणों को शीघ्र निस्तारित करने के लिए प्रदेश के सभी विभागों को एक सामान्य निर्देश (जनरल मैनडमस) जारी किया है।

माननीय उच्च न्यायालय द्वारा अभी तक श्री एल.एन. राय सेवानिवृत्त जिला एवं सत्र न्यायाधीश मैनपुरी एवं श्री पी.के. दीक्षित सेवानिवृत्त सदस्य लोक सेवा अधिकरण के पक्ष में अदेयता प्रमाण न जारी करने के कारण दोनों ही मामलों में लगभग एक लाख रुपये का उपादान की धनराशि का प्राधिकार पत्र अभी तक निदेशालय द्वारा जारी नहीं किया जा सका है। जबकि श्री राय एवं श्री दीक्षित क्रमशः 31.1.90 एवं 30.6.91 को सेवानिवृत्त हो चुके हैं।

मैं आपसे अनुरोध करना चाहूँगा कि आप कृपया मेरे अ.शा. पत्र को न्यायमूर्ति मुख्य न्यायाधीश की जानकारी में लाते हुए प्रदेश के समस्त जिला एवं सत्र न्यायाधीशों को यह निर्देश देने की कृपा करें कि पेन्शन प्रकरणों को सेवानिवृत्ति के 6 माह पूर्व भेजने की व्यवस्था तथा मृतक के मामले में भी पेन्शन प्रपत्र इस निदेशालय को अविलम्ब प्रेषित करने की कार्यवाही करें।

(iii) Sanction of Pension to Class iv Employees

C.L. No. 59/Ve-91/Admn.(D) dated 13th July, 1994

Providing facility of sanctioning pension to class IV employees at district level under the decentralization scheme.

I am directed to enclose herewith a copy of Government Order No. Sa-3-297/X-913-92, dated 26.5.1993 with its enclosures and to ask you kindly to make full compliance of the directions contained in the above Government orders.

पेंशन स्वीकृति प्रक्रिया को विकेंद्रित कर चतुर्थ श्रेणी कर्मचारियों को जिला स्तर पर पेंशन स्वीकृत किए जाने की सुविधा दिया जाना।

शासनादेश संख्या सा.3-297/X-913-92, दिनांक 26 मई, 1993

उपरोक्त विषय पर मुझे यह कहने का निदेश हुआ है कि महालेखाकार कार्यालय, इलाहाबाद के स्तर से पेंशन प्राधिकार-पत्र तथा पेंशन सम्बन्धी अन्य देयों जैसे ग्रेज्युटी, पेंशन के राशिकरण आदि का प्राधिकार-पत्र निर्गत करने में आ रही कठिनाईयों के परिपेक्ष्य में शासन द्वारा निर्णय लिया गया है कि उपरोक्त प्राधिकार-पत्रों को निर्गत करने की कार्यवाही का विकेंद्रीकरण किया जाए। उक्त निर्णय के फलस्वरूप वर्तमान में अब यह कार्य महालेखाकार कार्यालय के बजाय राज्य सरकार के 15 विभागों के मुख्य लेखाधिकारियों द्वारा किया जाता है। उक्त 15 विभागों के अतिरिक्त शेष बचे हुए विभागों/कार्यालयों के कर्मचारियों/अधिकारियों के पेंशन प्रकरणों का निस्तारण पेंशन निदेशालय, उ.प्र. द्वारा किया जाता है।

2. पेंशन सम्बन्धी कार्य के निस्तारण के अधिकार के विकेंद्रीकरण की नीति के अधीन राज्यपाल महोदय ने यह आदेश प्रदान किए हैं कि राज्य सरकार के चतुर्थ श्रेणी कर्मचारियों (उत्तर प्रदेश सचिवालय विधान सभा सचिवालय, विधान

परिषद सचिवालय तथा राज्यपाल सचिवालय को छोड़कर) के सेवा नैवृत्तिक लाभों एवं उनके परिवार को पारिवारिक पेंशन स्वीकृत किए जाने का कार्य पेंशन निदेशक/मुख्य लेखाधिकारियों से लेकर कार्यालयाध्यक्षों को प्रतिनिधानित कर दिया जाय।

कार्यालयाध्यक्षों द्वारा चतुर्थ श्रेणी कर्मचारियों के सेवा नैवृत्तिक लाभों का निस्तारण करने के लिए निम्नलिखित प्रक्रिया का अनुपालन किया जाएगा :

- (1) सम्बन्धित कर्मचारी की पेंशन का प्रथम आहरण उसी कोशागार से करेंगे जहां पर उनका कार्यालय स्थित है।
- (2) इस प्रणाली के अन्तर्गत सम्बन्धित सक्षम अधिकारी द्वारा पेंशन सम्बन्धित सभी मामलों का निस्तारण किया जाएगा, जैसे पेंशन स्वीकृति, ग्रेच्युटी की स्वीकृति, पारिवारिक पेंशन की स्वीकृति तथा पेंशन के राशिकरण की स्वीकृति आदि।
- (3) बीमा योजना के अन्तर्गत मिलने वाली धनराशि भविष्य निर्वाह के अन्तर्गत मिलने वाली धनराशि तथा सेवा निवृत्ति के समय अवशेष उपार्जित अवकाश के नकदीकरण से सम्बन्धित मामले इस योजना से आच्छादित नहीं होंगे। उनके सम्बन्ध में विभिन्न शासनादेशों के अन्तर्गत जो प्रक्रिया निर्धारित है वही यथावत लागू समझी जायेगी।
- (4) कार्यालयाध्यक्ष केवल जिले में ही आहरित की जाने वाली पेंशन स्वीकृत करने के लिए सक्षम होंगे।
- (5) सेवा निवृत्ति के समय तैनाती के जनपद के अतिरिक्त के जनपद से पेंशन आहरण व्यवस्था या तो सेवा निवृत्ति के जनपद से प्रथम आहरण के बाद स्थानान्तरण द्वारा अथवा पूर्ववत् पेंशन निदेशक/मुख्य लेखाधिकारी द्वारा जारी स्वीकृति पर ही किया जायेगा।
- (6) कार्यालयाध्यक्षों द्वारा जारी किए जाने वाले भुगतानादेशों की प्रति सम्बन्धित मुख्य लेखाधिकारी/निदेशक पेंशन, जैसी स्थिति हो को भी पृष्ठांकित की जाएगी जो इस मामलों की जाँच करके प्रत्येक तिमाही में अनापत्ति जारी कर देंगे और तब तक अर्थात् तीन माह की अवधि तक कार्यालयाध्यक्षों द्वारा उपरोक्तानुसार जारी भुगतानादेश अनन्तिम माने जायेंगे और कोई त्रुटि पाए जाने पर उनमें सुधार करके पुनरीक्षित भुगतानादेश जारी कर दिया जाएगा। यदि मुख्य लेखाधिकारी/निदेशक, पेंशन को प्रकरण भेजने की तिथि से तीन माह की अवधि में यथास्थिति मुख्य लेखाधिकारी/निदेशक, पेंशन से कोई आपत्ति अथवा अनापत्ति प्राप्त नहीं होती है, तो कार्यालयाध्यक्ष द्वारा निर्गत भुगतानादेश स्वतः अन्तिम माना जाएगा। मुख्य लेखाधिकारी/निदेशक पेंशन का यह दायित्व होगा कि कार्यालयाध्यक्षों के पेंशन सम्बन्धी कार्य का नियमित निरीक्षण करें तथा वांछित पर्यवेक्षक प्रदान करें।
- (7) विकेन्द्रीकरण को उपरोक्त प्रक्रिया के अधीन आपके विभाग में सेवा निवृत्त होने वाले अथवा मृत चतुर्थ श्रेणी कर्मचारी के मामले तुरन्त रूप से निस्तारित किये जाएं।
- (8) इस प्रणाली के अन्तर्गत पेंशन प्रपत्रों को तैयार करने का कार्य उस प्रक्रिया तथा समय सारिणी के अनुसार किया जाएगा जैसी वित्त विभाग द्वारा निर्गत शासनादेश संख्या सा-3-1713/दस-89-933-89, दिनांक 28 जुलाई, 1989 में निर्धारित है। केवल अन्तर इतना ही होगा कि सम्बन्धित अधिकारी द्वारा वांछित पेंशन प्रपत्र अब यदि सम्बन्धित कर्मचारी द्वारा अपनी पेंशन लेने का विकल्प उसी जनपद के कोशागार से लेने को देता है, तो कार्यालयाध्यक्ष को भेजे जायेंगे तथा यदि किसी अन्य जनपद से लेने का विकल्प देता है, तो पूर्व की भाँति विभागाध्यक्ष से संबद्ध मुख्य लेखाधिकारी को अथवा निदेशक, पेंशन निदेशालय उ.प्र. को जैसी भी स्थिति हो, को भेजे जायेंगे। प्रत्येक दशा में यह सुनिश्चित किया जाय कि ग्रेच्युटी एवं राशिकरण की धनराशि का भुगतान सम्बन्धित पेंशनर को उसकी सेवा निवृत्ति के बाद के माह की पहली तारीख को प्राप्त हो जाए तथा पेंशन का भुगतान सेवा निवृत्ति के दिनांक के एक माह के बाद की पहली तारीख को हो जाए।
- (9) इस प्रणाली को नियमित रूप से चलाने के हेतु पेंशन तथा अन्य प्राधिकार-पत्रों की प्रतियां निदेशक, पेंशन निदेशालय, उ.प्र. लखनऊ से प्राप्त की जाएगी। अतएव सम्बन्धित विभाग अपनी

आवश्यकतानुसार अपना मांग-पत्र निदेशक, पेंशन निदेशालय उ.प्र. लखनऊ को समय से पूर्व भेजने का कष्ट करें।

(10) प्रत्येक कार्यालयाध्यक्ष अपने अधीनस्थ कार्यालयों से प्रति वर्ष पहली जनवरी तथा पहली जुलाई को ऐसे व्यक्तियों की एक छमाही सूची प्राप्त करेंगे जो अगले 24 माह तक सेवानिवृत्त होने वाले हों। उपरोक्त सूचना के रख-रखाव के लिए संलग्न प्रपत्र (फार्म-1) पर एक रजिस्टर में अंकित कर लें। यह रजिस्टर मास्टर रजिस्टर के रूप में उपयोग में लाया जाएगा तथा पेंशन प्रपत्रों की प्राप्ति तथा निर्गमन सम्बन्धी सूचना इस रजिस्टर में दर्ज की जाएगी। जो पेंशन प्रपत्र प्राप्त होंगे उन्हें उपरोक्त रजिस्टर के अतिरिक्त एक अन्य रजिस्टर (फार्म-2) में दर्ज किया जाएगा। यह रजिस्टर पेंशन चेक रजिस्टर कहलाएगा और स्वीकृति सम्बन्धी पूर्ण सूचना का मुख्य रजिस्टर को भविष्य में सन्दर्भ हेतु तथा समय-समय पर होने वाले पेंशनरों के पुनरीक्षण हेतु उपयोग में लाया जाएगा। पेंशन प्राधिकार-पत्रों पर भी रजिस्टर के नम्बर का सन्दर्भ होगा और यही सन्दर्भ सम्बन्धित पेंशनर के सम्बन्ध में भविष्य में उपयोग में लाया जायगा। विभिन्न कार्यालयाध्यक्ष पेंशन प्राधिकार-पत्रों पर नम्बर देने से पूर्व अपने विभाग का संक्षिप्त नाम जैसे सिंचाई विभाग “सिंचाई” राजस्व विभाग “राजस्व” अंकित करेंगे।

(11) कार्यालयाध्यक्ष द्वारा पेंशन प्राधिकार-पत्र निर्गत किए जाने पर कोषाधिकारी स्तर पर उन्हें एक रजिस्टर जो वित्त हस्त पुस्तिका भाग-पांच-खण्ड-दो के फार्म ए.51 (प्रारूप संलग्न) में निर्धारित हैं में रख-रखाव सुनिश्चित किया जाएगा। कोषाधिकारी इसी रजिस्टर के क्रमांक को पेंशन प्राधिकार-पत्र (दोनों प्रतियों) पर दर्ज करेंगे और कोषाधिकारी के कार्यालय में डिस्बर्सहाफ को ढूँढने में उसका उपयोग करेंगे।

(3) पेंशन प्रपत्र प्राप्त होने पर कार्यालयाध्यक्ष कार्यालय में निम्न कार्यवाही अपेक्षित होगी :-

- (1) वे यह सुनिश्चित करेंगे कि सभी पेंशन प्रपत्र हर प्रकार से पूर्ण हैं।
- (2) सेवा पुस्तिका में सेवा सम्बन्धी सभी प्रविष्टियां पूर्ण हैं, तथा वे उचित स्तर से प्रमाणित की गई हैं। यदि सेवा पुस्तिका में कुछ अवधि/अवधियां सत्यापित न हो तो सम्बन्धित सरकारी सेवक से, शासनादेश संख्या सा-3-1998/ दस-932-80 दिनांक 16 जनवरी, 1981 के प्रस्तर-3 में उल्लिखित प्रक्रिया के अनुसार एक शपथ-पत्र प्राप्त कर उस भाग को पेंशन के प्रयोजन हेतु अर्ह सेवा मान लेंगे।
- (3) यदि अभिलेख पूर्ण है तो वे निर्धारित प्रपत्र पर संबंधित सरकारी सेवकों की सेवानिवृत्ति की तिथि से ठीक 10 माह पूर्व का औसत वेतन आगणित करेंगे और सेवा-पुस्तिका की सहायता से उसकी अर्हकारी सेवा आगणित करेंगे। इन आँकड़ों के आधार पर पेंशन विनियमन इन शासनादेशों में उल्लिखित प्रक्रिया और दरों पर पेंशन कर आगणन करके पेंशन प्राधिकार पत्र निर्गत करेंगे।
- (4) इसी प्रकार के पेंशन नियमों एवं शासनादेशों में उल्लिखित प्रक्रिया और दरों पर मृत्यु एवं सेवा नैवृत्तिक ग्रेच्युटी तथा पेंशन राशिकरण की धनराशि का आगणन करेंगे और निर्धारित प्रपत्र पर प्राधिकार-पत्र निर्गत करेंगे।
- (5) पेंशन तथा अन्य प्राधिकार पत्रों को निर्गत करते समय यह सुनिश्चित करना होगा कि उक्त पत्रों पर निर्धारित सभी सूचना सही-सही भर दी गई है जिससे सम्बन्धित कोषाधिकारी को उसका भुगतान करने में कठिनाई न हो।
- (6) यदि किसी कारणवश सेवानिवृत्ति के दिनांक के एक माह पूर्व किसी व्यक्ति की पेंशन अथवा मृत्यु एवं सेवानिवृत्ति ग्रेच्युटी के सम्बन्ध में प्राधिकार पत्र निर्गत किया जाना सम्भव न हो पाए तो सम्बन्धित कार्यालयाध्यक्ष का यह दायित्व होगा कि वे शासनादेश संख्या सा-3-2085/ दस-907-76 दिनांक 13 दिसम्बर 1977 एवं सा-3-1797/ दस-921-84 दिनांक 13 फरवरी 1985 में उल्लिखित प्रक्रिया के अनुसार सम्बन्धित व्यक्ति को अनन्तिम पेंशन एवं ग्रेच्युटी स्वीकृत कर दें एवं शासनादेश संख्या सा-3-2921/दस-म.ले.-7-78, दिनांक 27 जनवरी, 1979 के अन्तर्गत निर्धारित परिशिष्ट

पर आवश्यक सूचना सम्बन्धित मुख्य लेखाधिकारी/निदेशक, पेंशन निदेशालय, को प्रेषित कर दें और उसका आहरण पेंशन के मामले में सेवानिवृत्ति ग्रेच्युटी की धनराशि का सेवानिवृत्ति के एक माह से अगले माह की पहली तिथि को ही कर दें।

(7) अपने विभाग के “चतुर्थ” श्रेणी कर्मचारियों के सेवानिवृत्तिक लाभों के निस्तारण के लिए कार्यालयाध्यक्ष अन्तिम रूप से जिम्मेदार होंगे। यदि सम्बन्धित कर्मचारी और कार्यालयाध्यक्ष के मध्य किसी बिन्दु पर विवाद है तो कार्यालयाध्यक्ष उक्त विवादित बिन्दु को मुख्य लेखाधिकारी/निदेशक पेंशन, जैसी भी स्थिति हो, को सन्दर्भित करके आवश्यक निर्णय/निर्देश प्राप्त करेंगे।

(8) भारत के संविधान के अनुच्छेद 283(2) के अन्तर्गत श्री राज्यपाल द्वारा बनाए गए ट्रेजरी रूल्स में यह प्राविधान है कि कोषाधिकारी सामान्य प्राकर से भुगतान करने हेतु अधिकृत नहीं है जब तक कि ऐसा भुगतान नियमों के अन्तर्गत किया जाना अपेक्षित न हो अथवा उसके लिए महालेखाकार के प्राधिकार पत्र उपलब्ध हो, ट्रेजरी रूल्स 22 में यह प्राविधान है कि सरकारी सेवकों को मिलने वाली पेंशन की दरें महालेखाकार द्वारा कोषाधिकारी को सूचित की जायेगी। कालान्तर में पेंशन स्वीकृति की विकेन्द्रीकरण योजना के अन्तर्गत महालेखाकार के प्रश्नगत अधिकार पेंशन निदेशक सम्बन्धित विभागों के मुख्य लेखाधिकारियों एवं कतिपय अन्य अधिकारियों को सम्बन्धित शासनादेशों द्वारा प्रतिनिधानित किए गये हैं। उपरोक्त योजना को लागू करने हेतु सम्बन्धित ट्रेजरी रूल्स में संशोधन किया जा रहा है, परन्तु इसमें कुछ समय लगने की सम्भावना है।

अतः यह निर्णय लिया गया है कि सम्बन्धित नियमों के संशोधन के औपचारिक आदेश निर्गत होने के पूर्व इस शासनादेश के निर्गत होने की तिथि में उन्हें संशोधित माना जाएगा और सम्बन्धित कोषाधिकारी सम्बन्धित कार्यालयाध्यक्षों द्वारा जारी किए गए भुगतान प्राधिकार पत्रों पर भुगतान करने के लिए अधिकृत समझे जायेंगे।

(4) समस्त कार्यालयाध्यक्षों से यह अपेक्षा की जाती है कि वे इस बीच सभी पेंशन नियमों तथा शासनादेशों का अध्ययन कर लें जिससे पेंशन प्राधिकार पत्र निर्गत करने में कठिनाई न हो।

(5) अतः अनुरोध है कि आप उपरोक्त प्रणाली का भली प्राकर सावधानी से अध्ययन कर लें और उसे अपने विभाग में तुरन्त रूप से लागू करने की कृपा करें।

क्र० सं०	मास्टर इण्डेक्स रजिस्टर का क्रय संख्या एवं दिनोंक	सरकारी सेवक का नाम/पिता/पति का नाम व वर्तमान पता तथा सेवा निवृत्त के उपरान्त स्थायी पता	सरकारी सेवक					पत्र संख्या एवं दिनोंक जिसके साथ पेंशन प्रपत्र प्राप्त हुए	सेवा मे व्यवधान/व्यवधानों की अवधि यदि कोई हो और क्या अर्हकारी सेवा का आगणन करते समय उसके पूर्व की सेवा को सम्मिलित किया गया।
			की जन्म तिथि	की सेवा प्रारम्भ की तिथि	की सेवा निवृत्ति की तिथि	की मृत्यु की तिथि	का पद जिस पर स्थायी घोषित किया गया तथा स्थायीकरण का दिनोंक		
1	2	3	4	5	6	7	8	9	10

फार्म-2 (चेक रजिस्टर)

क्र० सं०	मास्टर इण्डेक्स रजिस्टर का क्रम संख्या एवं दिनोंक	सरकारी सेवक का नाम/पिता/ पति का नाम व वर्तमान पता तथा सेवा निवृत्त के उपरान्त स्थायी पता	सरकारी कर्मचारी के परिवार के दस सदस्यों के नाम/ जन्म तिथि पते यदि परिवार न हो तो विधिक उत्तराधिकारी/उत्तर धिकारियों के नाम, जन्म तिथि तथा पते	सरकारी सेवक					पत्र संख्या एवं दिनोंक जिसके साथ पेंशन प्रपत्र प्राप्त हुए	सेवा मे व्यवधान/ व्यवधानों की अवधि यदि कोई हो और क्या अर्हकारी सेवा का आगणन करते समय उसके पूर्व की सेवा को सम्मिलित किया गया।	सेवा की अन्य अवधियों जैसे निलम्बन की अवधि अथवा अन्य अनधिकृत अनपस्थितियों का विवरण तथा यदि वे विनियमित की जा चुकी हो तो उस अधिकारी का नाम पदनाम तथा पत्र संख्या एवं दिनोंक जिसके द्वारा उसे विनियमित किया गया। यदि विनियमित न किया गया हो तो उसका कारण और क्या अर्हकारी सेवा का आगणन करते समय उसे सेवा में सम्मिलित किया गया।
				की जन्म तिथि	की सेवा प्रारम्भ की तिथि	की सेवा निवृत्ति की तिथि	की मृत्यु की तिथि	का पद जिस पर स्थायी घोषित किया गया तथा स्थायीकरण का दिनोंक			
1	2	3	4	5	6	7	8	9	10	11	12

फार्म-2 (चेक रजिस्टर)

अर्हकारी सेवा की आगणन	सेवा निवृत्ति के दिनोंक 10 माह पूर्व तक के औसत वेतन का आगणन	पेंशन/पारिवारिक पेंशन की धनराशि का वास्तविक आगणन	ग्रेच्युटी की धनराशि का आगणन	राशिकरण की धनराशि का आगणन	पत्र/पत्रों की संख्या एवं दिनोंक जिसके/जिनके द्वारा पेंशन/पारिवारिक पेंशन/ग्रेच्युटी राशिकरण का प्राधिकार-पत्र भेजे गये	आहरण एवं वितरण अधिकारी तथा कोषाधिकारी का नाम जिसे ग्रेच्युटी/राशिकरण तथा पेंशन/पारिवारिक पेंशन के प्राधिकार-पत्र भेजे गए	हस्ताक्षर			विवरण	स्थान
							पेंशन लिपिक	सहायक लेखाधिकारी	मुख्य लेखाधिकारी		
13	14	15	16	17	18	19	20			21	

FORM NO. 51

(See Chapter 21, Para 511, F.H.B., Vol. V, Part II)

REGISTER OF PENSION PAYMENT ORDERS ON ...TREASURY

Number of Pension payment order	Name of Pensioner	Monthly amount		Remarks
		Rs.	P.	

FORM 3

(To be signed by the retired Government Servant)

This deed of indemnity is made on the.....day of.....19.....corresponding to Saka Samvat the day.....19..... by Sri.....s/o..... Resident of..... (Bounden) IN FAVOUR of the Governor.

WHEREAS :

1. The Bounden above named was in the service of the Government of Uttar Pradesh (called 'the Government') as,(designation) in.....(Name of office)
2. The Bounden above named has retired on
3. Government is willing to disburse death-cum-retirement gratuity and/or commuted value of pension to the Bounden on condition that the Bounden shall execute bond, being these presents, to indemnity and save harmless the Government from any loss which the Government may incur by reason of any moneys the Bounden may be paid in excess of those admissible to him under the Rules.

Now This Deed Witnesses:

1. In consideration of Government agreeing to pay death-cum-retirement gratuity or commuted value of pension to the Bounden, the Bowden hereby covenants with the Governor that the Bounden shall pay on demand to the Government all moneys that might have been paid to him in excess of those admissible to him under the Rules.
2. Any amount due under this deed may; on the intimation of the Chief Accounts Officer which shall be final, conclusive and binding on the Bounden, by recovered from him and in the event of default be recovered as arrears of land revenue.

In witness to the above written bond and the conditions thereof the Bounden has signed hereunder on the day and year first above written.

The stamp duty on this instrument will be borne by the Government.

Witness:

Signed by

1. Signature
Full Name.....
Address.....
2. Signature
Full Name.....
Address.....

Bounden

C.L. No. 18/Ve-75/Admn. (D) Section dated 21st May, 1998

Fixation of pay in the pay scale recommended by the Vth pay Commission.

I am directed to send herewith a copy each of the G.O. No.P. Ma-Ni-356/Das-20(M)/,dated 23-12-1997, G.C. No. P.Ma-Ni-357/Das-20(M), dated 31-12-1997, G.O.V.Aa-1-751/Das-42(M)/97, dated 23-12-1997, on the above subject, and to request you kindly to comply the above Government Order in toto and no fresh instruction from the High Court is required.

संख्या-प.मा.नि.-356 / दस-22 (एम)/97 लखनऊ:दिनांक 23 दिसम्बर,1997

विषय:-वित्त पद मापदण्ड विषय : वेतन समिति, उ.प्र. (1997) के प्रथम निर्धारण अनुभाग प्रतिवेदन की संस्तुतियों पर लिये गये निर्णयानुसार राजकीय कर्मचारियों को दिनांक 1-1-1996 से पुनरीक्षित वेतनमानों की स्वीकृति।

महोदय,

राज्य सरकार द्वारा प्रदेश के विभिन्न वर्गों के कर्मचारियों के लिये वेतन समिति का गठन संकल्प संख्या प. मा.नि -225/दस-97-5(एम) 97, दिनांक 9 अक्टूबर 1997 द्वारा किया गया उक्त समिति द्वारा अपना प्रथम प्रतिवेदन शासन को प्रस्तुत किया गया। उक्त प्रतिवेदन की संस्तुतियों को सम्यक् विचारोपरान्त कतिपय संशोधनों के साथ संकल्प संख्या.प.मा.नि.352/दस-20(एम)/97, दिनांक 22 दिसम्बर, 1997 द्वारा स्वीकार कर लिया गया है।

2- वेतन समिति के प्रथम प्रतिवेदन को स्वीकार किये जाने के फलस्वरूप राजकीय कर्मचारियों/अधिकारियों के वेतनमान दिनांक 1 जनवरी, 1996 से संलग्न तालिका के अनुसार पुनरीक्षित किये जाने की राज्यपाल महोदय सहर्ष स्वीकृति प्रदान करते हैं।

3- उक्त संलग्न तालिका के अनुसार पुनरीक्षित वेतनमान ऐसे पदधारकों को भी अनुमन्य होगा, जो राज्य सरकार द्वारा अपनाये गये समयमान वेतनमान के अन्तर्गत निर्धारित सेवा अवधि/शर्तों की पूर्ति पर वैयक्तिक रूप से प्रोन्नति के पद का वेतनमान अथवा उच्च वेतनमान दिनांक 1.1.1996 को प्राप्त कर रहे थे। यह सामान्य पुनरीक्षित वेतन मान ऐसे पदधारकों को वैयक्तिक रूप से मिलता रहेगा।

4- ऐसे पदधारक जिनको वर्तमान व्यवस्था के अधीन प्रोन्नति के पद का वेतनमान अथवा उच्च वेतनमान दिनांक 1.1.1996 के बाद पूर्व के वेतनमान में वैयक्तिक रूप से प्राप्त हुआ है, पुनरीक्षित वेतनमान में समयमान वेतनमान का लाभ वर्तमान व्यवस्था के आधार पर स्थगित रहेगा अर्थात् ऐसे पदधारकों को प्रोन्नति वेतनमान अथवा उच्च वेतनमान का सामान्य पुनरीक्षित वेतनमान अनुमन्य नहीं होगा। इसी प्रकार यदि पूर्व के वेतनमान में सेवा अवधि के आधार पर एक अतिरिक्त वेतनवृद्धि अथवा वृद्धिरोध वेतनवृद्धि दिनांक 1.1.1996 के बाद प्रदान की जा चुकी है तो उसके आधार पर दिनांक 1.1.1996 से पुनरीक्षित वेतनमान में लाभ देय नहीं होगा और यह स्थगित रहेगा। दिनांक 1.1.1996 के बाद उपरोक्त मामलों में निर्णय बाद में लिया जायेगा।

5- ऐसे संवर्ग/पदों, जिनके वेतनमान का उच्चीकरण/संशोधन दिनांक 1.1.1996 के बाद हुआ है, के पदधारकों को यह विकल्प होगा कि वे या तो दिनांक 1.1.1996 को विद्यमान वेतनमान का सामान्य पुनरीक्षित वेतनमान अथवा उच्चीकृत/संशोधित वेतनमान का सामान्य पुनरीक्षित वेतनमान उच्चीकरण/संशोधन के दिनांक से चुन लें।

6- वेतन समिति के प्रथम प्रतिवेदन की संस्तुतियां लागू होने के फलस्वरूप पुनरीक्षित वेतनमानों में वेतन निर्धारण तथा संशोधित दरों पर देय महंगाई भत्ता के आदेश अलग से प्रसारित किए जायेंगे।

7- न्यायिक सेवाओं के अधिकारियों के वेतनमानों का पुनरीक्षण प्रथम राष्ट्रीय न्यायिक वेतन आयोग के विचाराधीन के विचारधीन है। अतः उपर्युक्त पुनरीक्षित वेतनमान उत्तर प्रदेश न्यायिक सेवा/उच्चरतर न्यायिक सेवा के अधिकारियों पर लागू नहीं होंगे।

8- राजकीय प्राइमरी/जूनियर हाईस्कूल तथा हाईस्कूल/इण्टरमीडिएट कालेजों सहित समस्त शिक्षण संस्थाओं के शिक्षकों एवं शिक्षणेत्तर कर्मचारियों, स्नातक/स्नातकोत्तर महाविद्यालयों/विश्वविद्यालयों, विभिन्न इंजीनियरिंग कालेजों तथा कृषि विश्वविद्यालयों के शिक्षणेत्तर कर्मचारियों, कार्य-प्राभारित कर्मचारियों, स्वशासी संस्थाओं के कर्मचारियों/अधिकारियों, प्राविधिक शिक्षण संस्थाओं के शिक्षक एवं शिक्षणेत्तर कर्मचारियों के सम्बन्ध में तथा कुछ विभाग ऐसे हैं, जहां पर उन्होंने अपने विद्यालय खोल रखे हैं और उनमें शिक्षक नियुक्त हैं, ऐसे विद्यालयों में भी शिक्षक एवं शिक्षणेत्तर कर्मचारियों पर उक्त सामान्य पुनरीक्षित वेतनमान लागू नहीं होंगे।

9- उपर्युक्त पुनरीक्षित वेतनमानों के लागू होने के फलस्वरूप निर्धारित वेतन तथा संशोधित दरों पर महंगाई भत्ता के अतिरिक्त अन्य लाभ यथा विशेष वेतन/वैयक्तिक वेतन, अन्य भत्ते आदि की धनराशि में (दिनांक 1.1.1996 से 30.9.1997 तक की अवधि में) कोई परिवर्तन नहीं होगा। दिनांक 1.10.1997 से आगे की अवधि में इनकी धनराशि दिनांक 1.10.1997 को देय धनराशि ही रहेगी। परन्तु यदि किसी मामले में स्थिति दिनांक 1.10.1997 से 1.12.1997 तक परिवर्तित होती है तो ऐसे मामले में दिनांक 1.12.1997 की स्थिति के अनुसार अनुमन्य धनराशि देय होगी।

10- इस शासनादेश द्वारा केवल राजकीय कर्मचारियों/अधिकारियों के वेतनमान उपरोक्त प्रस्तारों के अधीन संलग्न तालिका के अनुसार पुनरीक्षित माने जायेंगे और इनके लिए शासन के विभिन्न विभागों द्वारा अलग से आदेश निर्गत करने की आवश्यकता नहीं होगी।

शासनादेश संख्या-प.मा.नि.-356/दस-22 (एम)/97, दिनांक 23 दिसम्बर 1997 का संलग्नक।

क्रम - संख्या	वर्तमान वेतनमान (दिनांक 1.1.1996 से पूर्व)	पुनरीक्षित वेतनमान (दिनांक 1.1.1996 से प्रभावी)
1	2	3
1-	750-12-870-₹0 ₹0-14-940	2550-55-2660-60-3200
2-	775-12-871-₹0 ₹0-14-1025	2610-60-3150-65-3540
3-	800-15-1010-₹0 ₹0-20-1150	2650-65-3300-70-4000
4-	825-15-900-₹0 ₹0-20-1200	2750-70-3800-75-4400
5-	950-20-1150-₹0 ₹0-25-1400	3050-75-3950-80-4590
6-	950-20-1150-₹0 ₹0-25-1500	
7-	925-25-1150-₹0 ₹0-30-1540	3200-85-4900
8-	925-25-1150-₹0 ₹0-30-1660	
9-	1200-30-1440-₹0 ₹0-30-1800	
10-	1200-30-1560-₹0 ₹0-40-2040	4000-100-6000
11-	1320-30-1560-₹0 ₹0-40-2040	
12-	1350-30-1440-40-1800-₹0 ₹0-50-2200	4500-125-7000
13-	1400-40-1800-₹0 ₹0-50-2300	
14-	1400-40-1800-₹0 ₹0-50-2400	4500-125-7250

15-	1400-40-1600-50-2300-₹0 ₹0-60-2600	
16-	1600-50-2300-₹0 ₹0-60-2600	5000-150-8000
17-	1600-50-2300-₹0 ₹0-60-2600	

18-	1640-60-2600-₹0 ₹0-75-2900	5500-175-9000
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क्रम - संख्या	वर्तमान वेतनमान (दिनांक 1.1.1996 से पूर्व)	पुनरीक्षित वेतनमान (दिनांक 1.1.1996 से प्रभावी)
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1	2	3
19-	2000-60-2300-₹0 ₹0-75-3200	6500-200-10500
20-	2000-60-2300-₹0 ₹0-75-3200-100-3500	

21-	2375-75-3200-₹0 ₹0-100-3500	7450-225-11500
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22-	2200-75-2800-₹0 ₹0-100-4000	
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23-	2350-75-2800-₹0 ₹0-100-4000	8000-275-13500
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24-	2275-75-2800-₹0 ₹0-100-4100	
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25-	2350-75-2800-₹0 ₹0-100-4300	8550-275-14600
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26-	2350-75-2800-₹0 ₹0-100-4400	
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27-	3000-100-3500-125-4500	
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28-	3000-100-3500-125-4750	10000-325-15200
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29-	3000-100-3500-125-5000	
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30-	3200-100-3500-125-4875	10650-325-15850
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31-	3700-125-4700-150-5000	12000-375-16500
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32-	4100-125-4850-150-5300	14300-400-18300
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33-	4500-150-5700	
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34-	5100-150-5700	
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35-	5100-150-6150	16400-450-20000
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36-	5100-150-5700-200-6300	
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37-	5900-200-6700	18400-500-22400
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38-	7300-100-7600	22400-525-24500
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39-	₹0 8000 नियम वेतन	₹0 26000 नियम वेतन
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संख्या-प.मा.नि.-357/दस-21 (एम)/97 31 दिसम्बर, 1997

वित्त (पद मापदण्ड निर्धारण) अनुभाग लखनऊ : दिनांक 31 दिसम्बर, 1997

विषय : पुनरीक्षित वेतनमानों में वेतन निर्धारण।

महोदय,

मुझे वेतन समिति, उत्तर प्रदेश (1997) के प्रथम प्रतिवेदन पर निर्गत संकल्प संख्या प.मा. नि. -352/दस-20(एम)97, दिनांक 22 दिसम्बर, 1997 तथा शसनादेश संख्या-प.मा. नि.-356/दस-22(एम)/97, दिनांक 23 दिसम्बर, 1997 के द्वारा दिनांक 1 जनवरी, 1996 से लागू पुनरीक्षित वेतनमानों में वेतन निर्धारण से सम्बन्धित विस्तृत आदेश निम्नवत् जारी करने का निदेश हुआ है।

(1) प्रत्येक कर्मचारी, जो दिनांक 1 जनवरी, 1996 को राज्य सरकार की पूर्णकालिक सेवा में था, का वेतन निर्धारण इन आदेशों के अनुसार निर्धारित किया जायगा,

परन्तु कोई सरकारी कर्मचारी वर्तमान वेतनमान में उसकी अगली या किसी अनुवर्ती वेतन वृद्धि की तिथि तक, अथवा वह पद रिक्त करने या उस वेतनमान में वेतन आहरण करना छोड़ने तक वर्तमान वेतनमान में वेतन प्राप्त करने का विकल्प चुन सकता है।

स्पष्टीकरण-(1) वर्तमान वेतनमान चुनने के विकल्प की अनुमति केवल एक वर्तमान वेतनमान के मामले में होगी।

स्पष्टीकरण-(2) ऐसे संवर्ग/पदों के धारकों को जिनके वेतनमान का उच्चीकरण/संशोधन दिनांक 1.1.1996 के बाद हुआ है, यह विकल्प होगा कि वे या तो दिनांक 1.1.1996 को विद्यमान वेतनमान का सामान्य पुरनीक्षित वेतनमान अथवा उच्चीकरण/संशोधन के दिनांक से उच्चीकृत संशोधित वेतनमान का सामान्य पुनरीक्षित वेतनमान को चुन लें।

स्पष्टीकरण-(3) उपरोक्त विकल्प 1 जनवरी, 1996 को या उसके बाद नियुक्त किसी कर्मचारी के लिए लागू नहीं होगा, चाहे वह सरकारी सेवा में नया ही क्यों न आया हो अथवा प्रथम स्थानान्तरण या पदोन्नति पर क्यों न हो उसे केवल पुरनीक्षित वेतनमान में ही वेतन प्राप्त करने की अनुमति होगी।

स्पष्टीकरण-(4) जहां कोई सरकारी कर्मचारी अपने नियमित रूप से नियुक्त स्थानापन्न पद पर कार्यरत रहते हुए मूल नियम 23 अथवा किसी अन्य नियम के तहत अपने वर्तमान वेतनमान में ही बने रहने का विकल्प चुनता है तो उसका मूल वेतन वही माना जायगा जो वह स्थायी नियुक्ति के तौर पर रहते हुए प्राप्त करता अथवा स्थानापन्न पद पर रहते हुए अगर उसका वेतन स्थायी नियुक्ति के वेतन से अधिक हो जाय तो इन दोनों में से उच्चतर वेतन ही उसका मूल वेतन माना जायगा।

विकल्प का चयन (2) उपयुक्त प्रस्तर-1 (1) के अन्तर्गत सम्बन्धित कर्मचारियों को विकल्प का चयन लिखित रूप से संलग्नक “ख” पर उपलब्ध “विकल्प पत्र का प्रारूप” में देना होगा और यह विकल्प सम्बन्धित कर्मचारी के कार्यालयाध्यक्ष/विभागध्यक्ष/नियुक्ति प्राधिकारी/वेतन पर्ची जारी करने वाले अधिकारी, जो भी सम्बन्धित कर्मचारियों की सेवा पुस्तिका रखता हो, को इस शासनादेश के जारी होने की तिथि के 90 दिन के अन्दर पहुंचाना चाहिए।

(5) वैयक्तिक वेतन, जो वर्तमान व्यवस्था के अनुसार भविष्य की वेतन वृद्धियों में संविलीन नहीं किया जा सकता हो, अर्थात् जिन मामलों में वर्तमान आदेश के अनुसार उसे कम न किया जा सकता हो।

(6) अन्य कोई वैयक्तिक वेतन अथवा भत्ता।

(7) शासनदेश सं.-वे.आ.-1.744/दस-39 (एम)/93टी.सी., दिनांक 27 सितम्बर, 1996 द्वारा स्वीकृत तीसरी अंतरिम सहायता की धनराशि।

पुनरीक्षित वेतनमान में प्रारम्भिक वेतन का निर्धारण	4- किसी कर्मचारी का प्रारम्भिक वेतन उसके द्वारा दिये गये विकल्प अथवा उपर्युक्त प्रस्तर-1(4) के अन्तर्गत माने गये विकल्प के अनुसार दिनांक 1.1.1996 को उसके मूल/मौलिक पद (जिस पर उसका धारणाधिकार है) और स्थापनापन्न पद पर अलग-अलग निम्न प्रकार किया जायगा-
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(1) कर्मचारी के वर्तमान वेतनमान में प्राप्त मूल वेतन की 40 प्रतिशत धनराशि “वर्तमान परिलब्धियों” में जोड़कर-जो धनराशि आये, पुनरीक्षित वेतनमान में उसके अगले स्तर पर,

किन्तु यदि पुनरीक्षित वेतनमान का न्यूनतम उपरोक्त प्रकार से आगणित धनराशि से अधिक हो तो वेतन का निर्धारण पुनरीक्षित वेतनमान के न्यूनतम पर होगा, और यदि उपरोक्त प्रकार से आगणित धनराशि पुनरीक्षित वेतनमान के अधिकतम से अधिक हो तो पुनरीक्षित वेतनमान में वेतन का निर्धारण उक्त वेतनमान के अधिकतम पर होगा।

(2) उपर्युक्तानुसार वेतन निर्धारण में यह सुनिश्चित किया जायगा कि प्रत्येक कर्मचारी को वर्तमान वेतनमान की प्रत्येक तीन वेतन वृद्धि (वृद्धिरोध वेतन वृद्धि/वृद्धियों सहित, यदि कोई हो) पर पुनरीक्षित वेतनमान के न्यूनतम से कम से कम एक वेतन वृद्धि प्राप्त हो।

(3) समूहबद्ध (बॉन्डिंग) के फलस्वरूप यदि किसी वेतनमान में किसी स्तर पर कोई लाभ देय हो सकता है तो इस बारे में वित्त विभाग द्वारा बाद में अलग से आदेश जारी किए जायेंगे।

5-(1) उस स्थिति में जबकि किसी कर्मचारी की वेतनवृद्धि की तिथि जनवरी, 1996 की पहली तारीख हो तो उसे वेतनवृद्धि को, वर्तमान वेतनमान या पुनरीक्षित वेतनमान में प्राप्त करने का विकल्प रहेगा।

(2) यदि कोई कर्मचारी जनवरी, 1996 की पहली तारीख को आवकाश पर हो तो उसे पुनरीक्षित वेतनमान में वेतन उस दिन से मिलेगा जिस तिथि से वह अवकाश के पश्चात् कार्य-भार ग्रहण करेगा।

(3) निलम्बन की दशा में सम्बन्धित कर्मचारी अपने वर्तमान वेतनमान पर निर्वाह भत्ता प्राप्त करता रहेगा तथा पुनरीक्षित वेतनमान में उसका वेतन लम्बित अनुशासनात्मक कार्यवाहियों पर अंतिम निर्णय लिये जाने के अधीन होगा।

(4) जब कोई सरकारी कर्मचारी किसी पद पर स्थायी हो तथा नियमित आधार पर किसी उच्च पद पर स्थानापन्न रूप से कार्यरत हो तथा दोनों पदों पर लागू वर्तमान वेतनमानों का विलय एक पुनरीक्षित वेतनमान में कर दिया गया हो, ऐसे में वेतन का निर्धारण केवल स्थानापन्न पद के संदर्भ में ही किया जायगा। इस प्रकार निर्धारित वेतन ही मौलिक वेतन माना जायगा।

(5) यदि सम्बन्धित कर्मचारी की “वर्तमान परिलब्धियां” “पुनरीक्षित परिलब्धियां” से अधिक हो जाती हैं तो उस अन्तर को वैयक्तिक वेतन के रूप से दिया जायगा जिसे भविष्य में वेतन वृद्धि में समायोजित कर लिया जायगा।

(6) यदि कोई कर्मचारी वर्तमान वेतनमान में दिनांक 1.1.1996 के तुरन्त पहले सवर्ग में उसके कनिष्ठ कर्मचारी की तुलना में अधिक वेतन प्राप्त कर रहा था तथा पुनरीक्षित वेतनमान में उसका वेतन यदि कनिष्ठ कर्मचारी के वेतन से कम निर्धारित होता है तो कनिष्ठ कर्मचारी का पुनरीक्षित वेतनमान में वेतन उस कनिष्ठ कर्मचारी के बराबर दिया जायगा।

(7) ऐसे मामलों में जहां किसी वरिष्ठ कर्मचारी, जो 1.1.1996 से पहले किसी उच्चतर पद पर पदोन्नति हुआ हो, को पुनरीक्षित वेतनमान में उस कनिष्ठ कर्मचारी से जो कि दिनांक 1.1.1996 के बाद उच्च पद पर पदोन्नति किया गया है, कम वेतन प्राप्त हो तो उस स्थिति में वरिष्ठ कर्मचारी का वेतन उस स्तर तक बढ़ा दिया जाय जो कि उसके कनिष्ठ कर्मचारी को उच्च पद पर दिया जा रहा है। यह वृद्धि कनिष्ठ कर्मचारी की पदोन्नति की तिथि से की जायगी तथा यह निम्नलिखित शर्तों के अधीन होगी:-

- (क) कनिष्ठ तथा वरिष्ठ कर्मचारियों को एक ही संवर्ग का होना चाहिए तथा दोनों पद जिन पर वे पदोन्नत हुए हैं वह संवर्ग में समान (आइडेन्टिकल) पद होने चाहिए।
- (ख) निम्नतर तथा उच्चतर पदों के वर्तमान तथा पुनरीक्षित वेतनमान, जिनमें कि वे वेतन पाने के अधिकृत हैं, समान (आइडेन्टिकल) होना चाहिए।
- (ग) वरिष्ठ कर्मचारी पदोन्नति के समय कनिष्ठ कर्मचारी के बराबर या उससे अधिक वेतन प्राप्त कर रहे हों।
- (घ) उपर्युक्त विसंगति सीधी तौर पर मूल नियम-22 बी के प्राविधानों के उपयोग के कारण अथवा पुनरीक्षित वेतनमान में, इस प्रकार की पदोन्नति में वेतन निर्धारण को नियंत्रित करने वाले अन्य किसी नियम या आदेशों के कारण होनी चाहिए। यदि निम्नतर पद पर कोई कनिष्ठ कर्मचारी

वर्तमान वेतनमान के अनुसार वरिष्ठ कर्मचारी की तुलना में अग्रिम वेतन वृद्धि दिये जाने के कारण अधिक वेतन प्राप्त करता रहा है तो उस पर उपर्युक्त प्राविधान लागू नहीं होगा।

उपर्युक्त प्राविधानों के अनुरूप वरिष्ठ कर्मचारी के वेतन का पुनर्निर्धारण मूल नियम-27 के अन्तर्गत सम्बन्धित विभागाध्यक्ष द्वारा किया जायगा तथा सम्बन्धित कर्मचारी को अगली वेतन वृद्धि उपर्युक्तानुसार वेतन पुनर्निर्धारण के एक वर्ष बाद देय होगी।

(8) किसी कर्मचारी का यदि पुनरीक्षित वेतनमान में उपर्युक्त प्रस्तर-4 में उल्लिखित प्रक्रिया के अनुसार प्रारम्भिक स्थानापन्न वेतन उसके मूल/मौलिक वेतन से कम हो तो पुनरीक्षित वेतनमान में उसका प्रारम्भिक स्थानापन्न वेतन, पुनरीक्षित वेतनमान में निर्धारित उसके प्रारम्भिक मौलिक वेतन के अगले प्राक्रम पर पुनर्निर्धारित किया जायगा।

पुनरीक्षित वेतनमान में अगली वेतन वृद्धि की तिथि	6-(1) कोई कर्मचारी जिसका वेतन उपर्युक्त प्रस्तर-4 के अन्तर्गत पुनरीक्षित वेतनमान में निर्धारित किया गया है तो उसकी अगली वेतन वृद्धि उसी दिनांक को दी जायगी जिस दिनांक को वह वर्तमान वेतनमान लागू रहने की अवस्था में वेतन वृद्धि प्राप्त करता, किन्तु ऐसे मामलों में जहां किसी कर्मचारी का
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वेतन उपर्युक्त प्रस्तर-4 के उप-प्रस्तर (2) तथा प्रस्तर-5 के उप-प्रस्तर (6) या (7) की शर्तों के अधीन बढ़ाया गया है, तो ऐसे मामले में अगली वेतन वृद्धि तदनुसार वेतन बढ़ाये जाने के दिनांक से 12 माह की अर्हकारी सेवा पूरी करने के पश्चात् दी जायगी।

(2) इसके अतिरिक्त यह भी कि, ऐसे मामले जो पूर्व प्रस्तर से आच्छादित नहीं है, जिनमें किसी सरकारी कर्मचारी का पुनरीक्षित वेतनमान में दिनांक 1.1.1996 को वेतन उसी संवर्ग में उससे कनिष्ठ एक अन्य कर्मचारी जो वर्तमान वेतनमान में उससे निम्न स्तर का वेतन पा रहा हो, के वेतन के समान निर्धारित होता है, को अगली वेतन वृद्धि उसी तिथि को प्रदान की जायगी यदि उससे कनिष्ठ कर्मचारी की वेतन वृद्धि की तिथि उससे पहले पड़ती हो।

(3) ऐसे मामलों में जहां दो वर्तमान वेतनमानों, जिनमें एक वेतनमान दूसरे के लिए पदोन्नत वेतनमान हो, को मिला दिया गया हो और कनिष्ठ सरकारी कर्मचारी अपना वेतन, वर्तमान निचले वेतनमान में समान/नीचे के स्तर पर पा रहा हो तथा पुनरीक्षित वेतनमान में वह वर्तमान उच्च वेतनमान में कार्यरत वरिष्ठ सरकारी कर्मचारी के वेतन से अधिक वेतन पाये तो ऐसी स्थिति में पुनरीक्षित वेतनमान में वरिष्ठ कर्मचारी का वेतन बढ़ाकर उसी तिथि से उक्त कनिष्ठ कर्मचारी के वेतन के बराबर कर दिया जायगा और इस प्रकार बढ़ाये गये वेतन की तिथि से 12 माह की अर्हकारी अवधि पूरी करने पर ही वह अपनी अगली वेतन वृद्धि प्राप्त करेगा।

1 जनवरी 1996 के बाद की तिथि से पुनरीक्षित वेतनमान में वेतन का निर्धारण	7- ऐसा कर्मचारी जो वर्तमान वेतनमान में अपना वेतन लेना जारी रखता है और दिनांक 1.1.1996 के बाद की तिथि से पुनरीक्षित वेतनमान में लाया जाता है तो बाद की तिथि से पुनरीक्षित वेतनमान में उसके वेतन का निर्धारण मूल नियम के अन्तर्गत किया जायगा और इस प्रयोजनार्थ वर्तमान वेतनमान में उसके वेतन का अर्थ प्रस्तर-2 से 4 के अनुसार आगणित वर्तमान परिलब्धियों के
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समान ही होगा, सिवाय इसके कि उन परिलब्धियों के आगणन हेतु लिया गया वेतन उपर्युक्त बाद की तिथि में उसका साधारण वेतनमान में मूल वेतन होगा। दिनांक 1.1.1996 के बाद की तिथि से किसी पद पर वर्तमान व्यवस्था के अनुसार समयमान वेतनमान के अन्तर्गत अनुमन्य सेलेक्शन ग्रेड के लाभ के रूप में एक वेतन वृद्धि अथवा वैयक्तिक रूप से प्राप्त प्रोन्नति/उच्च वेतनमान/सेलेक्शन ग्रेड में प्राप्त वेतन के आधार पर देय वेतन की गणना में नहीं लिया जायगा।

8-(1) किसी कर्मचारी/अधिकारी जिसे वर्तमान व्यवस्था के अनुसार समयमान वेतनमान के अन्तर्गत वैयक्तिक प्रोन्नति वेतनमान/उच्च वेतनमान/सेलेक्शन ग्रेड दिनांक 1.1.1996 के पूर्व मिल चुका था और उसकी प्रोन्नति उपर्युक्त वर्तमान वैयक्तिक वेतनमान/उच्च वेतनमान/सेलेक्शन ग्रेड के समान वेतनमान के पद पर दिनांक 1.1.1996 के बाद हुई हो, तो प्रोन्नति के पद पर पुनरीक्षित वेतनमान में उसका वेतन, निम्न पद के पुनरीक्षित वेतनमान में प्राप्त वेतन के समान स्तर पर ही निर्धारित किया जायेगा।

(2) किसी कर्मचारी/अधिकारी जिसे समयमान वेतनमान की वर्तमान व्यवस्था के अन्तर्गत दिनांक 1-1-1996 के बाद प्रोन्नत वेतनमान/उच्च वेतनमान/सेलेक्शन ग्रेड वैयक्तिक रूप से मिला है और पुनः उसी वेतनमान के पद पर वास्तविक रूप से उसकी प्रोन्नति हुई हो तो वास्तविक प्रोन्नति के पद पर पुनरीक्षित वेतनमान में उसका वेतन निर्धारण निम्न पद के साधारण वेतनमान में निर्धारित वेतन के आधार पर सामान्य नियमों के अन्तर्गत किया जायगा।

9- ऐसे कर्मचारी जिन्हें वर्तमान वेतनमान में दक्षता रोक प्रक्रम पर रोक लिया गया हो उनके मामले में सक्षम प्राधिकारी द्वारा मूल स्थिति को प्रत्यावर्तित करने के आदेश दिए जाने पर कोई रोक नहीं है और जब ऐसा किया जायगा तो पुनरीक्षित वेतनमान में उनका वेतन उस आदेश के प्रभावी होने के दिनांक से पुनः निर्धारित कर दिया जायगा।

अवशेष को भुगतान की प्रक्रिया	10- दिनांक 1.1.1996 या 1.1.1996 के बाद की तिथि, जैसी भी स्थिति हो, को पुनरीक्षित वेतनमान में दी जाने वाली धनराशि में से उस धनराशि को घटाते हुए अवशेष निकाला जायगा जो सम्बन्धित कर्मचारी ने उस दिनांक को पुराने वेतनमान
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में वेतन, महंगाई भत्ता और अंतरिम सहायता की प्रथम, द्वितीय तथा तृतीय किस्त के रूप में समय-समय पर आहरित किया हो। वेतन निर्धारण के फलस्वरूप अवशेष का भुगतान निम्न प्रकार किया जायगा :-

(क) 1.1.1996 से 30.9.1997 तक के पुनरीक्षित वेतनमान में देय अवशेष तथा दिनांक 1.7.1996, 1.1.1997 तथा 1.7.1997 से महंगाई भत्ता के रूप में दिनांक 30.9.1997 तक के अवशेष को कर्मचारियों के भविष्य निधि खाते में निम्न के अधीन जमा किया जाय:-

आयकर की परिधि में न आने वाले कर्मचारियों को उक्त अवशेष के 20 प्रतिशत भाग का भुगतान नकद किया जायगा।

आयकर की परिधि में आने वाले अधिकारियों/कर्मचारियों के सम्बन्ध में उपर्युक्त वर्णित अवशेष का आंकलन कर नियमानुसार अवशेष पर आयकर के स्रोत पर कटौती,

यदि (1) आयकर 20 प्रतिशत या उससे अधिक देय है तो समस्त आयकर की कटौती के उपरान्त अवशेष को अधिकारियों/कर्मचारियों के भविष्य निधि खाते में जमा किया जायगा, अन्यथा (2) अवशेष पर देय आयकर के 20 प्रतिशत से कम होने की दशा में वास्तविक आयकर की कटौती के उपरान्त 20 प्रतिशत की धनराशि की सीमा तक नकद भुगतान कर अवशेष कर्मचारी के भविष्य निधि खाते में जमा किया जाय।

उदाहरणार्थ-यदि किसी कर्मचारी को रु. 10,000/- दिनांक 1.1.1996 से 30.9.1997 तक देय अवशेष होता है, तो 20 प्रतिशत की धनराशि रु. 2,000/- होगी और इसमें यदि उसका देय आयकर रु. 1,500/- की कटौती कर रु. 500/- कर्मचारी को नकद भुगतान कर दिया जायगा और अवशेष रु. 8,000/- कर्मचारी के भविष्य निधि खाते में जमा किया जाय।

संलग्नक “क”

उदाहरण-1

(रु.)

1- वर्तमान वेतनमान	750-12-870-द.रो.-14-940
2- पुनरीक्षित वेतनमान	2550-55-2660-60-3200
3- वर्तमान वेतनमान में मूल वेतन	786.00
4- 1.1.1996 को महंगाई भत्ता	1163.00
5- अंतरिम सहायता की पहली किस्त	100.00
6- अंतरिम सहायता की दूसरी किस्त	
(मूल वेतन का 10 प्रतिशत	
7- परन्तु न्यूनतम रु. 100/-)	100.00
8- वर्तमान परिलब्धियां	2149.00
9- मूल वेतन का 40 प्रतिशत	314.00
योग,	2463.00
10- पुनरीक्षित वेतनमान में अगला स्तर	2550.00 (न्यूनतम)
11- वर्तमान वेतनमान की प्रत्येक 3 वेतन वृद्धि के लिए पुनरीक्षित वेतनमान में एक वेतन वृद्धि सुनिश्चित करने पर पुनरीक्षित वेतनमान में वेतन की स्थिति	2605.00
12 पुनरीक्षित वेतनमान में निर्धारित किया जाने वाला वेतन (क्रम-सं. 9 या 10 की स्थिति, इनमें जो भी अधिक हो)	2605.00

उदाहरण-2

(रु.)

1- वर्तमान वेतनमान	1640-60-2600-द.रो.-75-2900
2- पुनरीक्षित वेतनमान	5500-175-9000
3- वर्तमान वेतनमान में मूल वेतन	2360.00
4- 1.1.1996 को महंगाई भत्ता	3493.00
5- अंतरिम सहायता की पहली किस्त	100.00
6- अंतरिम सहायता की दूसरी किस्त	
(मूल वेतन का 10 प्रतिशत	
परन्तु न्यूनतम रु 100/-)	236.00
7- वर्तमान परिलब्धियां	6189.00
8- मूल वेतन का 40 प्रतिशत	944.00
योग,	7133.00
9- पुनरीक्षित वेतनमान में अगला स्तर	7250.00
10- वर्तमान वेतनमान की प्रत्येक 3 वेतन वृद्धि के लिए पुनरीक्षित वेतनमान में एक वेतन वृद्धि सुनिश्चित करने पर पुनरीक्षित वेतनमान में वेतन की स्थिति	6200.00
11- पुनरीक्षित वेतनमान में निर्धारित किया जाने वाला वेतन	

(क्रम-सं 9 या 10 की स्थिति,
इनमें जो भी अधिक हो)

7250.00

उदाहरण-3

(रु.)

1- वर्तमान वेतनमान	4500-150-5700
2-पुनरीक्षित वेतनमान	14300-400-18300
3- वर्तमान वेतनमान में मूल वेतन	5400.00
4- 1.1.1996 को महंगाई भत्ता	5994.00
5- अंतरिम सहायता की पहली किस्त	100.00
6- अंतरिम सहायता की दूसरी किस्त (मूल वेतन का 10 प्रतिशत परन्तु न्यूनतम रु. 100/-)	540.00
7- वर्तमान परिलब्धियां	12034.00
8- मूल वेतन का 40 प्रतिशत	2160.00
योग,	14194.00
9- पुनरीक्षित वेतनमान में अगला स्तर	14300.00
10- वर्तमान वेतनमान की प्रत्येक 3 वेतन वृद्धि के लिए पुनरीक्षित वेतनमान में एक वेतन वृद्धि सुनिश्चित करने पर पुनरीक्षित वेतनमान में वेतन की स्थिति	15100.00
11- पुनरीक्षित वेतनमान में निर्धारित किया जाने वाला वेतन (क्रम-सं. 9 या 10 की स्थिति, इनमें जो भी अधिक हो)	15100.00

संख्या-वे.आ.-1-751/दस-42 (एम)/97 23 दिसम्बर, 1997

भत्ते - महंगाई भत्ता :- राज्य कर्मचारियों और सहायता प्राप्त शिक्षण एवं प्राविधिक शिक्षण संस्थाओं तथा शहरी स्थानीय निकायों के कर्मचारियों को महंगाई भत्ते का भुगतान दिनांक 1.7.1996, 1.1.1997 एवं 1.7.1997 से लागू संशोधित दरें।

वित्त(वेतन आयोग) अनुभाग-1	पठित-निम्नलिखित :- (1) शासनादेश संख्या वे.आ.-1-311/दस-48(एम)/88, दिनांक 4 जून, 1997। (2) भारत सरकार, वित्त मंत्रालय, व्यय विभाग, कार्यालय ज्ञापन सं.-1(13)/97-संस्था-11(ख), दिनांक 3.10.1997 (3) शासकीय संकल्प संख्या-प.मा.नि.-352/दस-20(एम)/97, दिनांक 22 दिसम्बर, 1997
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उपर्युक्त विषय पर मुझे यह कहने का निदेश हुआ है कि पाँचवे केन्द्रीय वेतन आयोग की संस्तुतियों पर केन्द्र सरकार द्वारा लिये गये निर्णयानुसार केन्द्रीय सरकारी कर्मचारियों को उपर्युक्त क्रम-संख्या (2) पर उल्लिखित कार्यालय ज्ञापन द्वारा दिनांक 1.1.1996, दिनांक 1.7.1996, दिनांक 1.1.1997 एवं दिनांक 1.7.1997 से निम्नानुसार संशोधित दरों पर महंगाई भत्ते की स्वीकृति के आदेश जारी किये गये हैं :-

तिथि जिस दिन से देय है	प्रतिमाह महंगाई भत्ते की दर
1.1.1996	कोई महंगाई भत्ता नहीं।
1.7.1996	वेतन का 4 प्रतिशत।
1.1.1997	वेतन का 8 प्रतिशत।
1.7.1997	वेतन का 13 प्रतिशत।

2- उपर्युक्त क्रम-संख्या 3 पर उल्लिखित शासकीय संकल्प, दिनांक 22 दिसम्बर, 1997 के क्रम में राज्यपाल महोदय ने प्रदेश के समस्त पूर्णकालिक नियमित राज्य कर्मचारियों को दिनांक 1.1.1996, 1.1.1997, 1.1.1997 तथा 1.7.1997 से निम्नानुसार संशोधित दरों पर महंगाई भत्ते के भुगतान की स्वीकृति सहर्ष प्रदान कर दी है :-

तिथि जिस दिन से देय है	प्रतिमाह महंगाई भत्ते की दर
1.1.1996	कोई महंगाई भत्ता नहीं।
1.7.1996	वेतन का 4 प्रतिशत।
1.1.1997	वेतन का 8 प्रतिशत।
1.7.1997	वेतन का 13 प्रतिशत।

3- इस आदेश के अनुसार महंगाई भत्ते का उपरोक्त दरों पर भुगतान पूर्व में शासनादेश संख्या वे.आ.-1-297/दस-48(एम)/88, दिनांक 21.5.1996, शासनादेश संख्या वे.आ.-1-810/दस-48(एम)/88, दिनांक 6.12.1996, शासनादेश संख्या वे.आ.-1-311/दस-48(एम)/88, दिनांक 4.6.1997 द्वारा स्वीकृत एवं भुगतान की गयी महंगाई भत्ते की किश्तों को समायोजित करने के बाद किया जायेगा।

4- इस शासनादेश द्वारा स्वीकृत महंगाई भत्ते के आगणन हेतु “वेतन” का तात्पर्य दिनांक 1.1.1996 से लागू पुनरीक्षित वेतनमानों में कर्मचारियों को अनुमन्य मूल वेतन, जैसा कि मूल नियम 9 (21) (1) में परिभाषित है, से होगा, अर्थात् महंगाई भत्ते के आगणन हेतु विशेष वेतन, सीमान्त विशेष वेतन/भत्ता, वैयक्तिक वेतन, प्रतिनियुक्ति भत्ता/वेतन तथा अन्य भत्ते आदि भले ही वे मूल नियमों के अन्तर्गत वेतन की परिभाषा में आते हों, को मूल वेतन के साथ सम्मिलित नहीं किया जायेगा। परन्तु प्रैक्टिस बन्दी भत्ता एवं वृद्धिरोध वेतनवृद्धि को शासनादेश संख्या जी-1159/दस-208/90, दिनांक फरवरी, 1990 तथा शासनादेश संख्या वे.आ.-1-2589/दस-90-48(एम)/88, दिनांक 11 फरवरी, 1991 के अनुसार “वेतन” का अंश माना जायेगा।

5- ऐसे राजकीय कर्मचारी जिन्होंने दिनांक 1.1.1996 से लागू पुनरीक्षित वेतनमानों के बजाय पूर्ववर्ती वेतनमान में ही बने रहने के लिए विकल्प दिया हो, के लिए “वेतन” का तात्पर्य मूल वेतन के अतिरिक्त दिनांक 1.1.1996 को शासनादेश संख्या-वे.आ.-1-297/दस-48(एम)/88, दिनांक 21.5.1996 के अनुसार देय महंगाई भत्ता और शासनादेश संख्या-वे.आ.-1-2043/दस-93-39(एम)/93, दिनांक 14.10.1993 तथा शासनादेश संख्या वे.आ.-1-624/दस-39(एम)/93 टी.सी., दिनांक 16.8.1995 के अनुसार देय अन्तरिम सहायता क्रमशः 100 रु. प्रतिमाह की प्रथम किस्त तथा वेतन का 10 प्रतिशत परन्तु कम से कम 100 रु. प्रतिमाह की द्वितीय किस्त की राशि का योग होगा।

6- जिन राजकीय कर्मचारियों/अधिकारियों का 1.1.1996 से वेतन पुनरीक्षण नहीं हुआ है तथा राज्य निधि से सहायता प्राप्त शिक्षण एवं प्राविधिक शिक्षण संस्थाओं के कर्मचारियों तथा शहरी स्थानीय निकाय के अनुमोदित एवं पूर्णकालिक कर्मचारियों के मामले में अभी केवल 1.7.1997 से प्रभावी महंगाई भत्ता वेतन के 5 प्रतिशत के आधार पर, का ही भुगतान देय होगा और इस प्रयोजन के लिए “वेतन” का तात्पर्य उपरोक्त प्रस्तर 5 के अनुसार माना जायेगा। साथ ही प्रस्तर 4 में उल्लिखित शासनादेशों के अनुसार प्रैक्टिस बन्दी भत्ता एवं वृद्धिरोध वेतनवृद्धि को “वेतन” का अंश माना जायेगा। इसके साथ-साथ दिनांक 1.1.1997 से प्रभावी पूर्व स्वीकृत दरों पर महंगाई भत्ता का भुगतान उक्त शासनादेश दिनांक 4 जून, 1997 के अनुसार किया जाता रहेगा। दिनांक 1.7.1997 से पूर्व की अवधि के लिए संशोधित दरों पर महंगाई भत्ते के भुगतान के सम्बन्ध में बाद में निर्णय लिए जायेंगे। ऐसे मामलों में पूर्व दर पर महंगाई भत्ता की धनराशि तथा 1.7.1997 से प्रभावी 5 प्रतिशत की दर पर महंगाई भत्ते की धनराशि वेतन बिलों में अलग-अलग कालम में दर्शायी जायेगी।

7- मुझे यह भी कहने का निदेश हुआ है कि उपरोक्त प्रस्तर 6 से आच्छादित मामलों में 3500 रु. प्रतिमास से अधिक वेतन पाने वाले अधिकारियों/कर्मचारियों के सम्बन्ध में पहले दिनांक 1.7.1990, 1.1.1991,

1.7.1992 और 1.7.1992 से प्रभावी महंगाई भत्ते की 5 किश्तों की धनराशि जिसे सामान्य भविष्य निधि में जमा किया जाता रहा है, को तत्काल प्रभाव से जी.पी.एफ. में जमा न करते हुए नगद भुगतान किया जायेगा।

8- इन आदेशों द्वारा स्वीकृत महंगाई भत्ता उन कर्मचारियों को भी, जो प्रभावी तिथि को सेवारत थे किन्तु इस शासनादेश के जारी होने के पूर्व जिनकी सेवायें चाहे जिन कारणों से यथा अनुशासनिक कारणों से या त्याग-पत्र, सेवा-निवृत्ति, मृत्यु या सेवा-मुक्त करने या स्वीकृत पदों की समाप्ति के कारण समाप्त हो गयी हों, सेवा-समाप्ति, सेवा निवृत्ति आदि की तिथि तक अनुमन्य होगा।

9- इस शासनादेश के अनुसार स्वीकृत महंगाई भत्ता पर शासनादेश संख्या वे.आ.-1-3366/दस-36(एम)/86, दिनांक 9.3.1988 के प्रस्तर 5 व 6 में उल्लिखित शर्तें एवं प्रतिबन्ध यथावत लागू रहेंगे।

10- इन आदेशों द्वारा स्वीकृत संशोधित दरों पर महंगाई भत्ते की दिनांक 30 सितम्बर, 1997 तक की देय अवशेष धनराशि सम्बन्धित अधिकारी/कर्मचारी के भविष्य निधि खाते में जमा की जायेगी और इस प्रकार जमा धनराशि को भविष्य निधि खाते में दिनांक 1 अक्टूबर, 1997 से जमा माना जायेगा और इस तिथि से उपर्युक्त धनराशि पर ब्याज भविष्य निधि पर लागू दर से देय होगा। यदि कोई अधिकारी/कर्मचारी भविष्य निधि का सदस्य नहीं है तो उसे उपर्युक्त अवशेष धनराशि नेशनल सेविंग्स सर्टिफिकेट के रूप में दी जायेगी, परन्तु धनराशि के जिस अंश का सर्टिफिकेट उपलब्ध न हो वह उसे नकद दी जायेगी। इन आदेशों द्वारा स्वीकृत महंगाई भत्ते की बढ़ी हुई धनराशि का भुगतान दिनांक 1 अक्टूबर, 1997 से (जिसका भुगतान 1 नवम्बर, 1997 में देय है) कर्मचारियों को नकद किया जायेगा। जिन कर्मचारियों की सेवायें इन आदेशों के जारी होने की तिथि से पूर्व समाप्त हो गयी हों अथवा जो कर्मचारी अधिवर्षता की आयु पर दिनांक 30 जून, 1998 तक सेवा-निवृत्त होने वाले हों, उनको देय महंगाई भत्ते के बकाया की सम्पूर्ण धनराशि का भुगतान नकद किया जायेगा। महंगाई भत्ते की सामान्य भविष्य निधि लेखे में जमा की जाने वाली अवशेष धनराशि से सम्बन्धित बिल/शेड्यूल पर शासनादेश संख्या-सा-4-12/दस-97-500(1)/97, दिनांक 7.10.1997 में निहित आदेशानुसार निर्धारित मोहर लगायी जानी चाहिए।

11- इन आदेशों द्वारा स्वीकृत महंगाई भत्ते की देय धनराशि को निकटतम एक रुपये में पूर्णांकित किया जायेगा अर्थात् 50 पैसे और इससे अधिक को अगले उच्चतर रुपये पर पूर्णांकित किया जायेगा और 50 पैसे से कम की राशि को छोड़ दिया जायेगा।

उत्तर प्रदेश शासन
वित्त (पद मापदण्ड निर्धारण) अनुभाग
संख्या-प.मा.नि.-352/दस-20 (एम)/97
लखनऊ : दिनांक 22 दिसम्बर, 1997
संकल्प

पढ़ा गया : वेतन समिति, उत्तर प्रदेश (1997) का प्रथम प्रतिवेदन तथा उसकी संस्तुतियां।

पर्यालोचनायें- शासन द्वारा राजकीय कर्मचारियों तथा राजकीय पेंशनर्स के सम्बन्ध में की गयी संस्तुतियों पर विचार किया गया। शासन ने निम्नलिखित के अधीन रहते हुए वेतन समिति के प्रथम प्रतिवेदन में दी गई संस्तुतियों को स्वीकार कर लिया है:-

(1) पुनरीक्षित वेतनमानों में वेतन निर्धारण वेतन समिति द्वारा की गयी संस्तुतियों के अनुसार किया जायेगा।

(2) राजकीय कर्मचारियों/अधिकारियों को देय महंगाई भत्ते के सम्बन्ध में वेतन समिति द्वारा की गयी संस्तुति स्वीकार की गयी।

(3) राजकीय पेंशनर्स को पेंशन, ग्रेजुटी, पेंशन राशिकरण, पारिवारिक पेंशन तथा महंगाई राहत के सम्बन्ध में की गयी वेतन समिति की संस्तुतियां स्वीकार की गयी।

(4) पेंशन भोगियों/पारिवारिक पेंशन भोगियों को दिनांक 30.9.1997 तक के देय अवशेष का नकद भुगतान दो बराबर किस्तों में करने, जिसमें पहली किस्त का भुगतान दिनांक 31.3.1998 से पूर्व व दूसरी किस्त का भुगतान वित्तीय वर्ष 1998-99 में दिनांक 31.7.1998 से पूर्व करने को वेतन समिति की संस्तुति स्वीकार की गयी।

(5) राजकीय कर्मचारियों के पुनरीक्षित वेतनमान एवं महंगाई भत्ते का दिनांक 1.10.1997 से नकद भुगतान किए जाने का वेतन समिति की संस्तुति स्वीकार की गयी।

(6) दिनांक 1.1.1996 से 30.9.1997 तक के पुनरीक्षित वेतनमान में देय वेतन का अवशेष तथा दिनांक 1.7.1996, 1.1.1997 तथा 1.7.1997 से महंगाई भत्ते के रूप में दिनांक 30.9.1997 तक के अवशेष को कर्मचारी के भविष्य निधि खाते में जमा किया जाय।

आयकर की परिधि में आने वाले अधिकारियों/कर्मचारियों के सम्बन्ध में उपर्युक्त वर्णित अवशेषों का आंकलन कर नियमानुसार आयकर के स्रोत पर कटौती करने के उपरान्त यदि, (1) आयकर 20 प्रतिशत या उससे अधिक देय है तो समस्त आयकर कटौती के उपरान्त अवशेषों को अधिकारियों/कर्मचारियों के भविष्य निधि खाते में जमा किया जाय, अन्यथा (2) अवशेष पर देय आयकर के 20 प्रतिशत से कम होने की दशा में वास्तविक आयकर की कटौती के उपरान्त 20 प्रतिशत की धनराशि की सीमा तक नकद भुगतान कर अवशेष धनराशि कर्मचारी के भविष्य निधि खाते में जमा की जाय।

उदाहरणार्थ :- यदि किसी कर्मचारी को रु. 10,000 दिनांक 1.1.1996 से 30.9.1997 तक देय अवशेष होता है, तो 20 प्रतिशत की धनराशि रु. 2,000 होगी और इसमें यदि उसका देय आयकर रु. 1,500 होता है, तो रु. 15,00 की कटौती कर रु. 500 कर्मचारी को नकद भुगतान कर दिया जायेगा और अवशेष रु. 8,000 कर्मचारी के भविष्य निधि खाते में जमा कर दिया जाय।

जिन कर्मचारियों के भविष्य निधि खाते नहीं खुले हैं, उनको देय अवशेष की धनराशि राष्ट्रीय बचत प्रमाण-पत्र के रूप में दी जायेगी।

(7) ऐसे संवर्ग/पदों के धारकों को जिनके वेतनमान का उच्चीकरण/संशोधन दिनांक 1.1.1996 के बाद हुआ है, यह विकल्प होगा कि वे या तो दिनांक 1.1.1996 को विद्यमान वेतनमान का सामान्य पुनरीक्षित वेतनमान अथवा उच्चीकरण/संशोधन के दिनांक के उच्चीकृत/संशोधित वेतनमान का सामान्य पुनरीक्षित वेतनमान को चुन लें।

(8) वेतन समिति के प्रतिवेदन के प्रस्तर-23 (11) में चयन की प्रक्रिया से सम्बन्धित संस्तुतियों को स्वीकार नहीं किया गया और इसके स्थान पर अभी हाल में शासन द्वारा जो निर्णय लिये गये हैं, उसके अनुरूप कार्यवाही की जाय। वेतन समिति की संस्तुतियां प्रस्तर-23(2) से 23 (5), 23 (7), 23 (9) तथा 23 (13) को दृष्टिगत रखते हुए वांछित कार्यवाही की जाय।

2- वेतन समिति द्वारा संस्तुत सामान्य पुनरीक्षित वेतनमान राजकीय कर्मचारियों/अधिकारियों को उनके द्वारा दिनांक 1.1.1996 को प्राप्त हो रहे वेतनमान के आधार पर दिया जाय, परन्तु :

(क) चूँकि न्यायिक सेवाओं के अधिकारियों के वेतनमानों का पुनरीक्षण भारत सरकार द्वारा गठित प्रथम राष्ट्रीय न्यायिक वेतन आयोग के विचाराधीन है, अतः उक्त सामान्य पुनरीक्षित वेतनमान उ.प्र. न्यायिक सेवा/उच्चतर न्यायिक सेवा के अधिकारियों पर लागू नहीं होंगे।

(ख) राजकीय प्राइमरी/जूनियर हाईस्कूल तथा हाईस्कूल/इण्टरमीडिएट कालेजों सहित समस्त शिक्षण संस्थाओं के शिक्षकों एवं शिक्षणेत्तर कर्मचारियों हेतु भी उक्त सामान्य पुनरीक्षित वेतनमान लागू नहीं होंगे।

स्नातक/स्नातकोत्तर महाविद्यालय/विश्वविद्यालय, विभिन्न इंजीनियरिंग कालेजों तथा कृषि विश्वविद्यालय के शिक्षणेत्तर कर्मचारी के सम्बन्ध में भी उक्त सामान्य पुनरीक्षित वेतनमान लागू नहीं होंगे।

(ग) कार्य-प्रभारित कर्मचारियों पर भी उक्त सामान्य पुनरीक्षित वेतनमान लागू नहीं होंगे।

(घ) स्वशासी संस्थाओं के कर्मचारियों/अधिकारियों पर भी उक्त सामान्य पुनरीक्षित वेतनमानों के आदेश लागू नहीं होंगे।

(ड.) उच्च शिक्षा/प्राविधिक शिक्षण संस्थाओं के शिक्षक एवं शिक्षणेत्तर कर्मचारियों के सम्बन्ध में तथा इसके अतिरिक्त कुछ विभाग ऐसे भी हैं, जहां पर उन्होंने अपने विद्यालय खोल रखे हैं और उनमें शिक्षक नियुक्त हैं। ऐसे विद्यालयों में भी शिक्षक एवं शिक्षणेत्तर कर्मचारियों पर उक्त सामान्य पुनरीक्षित वेतनमान लागू नहीं होंगे।

3- ऐसे संवर्ग/पद, जिनके लिए वेतन समिति द्वारा संस्तुत/शासन द्वारा स्वीकृत पुनरीक्षित वेतनमानों से भिन्न कोई वेतनमान का औचित्य पाते हुए वेतन समिति द्वारा बाद में संस्तुति दी जाती है, के बारे में यथासमय निर्णय लिया जायेगा।

4- वेतन समिति की संस्तुतियों पर लिये गये निर्णयों के अनुसार पुनरीक्षित वेतनमानों की स्वीकृति के सामान्य आदेश तथा वेतन निर्धारण के सम्बन्ध में विस्तृत आदेश वित्त विभाग द्वारा जारी किए जायेंगे। सचिवालय के सम्बन्धित प्रशासकीय विभागों द्वारा अलग से आदेश निर्गत करने की आवश्यकता नहीं है।

5- इस संकल्प के जारी होने के दिनांक से राजकीय सेवाओं में पदों पर भर्ती, पदों का सृजन तथा अस्थायी कर्मचारियों का स्थायीकरण पुनरीक्षित वेतनमानों में ही किया जायेगा।

6- उपर्युक्त निर्णयों को लागू करने के फलस्वरूप यदि कोई असंगति उत्पन्न होती है तो उसका निराकरण करने के लिए सामान्य विभागीय कार्यवाही का तरीका अपनाया जायेगा।

7- जहां कहीं किसी स्पष्टीकरण की आवश्यकता हो, तो परामर्श वित्त विभाग से प्राप्त किया जा सकता है।

8- शासन, वेतन समिति के अध्यक्ष व सदस्यों ने जिस परिश्रम, अध्वसाय व निष्ठा से अपना गुरुतर दायित्व निर्वहन करते हुए प्रथम प्रतिवेदन प्रस्तुत किया है, उसकी सराहना करता है।

आदेश

आदेश दिया जाता है कि यह संकल्प जन-साधारण की सूचना के लिए उत्तर प्रदेश गजट में प्रकाशित किया जाय को सम्बन्धित विभागों को भेजा जाय। यह भी आदेश दिया जाता है कि वेतन समिति के प्रथम प्रतिवेदन तथा संकल्प की प्रतियां, राजकीय सेवा संघों और अन्य के हाथ बिक्री के लिए भी उपलब्ध करा दिया जाये।

[17] PUNCTUALITY

G.L. No. 29/A-10 dated 3rd December, 1945

The register of attendance required to be maintained under rule 8, Chapter I, General Rules (Civil), 1957 should be kept in Provincial Form no. 161 which may be obtained from the Superintendent, Printing and Stationery, Uttar Pradesh, * Allahabad on indent.

C.L. No. 32/VIIIb-203 dated 12th May, 1955 and

C.L. No. 97/VIIIb-203 dated 2nd November, 1957

A separate attendance register shall be maintained by the Munsarim of each court in a Judgeship. The attendance shall be noted by each official himself and in no case by

* Now Director, Printing and Stationery, U.P.

the Munsarim. The Munsarim should see that every official correctly notes the time of his arrival and departure in his own hand.

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

District Judges should see that the 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 day's 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.

The officials should abide by the time schedule prescribed for work.

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

NB: See under the Head Judicial Officers.

(18) LEAVE AND VACATION

(i) Extra casual leave

G.L. No. 33/23-127 dated 3rd May, 1937

Casual Leave may not ordinarily be granted for more than fourteen days in a year. But sanctioning authorities have the discretion to grant, in exceptional circumstances, a few days extra leave. In some departments the limit of fourteen days is relaxed in favour of government servants serving in the Hills or those serving in the plains and having their homes in the hills so as to admit of the grant to them of fourteen day's casual leave exclusive of the time required for journeys to and from their homes. A general rule extending this concession to all government servants of the above class is, however, not required. It is suggested as a rough guiding principal for sanctioning authorities that extra leave to cover the time occupied by journeys should be granted only in cases in which the journeys to a government servant's home whether in the plains or in the hills and back take more than four days.

C.L. No. 71/23-127 dated 30th July, 1980

The concession of four days' extra casual leave allowed as journey time to the Officers and staff belonging to the plains and posted in the Hill districts or belonging to the Hills and posted in the plains, shall be confined to the districts of Pithoragarh, Chamoli and Uttar Kashi only. In case of other Hill districts the sanctioning authority may at its discretion grant extra casual leave as it considers fit.

(ii) Lieu leave

C.L. No. 80/Ve-70 dated 8th May, 1973

Officials called to attend office during the vacation or holidays are entitled to lieu leave according to the instructions contained in G.O. No. 3/2/1972-Niyukti (3), dated July 26, 1973.

C.L. No. 34/VI C-Admn. (D) dated 22nd February, 1977

It has been brought to the notice of the court that Malis and Chowkidars are not allowed to avail of gazetted holidays and for their absence during holidays they are treated to be on casual leave. The Court has, after careful consideration come to the conclusion that the present practice may continue but it should be kept in view that during Hindu festivals, Muslim employees may, if possible, be required to be on duty and vice versa and those who are so permitted to avail of the holidays should not be treated to be on casual leave.

Class IV employees detained on duty during holidays may be given compensatory leave as is admissible to other employees under standing Government orders.

C.L. No. 35/VIIIb-108/LAAB/LA dated 21st June, 1989

In terms of G.O, No. 3/2/1972, Appointment (3) dated 26.7.1973, all government servants who have to work in connection with their duty on any holiday are entitled to compensatory leave in lieu thereof.

Henceforth, in case a civil court employee is detained for doing work in connection with Legal Aid Camps and Lok Adalats on Sunday or other non-working days, he shall be entitled to the travelling and daily allowance or compensatory leave in lieu thereof. It is also made clear that the expenses of travelling and daily allowance shall be borne out of the budget placed at the disposal of District Judge by the U.P. Legal Aid and Advice Board and not by the Court.

(iii) Vacation to staff

C.L. No. 60/W/Admn. (D) dated 8th June, 1978

In accordance with the provisions of Financial Hand Book, Vol. II, Parts II to IV, the District Judges may, at their own discretion, permit such staff as is attached to the Court of Sessions Judges, Additional Sessions Judges and Assistant Sessions Judges, to avail of summer vacation by rotation up to a maximum period of 15 days.

G.L. No. 5/Ve-70-50 dated 22nd March, 1950

If work in the copying office is in arrears just before the vacation, a few copyists may be detained during the whole of the vacation so that the arrears may be cleared off before the, re-opening of the courts.

(19) COMPLIANCE OF GOVERNMENT ORDERS AND CIRCULAR LETTERS ISSUED FOR BENEFITS TO THE EMPLOYEES

C.L. No. 47/Ve-60/Adrmn.(D) dated 20th July, 1981

Compliance of Government Orders and Circular Letters issued for benefits to the employees.

I am directed to say that it has come to the notice of the Court that Government orders and circular letters issued by this Court which are beneficial to the employees are not being complied with.

I am, therefore, to request you kindly to see that such Government orders and Court's circular letters are complied with in future.

(20) CONDUCT OF SUBORDINATE COURT STAFF

C.L. No. C.V. 1492/1993 dated 12th August, 1993

No business avocation or profession by subordinate Court staff.

It has been brought to the notice of the Court that some members of the staff of the subordinate courts engage themselves, directly or indirectly in trade or business either individually or collectively or undertake another employment. This is specifically prohibited by Rule 15 of the U. P. Government Servant Conduct Rules, 1956.

I am, therefore, to say that attention of the staff be drawn to this Rule and any violation of this by any member of the staff be suitably dealt with.

C.L. No. 120/Admn. (D) dated 23rd November, 1994

Concerning possession of identity cards by the employees of Subordinate Courts as well as clerks of Advocates.

I am directed by the Court to say that all employees of District Courts should have identity cards with their photographs and that they be displayed on their coat or shirt as the case may be.

I am further directed to say that all clerks of Advocates should also display their identity cards with photographs attested by the Chief Judicial Magistrate or by any other Judicial Officer specifically nominated for this purpose by you.

C.L. No. 32 / 98 dated Allahabad 20th August, 1998

Issue of Identity Cards to Civil Courts' staff and to Advocates' Clerks

It has come to the notice of the Court that persons not on the roll of the subordinate courts are found handling the judicial records. Such situation can not be permitted to continue for long. The matter came for consideration in the Administrative Conference held recently. The Hon'ble Court has taken a decision for enforcing better behaviour from the civil courts staff all the employees of the subordinate courts should bear badges indicating their names. The Advocates' clerks must have an Identity Card with photograph duly stamped and signed by the District Judge or his nominee. The Advocates' clerks, not possessing the Identity Cards be not permitted to enter the offices of the subordinate courts.

I am, therefore, directed to communicate that the aforesaid directions of the Hon'ble Court may be brought to the notice of all concerned and be strictly complied with.

[21] GROUP INSURANCE

(i) Payment under the Group Insurance Scheme

C.L. No. 52/Admn. (D) dated 31st August, 1982

Vide statement I of Part IV of F.H.B. Vol. II Parts II to IV the District Judges have been declared as Heads of Department of their establishment for the purpose of payment of cheques relating to Group Insurance Scheme.

In view of this provision District judges are Required to open a current account in the State Bank of India in the name of the District Judge under the head Group Insurance Scheme with a sum of Rs. 100/- to be taken from the contingent grant at their disposal for the purpose and the cheques received from the Government will be got deposited in that account. After the cheque has been deposited in that account, the payment thereof shall be made to the rightful claimant by issuing an account payee cheque from the account aforesaid, in the name of the claimant.

परि० प० संख्या 43/X बी-97/प्रशा०वि० (घ), दिनांक 20 जुलाई 1993

विषय:- लापता सरकारी सेवकों के आश्रितों को सामूहिक बीमा की धनराशि का भुगतान।

महोदय,

उपर्युक्त विषयक वित्त (बीमा) अनुभाग के पत्र संख्या 1905/दस-91-46-87, दिनांक 21.7.1992 की प्रतिलिपि संलग्न करते हुए मुझे आपसे यह कहने का निर्देश हुआ है कि कृपया उक्त शासनादेश के निर्देशानुसार कार्यवाही करने का कष्ट करें।

पत्र संख्या बीमा 1905/दस-91-46-87, दिनांक 21 जुलाई 1992

लापता सरकारी सेवकों के आश्रितों को सामूहिक बीमा की धनराशि का भुगतान।

मुझे यह कहने का निर्देश हुआ है कि उपर्युक्त विषयक शासनादेश संख्या बीमा-1321/दस-89-46-1987, दिनांक 15 सितम्बर, 1989 को एतद्वारा निरस्त करते हुए सरकारी सेवा काल में लापता हुए अधिकारियों/कर्मचारियों की सामूहिक बीमा योजना के अन्तर्गत देय धनराशि का उनके लाभार्थियों को भुगतान करने की प्रक्रिया को सुगम एवं उदार बनाने के साथ ही साथ योजना की कल्याणकारी छवि को और व्यापक बनाने के उद्देश्य से सम्यक् विचारोपरान्त शासन ने अब यह निर्णय लिया है कि लापता सरकारी सेवकों के मामलों में मासिक अभिदान की कटौती उसके लापता होने के माह तक ही की जायेगी तथा तदनुसार ही उस माह में प्रभावी दरों पर योजनान्तर्गत देयों की गणना की जायेगी, देय धनराशि का भुगतान सम्बन्धित सरकारी सेवक के लापता होने के माह के पश्चात् सात वर्ष की अवधि पूर्ण होने पर सक्षम न्यायालय द्वारा घोषणात्मक डिक्री पारित करके उसे मृत घोषित किये जाने के उपरान्त ही किया जायेगा। भुगतान करने के पूर्व लाभार्थी से संलग्न प्रपत्र में एक क्षतिपूर्ति बन्ध-पत्र, दो प्रतियों में भरवाया जायेगा तथा उसकी एक प्रति दावे के साथ उत्तर प्रदेश राज्य कर्मचारी सामूहिक बीमा निदेशालय को प्रेषित की जायेगी।

2. इस सम्बन्ध में यह भी स्पष्ट किया जाता है कि इस योजना के अन्तर्गत बीमा आच्छादन की धनराशि का भुगतान उपरोक्त प्रक्रिया के अनुसार किया जायेगा, भले ही इस प्रकार मानी गई मृत्यु की तिथि सरकारी सेवक को अधिवर्षता प्राप्त करने की तिथि के बाद ही क्यों न पड़ती हो।

3. कृपया अपने अधीनस्थ समस्त अधिकारियों/कर्मचारियों को उपर्युक्त आदेशों से अवगत करा दें।

INDEMNITY BOND

(THIS DEED OF INDEMNITY is made on the.....day of..... 19.....corresponding to Saka Samwat the.....day of.....19..... BETWEEN

(1) widow/husband/son/daughter of Sri/Srimati residing at (hereinafter called "Bounden-I" which expression shall unless excluded by or repugnant to the context include his/her heirs, executed, administrators and Legal representatives)

and (2) Son of resident of (hereinafter called “Bounden II” which expression shall unless excluded by or repugnant to the context include his heirs, executors administrators, and legal representatives) on the one part AND the Governor of the State of Uttar Pradesh (hereinafter called “the Governor” which expression shall unless excluded by or repugnant to the context include his successors-in-office and assigns) of the other part.

WHEREAS Sri/Srimati/Kumari son of/wife of/widow of/daughter of Sriwas in the employment of the Government of Uttar Pradesh (hereinafter called “the Government”) as in Department and as such he/she was enrolled as a member of the (U.P. State Employees Group Insurance and Savings Scheme.

AND WHEREAS the aforesaid Sri/Srimati/Kumari has been missing since and nor had on issued a decree declaring Sri/Srimati/Kumari to be dead as has not been heard of for seven years (hereinafter called “the deceased”). A certified copy of which as produced by the Bounden/Boundens, is annexed hereto:

AND WHEREAS the sum of Rs.....(Rupeesonly) is due to the deceased on account of Group Insurance in respect of his/her said enrolment from the Government.

AND WHEREAS the Bounden I who is of the deceased and the Bounden II who is of the deceased (hereinafter jointly called “the Boundens”), claim to be entitled to the aforesaid sum;

AND WHEREAS on the request of the Boundens the Government is willing to pay the aforesaid sum to the Boundens on the condition that they should first execute a bond, being these presents, to indemnity and save the Government harmless against all claims to the amount so due to the deceased before the said sum could be paid to the Boundens.

NOW THIS DEED WITNESSES THAT:-

(1) In consideration of the Government agreeing to pay the Boundens the sum as aforesaid the Boundens hereby jointly and severally covenant with the Government that, if after payment has been made to the Boundens, they shall in the event of a claim being made by any other person or by the missing Government servant, in case the deceased Government servant appear before the Government and/or..... and makes any claim against the Government with respect to the aforesaid sum of Rs(Rupees..... only) refund to the Government the sum of Rs(Rupees only) and shall otherwise indemnity and save the Government harmless from all liability in respect of the aforesaid sum and all costs incurred in consequence of any claim thereto then this bond shall be void but otherwise the said bond shall remain in full force, effect and virtue.

(2) Without prejudice to any other legal remedy the Government may on a certificate of the Joint Director, U.P. State Employees Group Insurance Directorate, Lucknow which shall be final, conclusive and binding on the Bounden/Boundens recover all dues hereunder from him/her/them as arrears of land revenue.

(3) The stamp duty on this instrument will be borne by the Government, in witnesses where, of the parties hereto have hereunto set their respective hands on the day and the year first above written.

Signed by Signed by

For and on behalf of the Government Bounden-I
of the State of Uttar Pradesh

Signed by
Bounden-II

Witnesses:

1 1
(Name and address) (Name and address)

2 2
(Name and address) (Name and address)

(Name of the competent court to be given here)

C.L. No. 17479/-97/General/Admn. (A) /Dated: 2nd November 1999

Decentralisation of procedure for payment of the amount of Group Insurance under U.P. State Employees Group Insurance Scheme.

I am directed to invite your attention to G.O. No. Beema-8/x-89/91/A/99, dated 16. 7. 1999 (copy enclosed for ready reference addressed to all Head of Departments/Head of the Offices as well as Chief Treasury Officers/Senior Treasury Officers/Treasury Officers of the State of U. P., on the above subject and to say that the claims of Group Insurance of retired/deceased officers/officials who had earlier submitted through Head of Department/Office to the Directorate of Group Insurance Scheme, U.P., Lucknow, for payment of the amount of Group Insurance on Form No. 26 or 27 (as the case may be) prior to 30-9-1999, shall be decided by the aforesaid Directorate.

I am to add that the procedure for payment of the amount of Group Insurance of retired/deceased Officers/ Officials as on 30-9-99, and onwards, shall now be adopted, as envisaged in paras 4 and 5 of the said G.O. dated 16.7.99

I am therefore, to request you kindly to ensure the strict compliance of the aforesaid G.O. dated 16.7.99, under intimation to the Court.

**[22] STANDARD PRESCRIBED FOR ENGLISH AND HINDI
TYPISTS/COPYISTS**

C.L. No. 49/VIIIb-89/Admn.(G) dated 17th July, 1990

Amendment to be made in Rule 267 of the General Rules (Civil), 1957 Volume 1.

I am directed to refer to Court's Notification No. 298/VIII B-89 dated 26.7.88 (correction slip No. 107) whereby Rule 267 of the General Rules (Civil), 1957 Volume 1 was amended and the daily quota of the copyists and typists was enhanced accordingly. In this connection I am to say that on receipt of representations from various corner a revision of the said quota is under consideration of the Hon'ble Court.

I am, therefore, to request that pending approval of the aforesaid revision, the standard prescribed for English and Hindi typists falling short by 20% and that of English and Hindi copyists falling short by 12% may not be adversely considered and the same be treated as sufficient for the purpose of counting their outturn.

[23] LITIGATION

C.L. No. 2679/L.C. dated 25th May, 1998

Submission of List of Cases with full particulars concerning Civil Court employees In which High Court and/or the District Judge are the parties.

As per prevalent practice in the past the District Judges were permitted to contest the cases concerning its employees in consultation with the Chief Standing Counsel under intimation to the Court. It has been noticed that the copies of the cases concerning Civil Court employees in which High Court is not a party were not made available to the Cell by the Chief Standing Counsel nor the Litigation Cell has any knowledge about such cases and regarding filing of counter affidavit in such cases.

Now on the recommendation of the Court the State Government has been pleased to appoint Shri Sunil Ambwani, Sri Sudhir Agrawal and Sri K.R.Sirohi Advocates as Special Counsel to look after the cases of Officers and Officials of the High Court, Officers of Subordinate Judiciary and Officials/employees of Civil Courts of the State of Uttar Pradesh. Shri Sunil Ambwani has been authorised to accept notices of such cases on behalf of the High Court and/or District Courts.

After approval of the aforesaid panel the Special Counsel find it very difficult to contest the cases concerning Civil Court employees In the absence of copies of counter affidavits in the cases and also In the absence of copies of writ petitions in which High Court is not a party.

In the circumstances narrated hereinabove I am desired to request you to:

a) furnish a list of cases with full particulars concerning employees if the Judgeship.

b) make available copies of the counter affidavits filed by or on behalf of the District Judge in the cases concerning employees of the Judgeship:

c) make also available the copies of the writ petitions/cases preferred by the aggrieved employees of the Judgeship in which High Court is not a party.

Please ensure strict compliance of the directions at the earliest, preferably within a fortnight from the date of receipt of the Circular Letter.

[24] MISCELLANEOUS

(a) Change of name of English Office

C.L. No. 42/Xe-5 dated 15th April, 1961

The name of English Office is changed as “Administrative Office” (Prashashkiya Karyalaya).

(b) Utilization of court staff in absence of presiding officer

G.L. No. 973/67-3 dated 6th March, 1914

When owing to the temporary transfer of or the grant of short leave to the presiding officer of the court the ministerial staff is left without work, it should, in the absence of any orders from the High Court, be utilized in clearing off arrears, if any, in the court left vacant or in other courts in the judgship. At the end of the period a report should be submitted to the High Court indicating how the staff was employed.

(c) Checking of Amin's proceedings register by Munsarim

G.L. No.1500/67-3 dated 7th March, 1927

The Munsarim when checking the proceedings of an Amin should enter in the column of remarks his initials together with the date on which such check was made.

(d) Standard of work for Assistant Record Keeper

G.L. No. 66/A-20 dated 3rd December, 1935

Under paragraph 117, page 77 of the Dupernex Scheme the standard fixed for one Assistant Record Keeper is 3,000 records a year. In the case of small cause court records, however, an Assistant Record Keeper is expected to deal with 9,000 records a year.

(e) Maintenance of Karguzari Register of Deputy and Assistant Record Keeper

C.L. No. 1/Ve-55 dated 7th January, 1955

Each Deputy and Assistant Record Keeper shall maintain a diary of daily work in a form prescribed by the District Judge and enter therein, besides the daily work done by him, all such other informations as may be directed by the District Judge.

The District Judge, if he considers it more convenient to prescribe a form other than the specimen forms forwarded with the Circular Letter noted in the margin, shall communicate the form so prescribed by him to the Court.

(f) Supervision over process-servers

G.L. No. 2702/A-I dated 3rd July, 1915

The main work of peons allotted to serve processes is the service of processes. When necessary they may also be employed to-

- (1) attend on arbitrators; or
- (2) to keep custody of a judgment-debtor; or
- (3) to bring records, forms or stationery from an outlying court or vice-versa;
or
- (4) to take back forms and stationery from the district court to the outlying courts.

They should not be employed to perform duties which are ordinarily performed by orderlies, office peons and bastabardars.

(g) Norm of work of process-servers

C.L. No. 54 dated 15th May, 1968

The norm of work fixed by the Court is 700 processes per process-server per year.

C.L. No. 105/VIIIc-1/12 dated 7th December, 1968

With regard to change of beats of process-servers, the provisions contained in rule 130 of the General Rules (Civil), 1957, Vol. I should be followed.

C.L. No. 95/VIc-4 dated 20th September, 1951

The rules in Order V of the Code of Civil Procedure primarily aim at personal service on the party to be served or his duly authorised agent, and service by affixation is to be resorted to only when personal service is not practicable even after the exercise of due and reasonable diligence as provided in rule 17 of that Order. Prompt and personal service should therefore, be the first concern of the serving officer. Yet, for various reasons, the service of processes can hardly be said to be satisfactory. At present some courts interpret the term 'personal service' to include 'refusal to take summons' refusal to sign an acknowledgement of service on the original summons after receiving the copy, 'running away to avoid service followed by affixation' or not coming out of the house followed by affixation. The Court is of the view that such service should not be taken as 'personal service'.

Sustained effort vigilance and strictness on the part of the officer-in-charge of the Nazarat should eliminate all slackness on the part of the process-servers. Personal service in 75 per cent of cases should be regarded as reasonable standard and process-servers showing a percentage of personal service below this standard should be suitably dealt with. If in spite of a warning they do not improve they should be suitably punished.

To ensure efficiency and a proper control over the staff, the Nazir should be required to submit to the District Judge for perusal and necessary orders, through the officer in-charge, a monthly statement containing the following particulars namely:

- (1) Name of process-server.
- (2) Percentage of processes in which personal service effected as indicated in this letter.
- (3) Percentage of processes in which extension of time was applied for and granted.
- (4) A brief note of the action taken by the officers in-charge against each process-server found to be at fault.
- (5) Number of processes not returned to the issuing court within three days in the case of local courts, and seven days in the case of out-station courts of the date fixed for hearing and a brief note explaining the delay in each case.
- (6) A brief note of the action taken by the officer-in-charge with respect to such delays

(h) Uniforms for inferior staff

C.E. No. 30/Main A/Admn. (D) dated 14th April, 1987

All the District Judges and Munsif-Magistrates of outlying courts are informed of G.O. No. 6584/VII-A-Nya-619/83-Nyaya (Adhinasth Nyayalaya) Anubhag, dated 28th October, 1986 for providing dress to Process-Servers, Jamadars, Daftaris and Chaukidars.

(i) Duty hours and accommodation to chaukidars

C.L. No. 41/VI-C-10/Admn. (D) dated 29th May, 1986

The District Judge should take only eight hours duty from the Chaukidars.

C.L. No. 26/VIC-10/Admn. (D) dated 3rd April, 1987

The District Judges are requested to provide necessary accommodation to the Chaukidars within the campus of civil courts.

(j) Committee to solve problems

C.L. No. 41/VI-C-10/Admn. (D) dated 29th May, 1986

The District Judge should constitute a committee consisting of two senior officers including Officer-in-Charge, Nazarat for looking into the local problems and grievances of Class IV employees.

C.L. No. 39 Dated 12 October, 2004

Constitution of Advisory Committee for settlement of problems and grievances of the Civil Court Employees.

In continuation of Court's Circular Letter No. 49/Ve-60/Admn.(D) Sec. Dated September 21, 1985, I am directed to say that it has been brought to the notice of the Court that for looking into the grievances and problems of the Civil Court Employees either no Advisory Committee has been constituted or is non-functional. Upon consideration of the matter the Hon'ble Court has taken this lapse very seriously and has desired that in compliance with the directions as contained in the aforementioned circular letter, an Advisory Committee consisting of two Judicial Officers for looking into the grievances and problems of the employees of your judgeship be now constituted / made functional under intimation to the Court and the demands, grievances and problems of the employees are dealt with as expeditiously as possible.

I am, therefore, directed to request you kindly ensure strict compliance faithfully.

(k) Application of Medical Attendance Rules

C.L. No. 29/Xb-55 dated 5th April, 1956 and

G.O. No. 6604-B/V-1261-49 dated 29th November, 1954

The *U.P. Government Servants (Medical Attendance) Rules 1946*, apply only to those wholetime temporary and officiating employees of the U.P. Government, who are paid from the establishment section of the budget. Temporary and officiating employees of the State who are paid from the contingencies are excluded from the above concession, besides those who are already excluded from the benefits of these Rules under rule 2(5) of the *U.P. Government Servants (Medical Attendance) Rules, 1946*.

(I) Age of superannuation

C.L. No. 16639 /Ve-4 / Admn. (D) Dated 18th November, 2002

Amendment in Fundamental Rule 56 of Financial Hand Book., Volume II, Parts II to IV concerning increase in the age of superannuation from 58 years to 60 year of the State Government employees.

In continuation of the Court's letter No.763/Ve-4/A dmn. (D), dated 19.1. 2002, on the above subject, I am directed to send herewith a copy of notification No .G- 2-60 5/X- 534(19) 57, dated 27.6.2002 of Uttar Pradesh Government concerning, aforesaid amendment, for information and necessary action.

संख्या जी-2-605/दस-534(19)57 लखनऊ, दिनांक, 27 जून, 2002

अधिसूचना/प्रकीर्ण

प० आ०-414

संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्ति का प्रयोग करके राज्यपाल फाइनेन्शियल हैण्डबुक, खण्ड-दो, भाग-दो से चार में दिये गये फण्डामेन्टल रूल्स में संशोधन करने की दृष्टि से निम्नलिखित नियमावली बनाते हैं।

उत्तर प्रदेश फण्डामेन्टल (संशोधन) नियमावली, 2002

संक्षिप्त नाम और प्रारम्भ

1-(1) यह नियमावली उत्तर प्रदेश फण्डामेन्टल (संशोधन) नियमावली, 2002 कही जायेगी।

(2) यह 28 नवम्बर, 2001 से प्रवृत्त हुई समझी जायेगी।

फण्डामेन्टल रूल 56 का संशोधन

2. फाइनेन्शियल हैण्डबुक खण्ड-दो, भाग दो से चार में दिये गये उत्तर प्रदेश फण्डामेन्टल रूल्स में, नियम 56 में,

(क) नीचे स्तम्भ-1 में दिये गये खण्ड (क) के स्थान पर स्तम्भ 2 में दिया गया खण्ड रख दिया जायेगा. अर्थात:-

स्तम्भ-1 वर्तमान खण्ड	स्तम्भ-2 एतद्वारा प्रतिस्थापित खण्ड
56(क) इस नियम के अन्य खण्डों में अन्यथा उपबन्धित के सिवाय प्रत्येक सरकारी सेवक उस मास के जिसमें वह अट्ठावन वर्ष की आयु प्राप्त करे अंतिम दिन अपरान्ह में सेवानिवृत्त होगा। उसे अधिवर्षता पर सेवानिवृत्ति के दिनांक के पश्चात् सरकार की पूर्व स्वीकृति से लोक आधार पर, जिसे अभिलिखित किया जायेगा, सेवा में रखा जा सकता है, किन्तु अति विशेष परिस्थितियों	56 (क) इस नियम में अन्यथा उपबन्धित के सिवाय प्रत्येक सरकारी सेवक उस मास के जिसमें वह साठ वर्ष की आयु प्राप्त करे अन्तिम दिन अपरान्ह में सेवानिवृत्त होगा। परन्तु कोई सरकारी सेवक जिसकी जन्म तिथि किसी मास के प्रथम दिवस को हो तो वह साठ वर्ष की आयु प्राप्त कर लेने पर पूर्ववर्ती मास की अन्तिम दिवस के अपरान्ह में सेवा से निवृत्त होगा। परन्तु यह और कि कोई सरकारी सेवक जिसने नवम्बर 2001 के प्रथम दिवस पर या उसके पूर्व अट्ठावन वर्ष की आयु प्राप्त करली हो और सेवा विस्तार पर है तो वह उसकी सेवा अवधि के विस्तार की समाप्ति पर सेवा से निवृत्त

<p>के सिवाय उसे साठ वर्ष की आयु के पश्चात् सेवा में नहीं रखा जाना चाहिए:</p> <p>परन्तु 5 नवम्बर 1985 के पूर्व भर्ती किया गया और समूह (घ) पद को धारण करने वाला कोई सरकारी सेवक उस मास के जिसमें वह साठ वर्ष की आयु प्राप्त करे अन्तिम दिन अपरान्ह में सेवा से निवृत्त होगा।</p> <p>स्पष्टीकरण - उपर्युक्त परन्तुक उन मामलों पर लागू नहीं होगा जहां उक्त परन्तुक में निर्दिष्ट पद/पदों की परिस्थिति में 27 फरवरी 1982 के पश्चात् परिवर्तन किया गया हो और उच्चतर समूह के पद/पदों वर्गीकृत किया गया हो।</p> <p>(ख) टिप्पणी 3 निकाल दी जाएगी।</p>	<p>होगा।</p> <p>(क)-1 किसी सरकारी सेवक की सेवा में साठ वर्ष की सेवा निवृत्ति की आयु के आगे सेवा में विस्तार नहीं दिया जाएगा।</p> <p>परन्तु किसी ऐसे सरकारी सेवक जो बजट कार्य से सम्बद्ध है या किसी ऐसी समिति के पूर्णकालिक सदस्य के रूप में कार्य कर रहा हो जिसका अल्प समय में परिसमापन किया जाना है सेवा का विस्तार लोकहित में सरकार द्वारा तीन मास से अधिक की अवधि के लिए बढ़ाया जा सकता है।</p> <p>परन्तु यह और कि सरकार को किसी स्थायी सरकारी सेवक की दशा में तीन मास से अन्यून या अस्थायी सरकारी सेवक की दशा में एक मास की लिखित सूचना देकर या ऐसी सूचना के बदले में वेतन और भत्ते देकर ऐसे किये गये सेवा विस्तार की अवधि के समाप्ति के पूर्व उसे समाप्त करने का अधिकार होगा।</p> <p style="text-align: right;">आज्ञा से, नवीन चन्द्र बाजपेयी प्रमुख सचिव</p>
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(m) Closure of Court due to sad demise

C.L.No. 37 / 98 / dated Allahabad 20th August 1998

Closure of courts and offices on sad demise of an employee of civil court.

On the aforesaid subject, the Hon'ble Court has taken a decision that the District Judges should exercise their discretion on the occasion of sad demise of an employee of the civil court as the situation warrants. The District Judge can permit few members of the staff to attend the funeral of the employee even during court hours.

I am, therefore, directed to communicate you the aforesaid direction of the Court for compliance.

(n) To keep attendance of Law Clerks (Trainee) and to maintain a diary of work done on day-to-day basis by them

C.L. No. 30/2010/Admin. 'G-II' Dated 07.01.2010

I have been directed to inform you to keep attendance of the Law Clerks (Trainee) and also he/she be instructed to maintain a diary of work done on day-to-day basis by them.

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* Withdrawn by the Hon'ble court through C.L. No. 138/Admn (G) dt. 21.12.1994

CHAPTER - III

COURT COMPOUND

1. COMPOUND

C.L. No. 13/2AA-1-55 dated 4th March, 1955 read with

C.L. No. 27/IXg-36 dated 26th April, 1955.

District Judges may allow the legal practitioners to place their takhats, and the vendors of sweetmeats etc. to put up a limited number of temporary structures in the civil court compounds. In granting such permission the following points shall be kept in view:-

- (1) A particular place or places in the compound should be set apart for the placing of takhats or putting up of temporary structures.
- (2) The roads immediately surrounding the court buildings should be kept free from all obstructions.
- (3) The takhats should be placed in some order and not at random.
- (4) The structures should be located at a convenient place well arranged so that they may not mar the beauty of the civil court premises.
- (5) The maximum number of takhats to be allowed should be fixed having regard to the space available for the purpose and the need of lawyers. There should not be so many takhats that the premises present an unsightly appearance or cause congestion. The maximum number so fixed should not ordinarily be allowed to be exceeded.
- (6) The takhats should be of ordinary size.
- (7) No temporary structure should be permitted on any takhat.
- (8) No rent should be charged from the lawyers for the keeping of takhats in the compound.

C.L. No. 6 dated 30th June, 1904

No permanent structures of any kind are to be erected within the compound attached to the court house until the sanction of the High Court has been obtained. It is the duty of the Nazir to see that all temporary structures including piyaos, huts for pankha coolies, sheds etc., are removed at the latest by the end of each civil court vacation.

C.L. No. 50 dated 20th May, 1959

Unauthorised engravings or epitaphs in the compounds of the civil court are undesirable. As such stone-slabs etc. with engravings thereon to commemorate any occasion should not be fixed in the compounds of the civil courts without prior approval of the Court.

C.L. No. 522/46-78 dated 30th July, 1913

Some District Judges have from time to time in the past dealt with government property under their control in such a way as to allow strangers to acquire, or to be in a position to set up claims of adverse possession against the Government. In most cases this has been done without information being given to the High Court or to any responsible officer of Government. For instance, additions to and changes in new buildings have been made by a District Judge acting with the Public Works Department which have involved Government in an expenditure of Rs. 42,563, a sum far beyond the sanctioned estimates. In another district a large mosque with a grove attached to it and other appurtenances have been built upon such land and rent paid by government for the land so occupied. In other districts smaller mosques have grown up with the consent or at any rate without opposition from the District Judge. In some cases portions of court buildings have been allotted to pleaders or government officials thereby curtailing the accommodation intended for other officials.

In future the responsibility for seeing that changes are not made without the sanction of the High Court previously obtained will be strictly enforced.

Requisitions from other departments - Registration, Police, etc. to occupy parts of the court buildings or to add to existing buildings should, before assent is given to them, be sent to the Court for consideration. It is not conducive to the security of a record room to find that a portion of it has been assigned to the Registration Department and that free access in consequence has been given to Registration officials to come and go at will inside the District Court's record room.

C.L. No. 40/Budget-1 dated 12th July, 1982

The District Judges should take up the matter effectively with the District Magistrate and Municipal Board authorities for, stopping unauthorised constructions of gumtis and hut shops, etc., outside the court premises and the removal of unauthorised constructions as also for keeping the vicinity of the civil courts outside its compound in healthy and hygienic conditions.

C.L. No. 50/IXg-36 dated 25th April, 1961 referred in

C.L. No. 4 dated 1st April, 1903

C.L. No. 6 dated 30th June, 1904 and

C.L. No. 3159 dated 5th October, 1909

The Nazir of each outlying court and the Central Nazir of each judgeship will, through the District Judge, report to the Court that he has inspected the grounds attached to the civil court building and will certify that no permanent structures have been erected within the said ground during the last financial year (April to March) for the erection of which the sanction of the Court has not been obtained and that all structures of temporary nature have been removed. The report should reach the Court not later than first week of May each year.

C.L. No. 2990/67 dated 12th July, 1913

Office copies of these annual reports are to be kept for twelve years computed from the January 1, of the year succeeding that to which they relate.

C.L. No. 103 dated 18th November, 1957

No club should be opened in the court premises without the specific sanction of the High Court.

G.L. No. 5/SC-1, (1) dated 20th January, 1937, read with

G.L. No. 23/SC-2 dated 7th April, 1937

Each District Judge is the authority to allow the erection of a post for a telegraph or a telephone on civil court land whether the line is for the benefit of some one else or some other government building or for a telegraph office. In exercising this authority the District Judge will satisfy himself that the line cannot be laid elsewhere and that the posts do not cause any unsightly obstruction to the civil court buildings. The conditions laid down in G.L. No. 23/SC-2, dated April 7, 1937 must be carefully borne in mind.

[2] BUILDINGS

(i) Construction of additional court room

C.L. No. 98/s(b) dated 20th July, 1971

Whenever any proposal to the Court is made for construction of additional court rooms at a particular station, full information on the following points should be sent:

- (1) Number of permanent courts.
- (2) Whether accommodation for such courts and their offices etc. is available in the existing building.
- (3) Number of temporary courts, duration of such temporary courts and the period for which they are likely to continue (along with full facts and figures in justification).
- (4) Whether accommodation and furniture are available. If not, the reason thereof.
- (5) In case additional court rooms are to be constructed, the demand for additional furniture should also be sent along with the proposal for construction of court rooms.
- (6) Whether residential accommodation is available for the officers of permanent courts, temporary courts and for the officers likely to be posted on the creation of new courts.

(ii) Construction of three storied buildings

C.L. No. 103/s(b) (Main) dated 8th June, 1974 and

C.L. No. 111/s(b) (Main) dated 26th July, 1974

Proposals for construction of court rooms, office rooms, residences etc., should be sent to the Court keeping in view the instructions contained in Government letter no.

1166CB/23 C.B.-VIII-70 CB-74, dated June 15, 1974 which prohibits construction of Government building of less than three storeys in urban areas.

Whenever permission is granted to the Bar for construction of chambers or other rooms, it should be examined, specially where there is shortage of land, that the foundation of the construction is strong enough to have a three storied building.

(iii) Master plan

C.L. No. 15/x(b) dated 25th January, 1971

At the time of submission of any new proposal for construction in future, sanctioned plans of all the new constructions should be put up for fresh location along with a note as to the condition of the old building so that the new constructions may fit in with the master plan whenever prepared.

C.L. No. 12/IXg-10 dated 24th January, 1969

While selecting sites for construction of court and residential buildings of the Judicial Department, the District Judges should see that the instructions contained in G.O. No. 5890-H/XXXVII-118(TVP)- 1963, dated April 10, 1964, are complied with strictly.

C.L. No. 7/Main. s(B)/Admn. B-1 dated 13th January, 1986

The District Judges should get the work executed only after obtaining the prior sanction of the Court in respect of execution of the minor/petty works.

(iv) Approved designs

(a) Civil court buildings

C.L. No. 33/IXg-14 dated 27th March, 1958 as modified by

C.L. No. 106/IXg-14 dated 20th November, 1958 and

C.E. No. 71/IXg-14 dated 17th July, 1972

Plans regarding civil courts should be got prepared in conformity with the standards given below which have been approved by the Government:

1. Each Munsif's court- 30ft.x20ft. or 600 s. ft.

- (i) Retiring room 12 ft. x 14 ft. or 168 s. ft.
- (ii) Bath room 6 ft. x 8 ft. or 48 s. ft.
- (iii) Stenographer 8 ft. x 8 ft. or 64 s. ft.
- (iv) Office for 8 persons at 50 s. ft. for each = 20 ft. x 20 ft. = 400s. ft.
(Office should have 8 big built-in almirahs - one for each clerk).

Total floor area (Munsif's court) 1,280 s. ft.

2. Each Civil Judge and Additional District Judges Court.

- (i) Court room 30 ft. x 20 ft. or 600 s. ft.
- (ii) Stenographer 8 ft. x 8 ft. or 64 s. ft.
- (iii) Retiring room 12 ft. x 14 ft. or 168 s. ft.
- (iv) Bath Room 6 ft. x 8 ft. or 48 s. ft.

- (v) Office for 8 persons at 50 s. ft. for each = 20 ft. x 20 ft. = 400 s. ft.
(Office should have 8 big built - in almirahs - one for each clerk).

Total floor area of Civil Judge's court 1,280 s. ft.

3. District Judge's court room-

- (i) Court room 24 ft. x 36 ft. = 864 s. ft.
(ii) Retiring room 14 ft. x 18 ft. = 252 s. ft.
(iii) Bath room 6 ft. x 8 ft. = 48 s. ft.
(iv) Stenographer 8 ft. x 8 ft. = 64 s. ft.
(Steno's room will have one built-in almirah).
(v) Office rooms 2 of 400 s. ft. each

The accommodation proposed for each clerk is 50 s. ft. For 8 clerks there should be 8 built-in almirahs.

One of the offices will have a partition for Munsarim. Total floor area District Judge's court 2,028 s. ft.

4. Library 15 ft. x 25 ft. = 375 s. ft. with steel racks for books all along the walls up to the ceiling.
5. Record room - 70 ft. x 35 ft. = 2,450 s. ft. with racks up to ceiling and all over the floor area.
6. Copying section. One room 34 ft. x 20 ft. = 680 s. ft.
7. Form room - One room 12 ft. x 20 ft. = 240 s. ft. with racks up to the ceiling.
8. Nazir's room. About 400 s. ft.
9. Government Pleader -One room 14 ft. x 12 ft. = 168 s. ft.
10. Malkhana - 15 ft. x 15 ft. = 225 s. ft. with racks in one of the walls.
11. Store-10 ft. x 12 ft. = 120 s. ft.

C.L. No. 29/Budget-1/IXg-14 dated 20th March, 1978

District Judges should never write directly to the P.W.D. for Architects to visit sites in connection with preparation of plans for construction of court rooms. They should please contact the local Executive Engineers to prepare such site-plans and move the Court for necessary orders.

(b) Witness-shed

G.L. No. 2240/93-10 dated 7th July, 1920

The plan of witness-shed, as approved by the Court is printed as Sheet No. 1 in the designs attached to G.O. no. 3497-C.B; dated December 17, 1919. District Judges should see that this is used whenever a new witness-shed is built.

A witness shed must be kept in a sanitary condition and for this purpose the plan provides a building open on all sides. The Court expects judicial officers to prevent these buildings from being used for purposes other than that for which they are intended and to see that open spaces are on no account built upon.

(c) Urinals

C.L. No. 151/Budget dated 28th September, 1977

In case there is no proper urinal, water supply etc. in the civil court compound, proposal for the purpose should be sent to the Court along with necessary plan, site plan and estimate duly scrutinized by the P.W.D./L.S.G.E.D.

(d) Inferior staff quarters

C.L. No. 71/65(b) dated 21st November, 1963

In relaxation of the permissible limit calculated under F.R. 45(A)(iv)(a) of Financial Handbook, Vol. II the Government have approved the standard design for quarters for inferior government servants at a cost not exceeding Rs. 2,000 excluding cost of sanitary fittings, septic tank and water post. These quarters should be constructed in a group of three with one common sanitary fitted latrine and stand post. Additional expenditure not exceeding Rs. 233 per quarter be incurred on this account and if only one or two quarters are constructed at one place, expenditure on these should not exceed Rs.600/-and Rs.350/-per quarter respectively.

(e) Rent

C.L. No. 34/315(b)-5-63 dated 9th May, 1963

The following are the heads for debiting expenditure on payment of rent for building taken on hire for locating courts and offices :-

- (1) In the case of buildings taken for location of the court of Additional District Judges the sub-head should be "Contingencies" under the primary unit '(a) District and Sessions Judges';⁺
- (2) In the case of buildings taken for location of the courts of Additional Civil Judges or Judges, small causes the sub-head should be "Contingencies" under the primary unit (b) Civil Judges';⁺⁺
- (3) In the case of buildings taken for location of the courts of Additional Munsifs, the sub-head should be "Contingencies" under the primary unit '(c) Munsifs'.⁺⁺⁺

Suitable provision should henceforth be made in the budget estimates for expenditure on payment of rent keeping in view the accommodation in the civil court buildings and also the pending work necessitating the creation of additional courts in the judgeship or the station, as the case may be, during the year for which the budget proposals are sent to Government so that, if necessary, buildings may in such contingencies be taken on rent and payment of rent may be made from the relevant head.

Government may be moved direct for providing necessary funds for payment of rent in case any building is taken on hire during the current financial year or if any arrear of rent in respect of building taken on hire is outstanding, if the expenditure on payment

⁺ Now '01-District and Sessions Judge'.

⁺⁺ Now '02-Civil Judge'.

⁺⁺⁺ Now '04 - Munsif'.

of such rent or arrears cannot be met from the grant under the head 'Contingencies' at disposal.

(f) Annual repairs

G.L. No. 14/663-627 dated 11th July, 1945

The Government has allowed an increase of 40 percent till conditions revert to normal on the existing allotments for annual repairs in respect of the residential buildings of judicial officers under the control of the High Court. This increase will not involve any consequent revision of rent statements or an increase in the rents realised from the occupants of the buildings.

(g) Court buildings not to be used as residence

G.L. No. 3264 dated 20th October, 1909

Permission to occupy any portion of a court building for purposes of residence is in no case to be given to any one without the previous sanction of the High Court.

(h) Report of damage to P.W.D.

G.L. No. 2559 dated 31st July, 1923

A fire broke out in a government building and the roof of the building and doors and windows were entirely destroyed. As the repairs of all non-residential and residential buildings (not borne on the Capital and Revenue account) have been transferred to the departmental heads, it now devolves on the High Court to arrange for funds to carry out the necessary repairs in case of such damage. But in order to safeguard Government, as far as possible, against heavy expenditure due to such accidents, District Judges should report at once to the Public Works Department any damage caused by an accident or fire to a government building so that necessary action may be taken in time to save further injury to the building.

(i) Measurement books

G.L. No. 53/10-SC-2-(11) dated 14th May, 1936

District Judges may take steps to keep up-to-date the standard measurement books pertaining to the buildings under their control, if they need them. They should not, however, make use of the services of the officers of the Public Works Department in this connection.

(j) Compliance of provisions of the U.P. Regulation of Building Operations Act, 1958

C.L. No. 7 dated 18th November, 1960

Attention of all the District Judges is invited to the provisions of sections 6 and 17 of the U.P. (Regulation of Building Operations) Act, 1958 and the instructions issued under G.O. no. 2341-H/XXXVII-50(17)-H-58, dated August 10, 1960 on the subject. It will be noticed that the Act makes no exception in favour of government constructions and all such constructions are, therefore, brought within the purview of the Act. It follows that no such construction can be made except in accordance with the provisions of the Act and in conformity with the directions, if any, issued by Government or the prescribed

and controlling authorities appointed for the regulation of building operations in the regulated areas. It is, therefore, necessary that prior sanction of the prescribed authority should be taken before any building operations are conducted within the limits of a regulated area. The District Judges should comply strictly with the directions contained in the Act and in the G.O. referred to above even in respect of government constructions.

C.L. No. 119/Ne-Jee-10 dated 23rd September, 1971

According to section 6 of U.P. (Regulation of Building Operations) Act, 1958, permission should be taken from the prescribed authority concerned before starting construction work in regulated areas and attempt should also be made not to encroach on the excess land as shown in Land Use of the master plan.

(k) Valuation

C.L. No. 70 dated 22nd July, 1969

Instructions contained in Government Circular Endorsement no. 2388(i)-CB/23-PCC-2CB/1968, dated May 21, 1968 regarding valuation of building by the Public Works Department should be complied with strictly.

(l) Electric Installation

G.L. No. 13 dated 4th June, 1931

All Judicial officers should arrange for the maintenance of electrical installations in the buildings under their charge as soon as the installations are made over to them.

G.L. No. 4186 dated 16th August, 1940

The cut-outs and neutral links referred to in rule 30, Indian Electricity Rules, 1954, are not part of the service line as defined by the first proviso, sub-head (b) to clause VI(I), Schedule, Indian Electricity Act, 1910 and their cost is not payable by consumers.

All District Judges should, therefore, refuse payment for such links and cut-outs.

G.L. No. 3827-B-1/49 dated 26th April, 1949

All District Judges, while proposing creation of temporary courts, should state whether or not the court building is fitted with electricity thus enabling the Court to sanction contingent grant in terms of G.O. no. 542/VII-378-47, dated April 16, 1949.

The contingent grants for temporary courts of Additional District Judges, Civil Judges and Munsifs are to be at the following rates, namely -

- (1) Rs. 25 per mensem for courts fitted with electric fans.
- (2) Rs. 60 per mensem for courts not fitted with electric fans and where Punkha pullers are employed for the period, 16th April to 15th October and at Rs. 25 per mensem for the rest of the year.

G.L. No. 9/46-63-611 dated 16th May, 1945

The Government have not issued any general orders allowing payment of maintenance charges of electric installation up to 3-1/2 per cent per annum of the cost of such installations in the case of non-residential buildings. The practice followed at present is for the head of a department to lay down a normal annual grant for

maintenance of the building as a whole, allowing, of course, 12-1/2 per cent of the capital cost for electric installations but it is left entirely to the discretion of the officer operating on the estimate to vary the proportion of funds thus available on electric installation and other items. Items that cannot be met with under the normal grant are dealt with under separate estimates for special repairs.

G.L. No. 6/46-63-482 dated 24th February, 1940

The Government has directed that if the percentage charges amount to less than Rs. 100.00 on any individual work undertaken by the Irrigation Branch on behalf of the Building and Road Branch, or by the Building and Roads Branch on behalf of any other Government Department including the Irrigation Branch, the charges in such cases will be waived.

C.L. No. 34/X(b) dated 7th May, 1962

A note should be kept to take care in future in all cases where there is new wiring in a record room or a new record room is constructed that the wiring is all outside the record room and the wires are brought into the record room through the wall close to the place where the light point is to be fixed.

C.E. No. 37-M dated 16th May, 1962

Use of electric heaters is not allowed even in the hill districts.

(v) Engagement

C.L. No. 35/98 dated Allahabad 20th August, 1998

Engagement of other agencies of repute for construction work in the Judgeship.

It has been brought to the notice of the Hon'ble Court that the Government agencies involved in the construction and maintenance of the building do not complete the work within the time frame, This results in escalation of the prices. To avoid escalation of price the District Judge and the officer-in-charge of the building should take care at every stage from the time of acquisition of the land for getting the construction work completed within the stipulated period. If it is felt that the agency assigned with the construction work is not taking proper interest for any reason, then some other agency of repute may be invited to take up the construction work and proposal may accordingly be sent to the Court.

I am, therefore, directed to communicate the directions of the Hon'ble Court for strict compliance.

[3] ESTIMATES

(i) Court's previous sanction necessary

G.L. No. 45/67 dated 20th August, 1934

Funds for (i) petty and minor works, (ii) maintenance and repairs, and (iii) preparation of estimates and plans have been placed at the disposal of the High Court, and before any expenditure on account of work of an original nature or special and quadrennial repairs can be incurred, it is necessary to obtain the previous sanction of the High Court. The fact that funds can only be allotted against sanctioned estimate should

never be overlooked. In the case of special repairs to residential buildings the usual formalities have first to be gone through under paragraph 274 of the Account Rules. It is irregular for an officer to incur expenditure in anticipation of sanction, and when a work has been completed in one financial year and funds asked for in another financial year, it becomes difficult to get the expenditure regularised. The orders issued by the Government from time to time and the directions given in Chapter XIII of the Account Rules should be carefully followed by all officials of the Court in connection with the execution and provisions of funds for minor and petty work etc.

(ii) Preliminary estimates

G.L. No. 97/IXg-10 dated 20th November, 1956

According to paragraph 316 of the Financial Handbook, Volume VI, administrative approval should be accorded on the basis of preliminary estimates. Detailed estimates are not necessary for the purpose of administrative approval. Instructions have accordingly been issued by the P.W.D. that administrative approval will be accorded on the basis of preliminary estimates and so long as the detailed estimates are within the amounts approved by Government and are based on the detailed approved design, it is not necessary to submit detailed estimates for administrative approval by Government. District Judges should not insist on the submission of detailed estimates by the P.W.D.

C.L. No. 66 dated 15th July, 1969

All proposals for minor and major works pertaining to the judgeships should invariably be sent to the Court along with full justification for the works proposed to be got executed, complete data about such work and a rough plan in duplicate, showing the site of the constructions, so that the Court may, after considering the proposals, furnish to the Superintending Engineer/ Executive Engineer, Public Works Department its recommendation and all necessary information about the proposed works for preparation of preliminary plans and estimates in respect thereof alongwith the phasing of expenditure for further necessary action in the matter.

C.E. No. 4/Xb-2 dated 3rd March, 1967

The budget estimates, application for additional grants, Schedule of New Demands and all other matters regarding budget should invariably be submitted to the Court and not direct to the Government.

C.L. No. 20-IXb-10 dated 26th February, 1968

While submitting proposals to the Court for construction work the directions contained in G.O. no. 3591 A.S./3/67, dated October 26, 1967 and 14/14/67 Nyaya (Ka-2) Vibhag, dated December 27, 1967 should be strictly adhered to.

C.L. No. 130/U dated 29th October, 1971

Budget proposals both for recurring and non-recurring expenditure over the improvement of court compound should be submitted to the Court with full facts and figures in support of each item along with following information:

- (1) Area of garden, i.e., land put under gardening;
- (2) Area of lawn;

- (3) Is sufficient water available for irrigation?
- (4) In case of non-availability of water how irrigation is done at present?
- (5) In case there is a pumping set fitted in the court compound, the amounts actually spent during the last three years on :-
 - (a) Maintenance of the pumping set,
 - (b) Electric consumption charges, etc. and
 - (c) Other miscellaneous expenditures;
- (6) Is any coolie engaged for the maintenance of the garden and lawn? If so, the period for which he is engaged, the justification therefore based on facts and figures keeping in view the number of Malis sanctioned for the judgeship and the norm fixed therefor.

(iii) Estimates for petty works, special and quadrennial repairs

G.L. No. 22/IXg-15 dated 3rd April, 1948

The estimate of anticipated expenditure under “petty works”, “special repairs” and “quadrennial repairs” heads are not forwarded by a definite date, as is done in the case of demands for “annual repairs” and improvements of court compounds”. This results in a very irregular flow of demands, and there is always a chance of funds being allotted for less urgent demands pending at a particular time, in preference to more urgent demands that arise later. Further dislocation is caused by accumulation of demands received late in the financial year and instances are not lacking in which allowance made against such demands were allowed to lapse. The solution of the difficulty seems to be to put all the demands likely to arise in the course of a financial year before the High Court at one time for allotment of funds in order of urgency. District Judges should, therefore, send three separate lists showing the amount required for such-

- (i) Petty works,
- (ii) Special repairs,
- (iii) Quadrennial repairs as they intend carrying out to the various buildings under their charge during the current financial year. These lists should be accompanied by -
 - (a) a note showing the urgency of each item of expenditure proposed in the lists,
 - (b) a report whether necessary material is available for carrying out the work,
 - (c) estimate in duplicate for each work fully certified by the Central Nazir to the effect that the rates quoted therein do not exceed Public Works Department rates,
 - (d) plan of the new structure (if one has been proposed in the list) together with a site plan showing the existing and the proposed structures in the compound,
 - (e) in case of works relating to residential buildings, (i) a report from the Public Works Department whether the proposed expenditure

- would enhance the capital value of the building, and (ii) rent statement of the residence, if necessary, and
- (f) in case of electrical works, reports required under paragraph 277 of Financial Handbook, Volume V, Part I.

C.L. No. 109/IXg-27 dated 6th November, 1951

The lists may be sent as early as possible but not later than the 31st of July each year.

It is necessary that quadrennial repairs to residential and court buildings are carried out after every four years. District Judges should, therefore, submit a statement on the form appended below by the 31st of March every year. The requisition for funds should accompany all estimates which should be duly certified by the Central Nazir to the above effect –

Sl.No.	Name of building	Nature of quadrennial repair	Date when last carried out	Amount spent	Amount required in the next financial year
1	2	3	4	5	6

C.L. No. 123/Xb-(Budget) dated 29th November, 1969

Necessary demand for payment of office-rent should be included in the budget estimates.

(iv) Proposal for construction of residences of District Judges

C.L. No. 91/S(b) dated 21st August, 1972

Directions contained in G.O. no. 2401 (C.B.)/23-Sa -Ni (8) -63, CB/68, dated July 30, 1972 should be followed while submitting proposals for constructions of residences of District Judges.

(v) P.W.D. rates

G.L. No. 55/67-7 dated 25th October, 1935

While forwarding estimates of work to High Court for sanction it should invariably be certified that the rates quoted therein are in accordance with the latest Public Works Department rates. This direction should be carefully noted for strict compliance.

C.L. No. 126 dated 26th August, 1974

Rough estimates of the constructions should be submitted to the Court whenever necessary.

(vi) Estimates in duplicate or triplicate

G.L. No. 71/67(i) dated 17th December, 1935

Two typewritten copies of the estimate should be submitted to the Court at the time of asking for allotment of funds for works or repairs from the grants placed at the disposal of the Court.

G.L. No. 27 dated 8th March, 1958

The estimates for special repairs to government residential buildings should be submitted in triplicate in all such cases where any part of the expenditure involves enhancement of the capital value of the buildings.

[4] PREPARATION OF PROJECTS

G.L. No. 42/10-SC-(16) dated 28th November, 1931

Out of the three courses mentioned in paragraph 305 of the Financial Handbook, Volume V, Part-I, the one under sub-paragraph (b) being the most expensive, should usually be avoided and such agency for the preparation of projects should not be employed without the express sanction of the Court.

C.L. No. 75/IXg-14 dated 16th October, 1973

In case of delay in preparation of standard plans and estimates of execution of works by the P.W.D., the District Judges should report the same to the Court so that the Government may be apprised of the position.

[5] WORKS BY CONTRACTORS

(i) Tenders

G.L. No. 14/67-6 dated 27th March, 1939

When any construction or work is to be carried out tenders should be invited so as to introduce the element of competition and secure the most favourable terms. In order to invite tenders it is necessary to describe what is wanted. In building construction, that description normally consists of drawings specifications and usually quantities of the various items of work, i.e. an 'estimate' the subordinate courts are, however, not in a position to make a proper estimate themselves and have to obtain it from contractors. But in many cases it has been noticed that one contractor only has been asked to submit a design and quotation for construction. When this is done the element of competition is absent and there is a grave danger that the design will not only be bad but also that the price quoted will be too high.

The best method, therefore, is to invite all local contractors to submit designs, specifications and a lump sum tender. The officer concerned can then judge not only the designs submitted but also the prices quoted and can accept whichever he thinks best. But special care should be taken to see that when tenders are invited it is clearly stated that no payment would be made for the designs submitted whether the tenders are accepted or rejected.

G.L. No. 53/67-6 dated 14th September, 1937

The Public Works Department furnishes District Judges with lists of contractors of all classes maintained in that department and tenders should be invited even for annual repairs from contractors of classes 'B' and 'C' also in order to provide greater competition.

(ii) Approval and completion

G.L. No. 16/67-13 dated 14th July, 1928

A contractor to whom a work is entrusted is not entitled to full payment till such time as the work is completed satisfactorily and is duly approved. If any defects are noticed, and the District Judge considers it necessary, the Executive Engineer or the District Engineer of the Public Works Department should at once be consulted in the matter and asked to give his expert opinion as to what penalty should be exacted from the contractor and what directions (technical or otherwise) should be given to him to enable him to carry out satisfactorily the work to completion. If an advance is given to a contractor, the balance of the amount should not be paid to him till such time as the work is completed and approved.

District Judges should exercise great care and thought before making payments to contractors.

C.E. No. 27/IXg-10 dated 22nd April, 1964

The District Judges should follow the instructions contained in paragraphs 400-402 of Financial Handbook, Volume VI which require that on completion of an original work, the Executive Engineer of Public Works Division concerned should forward a completion certificate in the prescribed form to the competent authority of the department for which the work was executed, who should sign it in the space provided for the purpose and return it to the Executive Engineer concerned. In case the countersigning authority is not satisfied with the work he should record his remarks over his signature.

C.L. No. 102/Xb-11 dated 6th October, 1951

Whenever any repairs (annual, quadrennial or special), or original work is undertaken, the work should be carried out strictly in accordance with rules contained in Chapter XIII of the Financial Handbook, Volume V, Part I in general and those contained in 307 and 311 paragraphs and paragraph 17 of Appendix XIX of the Handbook in particular.

(iii) Consulting Engineers not to be employed for special repairs works

G.L. No. 31/73 of 1931

Rules in paragraphs 270 (c) to 273 of Financial Handbook, Volume V, Part I, which deal with the procedure relating to special repairs, do not allow any supervision fee or fees for preparation of plans and estimates of special repairs though estimates are of course prepared for the repairs to be carried out. In view of these rules, audit objection is raised when an architect or a firm of contractors is engaged to prepare the estimate for such repairs and is paid the fees laid down in Annexure A on pages 140 and 141 of the rules in the above Financial Handbook. Those fees are intended for an architect or a firm of contractors who is engaged for the preparation of projects and the supervision of work. It is, therefore, evident that Consulting Engineers or Architects should not be employed for special repairs works.

(iv) Examination of works

C.L. No. 49/VIIIc-10 dated 18th May, 1959

The District Judges should arrange to provide the Chief Technical Examiners Cell with such documents and information as may be necessary to perform its duties efficiently. The visiting officers of the Cell should be afforded every assistance in their work and all requests made by them for access to work, drawings, specifications, contracts, measurement books or for any other pertinent documents or information, should be complied forthwith. The instructions issued by the Chief Technical Examiner for submission of necessary returns should be complied with. The Chief Technical Examiner and the Technical Examiners will intimate their programme for inspections of works at site to the District Judge concerned who should arrange to afford them all necessary facilities. In case of surprise visits, the District Judge concerned will be intimated just before the visit to the site.

G.L. No. 29/67-29 dated 15th November, 1928

District Judges are not authorized to call on the Divisional Engineer to inspect a petty work under construction. They may call on him for opinion on matters such as the suitability of the design or the reasonableness of the rates; but it must be on the clear understanding that the taking of such advice does not relieve them of their own responsibility.

[6] PAYMENT FROM BUDGET GRANTS

(i) Irregular payment prohibited

G.L. No. 21/73-5(6) dated 17th August, 1928

The irregularities relating to the following items should not be committed by the subordinate court:

- (a) Irregular payments of advance to contractors in order to avoid lapse of grant at the end of the financial year.
- (b) Works pertaining to special repairs being sanctioned from Judges annual repair allotment in order to utilise that budget allotment to full extent.

G.L. No. 11-73-41 dated 22nd March, 1939 as amended by

C.L. No. 68/U dated 17th November, 1955

In order to facilitate the allotment of funds from the lump sum grant placed at the disposal of the Court for the purpose of improvement of court compounds, District Judges should furnish each year positively by the 1st week of May the following particulars:

- (1) Income derived from the vend of foodstuffs etc., during the year preceding the year to which the estimates relate.
- (2) Details of requirements for their recurring expenditure, during the proposed year for the court compounds at different stations, in the judgeship with explanations for variations, if any, between the proposed amounts and the amounts sanctioned in the previous year.

- (3) Details of requirements for non- recurring expenditure during the proposed year for the court compounds at different stations, in the judgeship with justification for the demands, along with estimates, where necessary.

The need for economy should be borne in mind in submitting requirements to the Court.

C.L. No. 89/U/Budget dated 6th September, 1978

The Government have desired that priority should be given to spend the amount sanctioned for “Improvement of Court Compound” on providing facilities in respect of shades, drinking water and urinals to the litigant public and the rest of the amount may be spent on construction of roads etc. in the civil court compound.

There may be proposals for construction of four-court-room blocks/six court-room blocks/ten-court-room blocks/twelve-court-room blocks in your judgeship and there would be proposal for construction of urinals, tube wells, etc., in the plan for above multi-storeyed buildings.

The position of urinals, etc., may be examined and the proposal for construction of urinals and availability of land, etc., for the purpose, may kindly be submitted to the Court duly supported by scrutinised estimates, keeping in view the various proposals for construction of urinals, etc., included in the plan for construction of multi-storeyed court buildings under construction or to be constructed in the judgeship.

(ii) Payment of compensation

C.L. No. 2763/Admn. B-1 dated 22nd November, 1988

District Judges should ensure strict compliance of the directions contained in G.O. No. 8(9)/88-121-Renewal-13, dated 27.8.1988 regarding payment of compensation for proposed acquisition of land for construction of court building/residences.

[7] LEASE

(i) Allotment of land to Bar Association

C.L. No. 3 dated 27th August/2nd September, 1975

The State Government has decided that land in the civil court compounds can be given to Bar Association for construction of buildings for purposes of Library or for chambers for lawyers. The association will have to pay a nominal rent of Re. 1 per year for the land. No premium will be charged. The lease will be granted by the Judicial Department of the State Government. The requisite proposal will be sent to the Government through the High Court. Such proposal for lease should be accompanied with a site plan showing the existing court and other buildings as well as the site which is proposed to be given to the Bar Association.

You may at first consider if some vacant site in the court compound can be spared in the sense that it will not be used in future for the extension of the court buildings.

You may then contact the Bar Association and elicit if the Association is prepared to make buildings either for its Library or for chambers for lawyers at its own cost. The

Association may either spend the money from its own sources or by collecting contribution from its members or other lawyers. If there is lack of space a multi-storeyed building up to three storeys may be thought of.

In this connection it may also be considered whether existing sites occupied by temporary sheds of structures of lawyers can be utilised after their demolition.

The Bar Association will have to maintain the buildings and pay local taxes.

The fee for each chamber will be Re.1/-per year. The lawyers will have no right, title or interest in the chamber except to use it for professional purposes during their life. On their leaving the profession or dying, the chamber will revert to the Bar Association.

If any proposal in this respect fructifies, please send it to this Court with a site plan showing the existing government or non- government buildings and the site proposed to be given to the Bar Association and also a plan of the building which is proposed to be constructed and the time within which the Bar Association is agreeable to complete the constructions. The other usual terms on which the lease of the land will be given to the Bar Association may also be indicated.

It should be the endeavour that the Bar Associations make buildings which, by and large, enable all the practising lawyers in that court to have a seat in the chambers so built.

C.L. No. 87/IXg-36 dated 7th July, 1975

No land should be allotted either to the Bar Association or to individual lawyers without first referring the matter to the Court for its approval. In no case grant of land to individual lawyers be considered. The procedure laid down for such allotments should be strictly followed.

(ii) Execution of lease

C.L. No. 70/IXg-25 dated 27th October, 1950

The occupation of a government building, whether on payment of rent or free of rent, without execution of a formal lease is not in accordance with government orders. Necessary steps should be taken for the execution of a lease by the Bar Association if no lease has been executed by the Bar Association for their buildings and premises if standing on government land. It should be clearly provided in the lease that the premises and the building of the Bar Association will not be used by the legal practitioner for any purpose other than that connected with their practice in the civil, criminal and revenue courts.

If a Bar Association has executed a lease or a deed of agreement not containing a clause on the lines mentioned above steps should be taken to have such a clause incorporated at the time of the renewal of the lease.

C.L. No. 9/2Y-1977 dated 16th January, 1978

In future, the draft lease deeds in respect of grant to the Bar Association by the Government be executed of land lines of the model draft deed.

DRAFT DEED

This lease made on theday ofone thousand nine hundred and seventy corresponding to Saka Samvat Between the Governor of Uttar Pradesh (hereinafter called 'the Lessor') of the one part and the a society registered under the Societies Registration Act, 1860 (hereinafter called 'the Lessee') through its President of the other part:

Whereas at the request of the Lessee the Government of Uttar Pradesh (hereinafter called 'the State Government') has agreed to grant on lease to the Lessee the land fully described in the Schedule hereto for the purpose and on the terms and conditions hereinafter appearing:

Now this deed executed under the Government Grants Act, 1895 as amended from time to time in its application to Uttar Pradesh witnesses as follows :-

1. In consideration of the rent hereinafter reserved and of the covenants on the part of the Lessee hereinafter contained the Lessor hereby demises unto the Lessee all that land, fully described in the Schedule hereto and for greater clearness delineated or shown on the plan hereto annexed and thereon with its boundaries coloured....to hold the same unto the Lessee for the term of thirty years from the day of paying therefore the annual rent of....in each year at the office of the or at such other place or places as the State Government may appoint in this behalf.

2. The lessee hereby covenants with the Lessor as follows:-

- (i) That the demised premises shall be used for construction of a library building and as an open lawn and for no other purpose whatsoever.
- (ii) That the Lessee shall pay the annual rent aforesaid on the day and in the manner herein before appointed.
- (iii) That the Lessee shall not sublet, sell, mortgage or otherwise transfer the said land or any part there for the constructions made thereon without first obtaining the consent in writing of the State Government.
- (iv) That the lessee shall pay and discharge all taxes, rates and impositions whatsoever in respect of the demised premises or the building constructed thereon which are now or hereafter be assessed charged or imposed upon the said premises or the building, erected thereon.
- (v) That in case the land is not required, for the specific purpose for which it is being demised, the Lessee shall surrender the same to the Lessor and this deed shall determine.
- (vi) That the lessee shall at all times maintain the said premises, the buildings constructed thereon and the approaches thereto in good condition and in a state of good repair and to the satisfaction of the Lessor.
- (vii) That the demised land shall be put to use for the aforesaid purpose within.....years from the date of this deed.

Provided always and these presents are executed on this express condition that if and whenever the said rent or any part thereof shall be in arrear and unpaid for the space

of one calendar month whether the same shall have been lawfully demanded or not or if there shall be a breach or non-observance of any of the covenants by the Lessee herein contained then and in any such case the Lessor may notwithstanding the waiver of any clause or right of entry re-enter upon the demised premises and expel the Lessee and all occupiers of the same therefrom and this demise shall absolutely determine.

Provided further that if at any time or times the Lessor requires the demised premises for any public purpose (of which matter the State Government shall be the sole judge) the Lessor shall be entitled to determine the Lease after giving three months notice to the Lessee.

Provided also that on the expiry of the term hereby granted and so on from time to time thereafter the Lessor shall on the request and at the cost of the Lessee execute to the Lessee a new Lease of the demise premises by way of renewal for the term of thirty years on the terms and conditions herein contained except that the annual rent shall on each such renewal be enhanced by 50% on the rent payable immediately before such renewal and that such renewed terms of years as shall be granted shall not with the original term of years exceed in the aggregate the period of ninety years.

3. It is hereby further agreed between the parties hereto as follows:-

- (a) That upon expiration or sooner determination of this Lease the Lessee shall whenever give-up possession of the demised premises to the Lessor and shall with all reasonable dispatch and in any case within a period of three months remove there from all buildings, structures and all other material therein and thereon leaving the demised premises in fully prepared and good conditions provided that any buildings, structures and material not removed within the period aforesaid shall become the property of the Lessor without payment of any compensation to the Lessee.

Provided further that if the Lessor is willing to purchase the building on the demised premises the Lessee shall be paid for such buildings such amount as may be determined by the District Engineer of the division concerned.

- (b) That this is a transfer for the purposes of the Government Grants Act, 1895 as amended from time to time in its application to Uttar Pradesh.
- (c) That without prejudice to any other remedy provided by this deed the State Government may recover on the certificate of the Secretary to Government of Uttar Pradesh, Judicial Department, which shall be final, conclusive and binding on the lessee all dues hereunder from the Lessee as arrears of land revenue.
- (d) That every dispute, difference or question touching or arising out of this deed or the subject matter thereof shall be referred to the sole arbitration of...whose decision thereof shall be final and binding on the parties. The arbitrator may from time to time with the consent of the parties enlarge the time for making and publishing the award.

4. The expression “the Lessor” and “the Lessee” hereinbefore used shall unless such an interpretation is inconsistent with the context include their respective successors and assignees.

In witness whereof ... for and on behalf of the lessor and for and on behalf of the Lessee have signed this deed on the day and year first above written.

This schedule herein referred to

<u>Signed by:</u> For and on behalf of the Lessor	For and on behalf of the Lessee
1.	1.
2.	2.

(iii) Copies of documents for Registering Officers

C.E. No. 5/VIII-89 dated 22nd January, 1962

It encloses, O.M. no. AST-2338/X-215(2)-1961, dated September 18, 1961 of Government in Finance (AST) Department containing instructions that copies required to be sent to the registering officers under section 89 of the Indian Registration Act should be prepared on some white stout paper and should either be printed or cyclostyled or be the first typed copy or should be written in ink and that faint carbon copies on thin paper should in no case be sent to registering officers, was circulated to all the District Judges for compliance.

[8] LICENSES

(i) Vend of food stuff

C.L. No. 28/AA dated 17th March, 1958 and

C.L. No. 163/AA dated 8th November, 1974

In all judgeships the right to vend foodstuff in civil court compound shall be auctioned.

C.L. No. 14 dated 8th February, 1956

It is not obligatory upon a District Judge to accept the highest bid if the person is found undesirable but he may accept a lower bid taking into consideration the suitability of the person so bidding and obtaining the approval of the Court.

In order to obviate the chances of any trouble from the person purchasing the right to vend foodstuff etc., a clause should be incorporated in the notice to intending bidders to the following effect:

“It is open to the District Judge not to accept the highest bid without assigning any reason therefor.”

C.L. No. 31-AA dated 16th March, 1953 read with

C.L. No. 28/AA dated 17th March, 1958

Vendors of foodstuff, etc. in civil court compound should be required to execute a deed of licence for each financial year in the form given below. Necessary changes may

be made in the form, if required by the special circumstances existing in a judgeship subject to the approval of the Court.

FORM OF DRAFT LEASE OR LICENCE

(Vendor's licence for the sale of refreshment including Milk, Tea, Fruits, Betel, Cigarettes, Sharbat, etc. in the court compound)

Ison ofresident of..... have been permitted by(*) to sell and/or to collect..... Tehbazari dues in the.. compound, during the period from to.....

2. In consideration of the above permission to sell the above mentioned article, and/or to collect Tehbazari dues in the compound, and also for occupying (**) I agree to pay a sum of Rs.....in the following manner. (+)

3. I have also deposited a sum of Rs as security for the purpose of this contract and efficient working thereof. The said sum will be refunded to me by the (++) on the expiry of the period of contract or on its termination after deduction of all sums there from as may be due from me provided the licence is not terminated earlier under clause (7) hereafter.

4. I agree to comply with the following conditions:

- (a) I will not sublet the right of vending and/or to collect Tehbazari dues with regard to any or all of the above mentioned commodities to any person in any form or shape or for any consideration and will not allow undesirable persons to assemble or create nuisance at the shop.
- (b) I will not store, expose or offer for sale any commodity other than those detailed above.
- (c) I will sell the commodities for which lease/licence has been granted to me at market rates or at such rates as may be fixed from time to time by the (*)
- (d) The articles exposed or offered for sale shall be wholesome, hygienic and unobjectionable and shall be of the quality to be prescribed by the (*) from time to time.
- (e) I will peacefully vacate the premises allotted to me and will remove all my property from the said premises on the expiry of the period of the contract or on its termination for breach of the conditions of the licence/ lease or for any other reason.
- (f) I will exhibit at a prominent place a price list of all commodities which are offered for sale.

* Here mention the designation of the government officer authorized to sanction licence or lease.

** Here mention the shop or plot of land allotted giving location, area and boundaries.

+ Here mention the manner of payment i.e. payment either in lump sum or in installments.

++ Here mention the designation of the government officer authorized to sanction licence or lease.

* Here mention the designation of the government officer authorized to sanction licence or lease.

- (g) I will keep the place neat and clean and take all necessary precautions so as to protect all articles of food against flies and dust.
- (h) I will abide by the decision of* which will be final and binding on me.

5. I further agree that for breach of any of the conditions mentioned in clause 4 above, or on non-payment of the instalments on due dates the* shall have power to terminate the lease/licence and to re-auction the right to vend and/or to collect Tahbazari dues for the remaining period of the lease/licence and to recover the loss, if any, accruing to the Government from the security and from my movable and immovable properties.

6. The licence/lease can be terminated by the* on giving me one month's notice in writing, and on proportionate reduction of the rent.

7. The articles exposed or offered for sale shall at all times be subject to inspection by the approval of the* or any official duly authorized by him, who shall have the right to reject and prohibit the sale of article considered as unwholesome or objectionable and to order their removal from the premises. If the licensee continues to deal in unwholesome or objectionable articles, the security money shall stand forfeited and the licence terminated without any claim for compensation.

8. The licensee shall be responsible for payment of Municipal taxes, if any, levied by the Municipal Board for the occupation of shed/sheds.

9. In special circumstances, the District Judge reserves the right to terminate, subject to the approval of the High Court, the licence, without assigning any reasons. .

10. It is open to the District Judge not to accept the highest bid without assigning any reason thereto-

Dated	Signature of the Licensee/Lessee
Witness :	(2).....
(1).....	(Signature of the government officer
Dated.....	authorized to sanction licence or lease).
Witness :	(2)
(1)	

C.L. No. 38/Budget-1 dated 12th July, 1982

With a view to have healthy and hygienic atmosphere free from garbage and waste material around the stalls, District Judge should select the place/s where shops are to be situated and ensure that there is no haphazard/mushroom growth of eating places.

It should also be ensured that there is no accumulation of waste material, etc. In order to achieve the goal cleanliness should be made a specific condition of the lease and a clause should be added that in case the shopkeepers do not strictly comply with the instructions/scheme for cleanliness the lease would be subject to termination.

C.L. No. 101/AA dated 17th September, 1952

The contractor should be required to exhibit the rates at which the articles of food are being sold by him at a prominent place and the District Judge should satisfy himself

from time to time that the articles of food are not being sold at exorbitant rates and that they are of a fair and reasonable quality and are properly protected against flies and dust.

(ii) District Judge's supervision over vend of foodstuff

C.L. No. 28/AA dated 17th March, 1958

The District Judges should enforce thorough supervision to ensure sale, at reasonable prices of wholesome foodstuff, etc. as is enjoined in clause 4(c) and (d) of the licence from at least two shops, where possible, being put up by the contractors for sale of each kind of foodstuffs and drinks.

C.L. No. 36/s(b)-6-72 dated 14th April, 1972

It should be ensured by the District Judges that only good quality foodstuffs are sold by the venders in the civil court compounds and that the rates charged are not excessive or exorbitant.

(iii) Cycle-stands

C.L. No. 3/Admn.(A) dated 4th January, 1977

The District Judges should follow the following instructions regarding the cycle stand in the judgeship:-

1. The cycle stand should be auctioned annually.
2. No officer or member of the staff shall be allowed to put his bicycle anywhere except on stand. Keeping of bicycle by the members of the staff in the verandah which causes congestion in the building should be strictly prohibited.
3. Members of the staff should be asked to make monthly payment which should be deducted from their pay on 1st of every month.
4. The contractor who takes the contract of the cycle stand should be allowed a site and he should improvise the stand himself and start its functioning.

(iv) Photostat machine's shop

C.L. No. 39/Budget-1AA dated 12th July, 1982

The District Judge should take steps to encourage those who are interested in opening of photostat shops in the civil court campus and send concrete proposals alongwith report about availability of land for the purpose and a site plan showing the various buildings, sheds, etc. site earmarked for food vending shops, space for typists, proposed site for photostat shops.

The following terms and conditions of licence may be imposed:-

- a. The licensee will be permitted to raise temporary shed, subject to the approval by the District Judge, for a period not exceeding 2 years.
- b. The proposed shed will be used for installation of photostat machine only. It will not be used for any other purpose except for the purpose for which the licence has been granted.

- c. The licensee will not sublet his shed to any person in any form or shape and will not allow any undesirable persons to assemble or create nuisance at the shed.
- d. The licensee will keep the premises allotted to him neat and clean and take all necessary precautions to ensure that Government property, etc., is not damaged due to his negligence.
- e. The licensee shall be responsible for payment of Municipal taxes, if any levied by the Municipal Board for the occupation of the shed.
- f. The District Judge shall be entitled to terminate the licence for default in payment of monthly instalments of licence fee and non-payment of dues and for breach of terms and conditions of licence or any other conditions. In the event of two defaults in the payment of monthly instalments the licence shall stand revoked.
- g. The District Judge shall be entitled to terminate the licence by giving one month's notice in writing.
- h. The licensee shall vacate the premises allotted to him and remove his property from the said premises on the expiry of the period of contract and on its termination for breach of the licence or any other reason. The cost of removal shall be borne by the licensee.
- i. In the special circumstances the District Judge reserves the right to terminate the licence without assigning any reason subject to the approval of the High Court.
- j. Necessary licence deed may be got executed at an early date and a copy of the deed may please be sent to the Court for record.

The District Judge may propose to the Court any other term or condition which is to be imposed. The amount of licence fee may also be suggested, keeping in view the space to be given, the situation/location, market value, etc.

[9] INCOME FROM COURT COMPOUND

C.L. No. 143/V dated 3rd December, 1975

Information about the annual income from the civil court compound should, besides the Government, be also sent to the Court and the Accountant General.

C.L. No. 31 dated 5th March, 1976

As half of the income from the court compound is to be spent on its improvement with a view to facilitate correct accounting and apportionment, the copies of treasury challans showing deposit of amounts of realization from civil court compounds should be sent to the Court every month duly verified by the Treasury Officer along with the statement in the following proforma:-

RECEIPT FROM CIVIL COURT COMPOUND

Detailed head of income	Number and date of Treasury Challans by which the amounts of income have been deposited into the Treasury	Amount	Remarks
1	2	3	4
*065 - A - Administration of Justice – other receipts. (1) Income from sale proceeds of foodstuff and fees for permitting the shopkeepers to sell sweets, pan, fruits, etc. (2) Income from rent of building (Chambers, etc.)			

C.L. No. 58/Budget dated 15th May, 1980

Statement of income from Court compound should be sent to the Court duly verified by the Treasury.

G.L. No. 64/73-8(34) dated 18th October, 1937

Expenditure on the following items is a legitimate charge on the income from licenses for vend of sweetmeats, etc., in court compound:

- (1) Sinking of a well in a court compound;
- (2) Fitting of pumps in well;
- (3) Construction of boundary wall of a court compound;
- (4) Construction of pardah wall for halwai shop in court compound;
- (5) Construction and repairs of gate at the entrance of a court compound;
- (6) Construction of channels to irrigate gardens;
- (7) Levelling of ground and maintenance of gardens, etc.;
- (8) Construction of chabutras in court compound;
- (9) Wire-fencing around a court compound or trees in it;
- (10) Iron gratings;
- (11) Filing of pits; and
- (12) Tree guards.

Copies of the Treasury Challans should be sent after verification from the Treasury.’

* Note: - Account Head number has been changed to ‘Main Head “0070” - Administration of Justice, Sub Head 800-other receipts (Please refer to Supplement-2 to G. R. Civil-Vol. I, Published by I.J.T.R., U. P.)]

10. ACCOMMODATIONS FOR D.G.C./EMPLOYEES ASSOCIATIONS

C.L. No. 136/Main S(b)/Budget dated 11th August, 1977

The District Judges should provide accommodation to the D.G.C. (Criminal) for his office in their judgeships. In case there is any difficulty on account of paucity of accommodation, they may send their concrete proposal in the matter to the court.

C.L. No. 49/Ve-60/Admn. (D) Sec. dated 21st September, 1985

The District Judges should consider the feasibility of providing a separate room for office of the U.P. civil court's employees association in case such accommodation is available in their judgeships.

C.L. No. 41/VIC-10/Admn. 'D' dated 29th May, 1986

The District Judges are requested to consider the feasibility of providing the accommodation and furniture to Class-IV employees association in every district at the earliest opportunity.

11. NO PRIVATE USE OF COURT-ROOMS

C.L. No. CV/6/77 dated 6th December, 1977

The court halls (court rooms) are not to be used for holding meetings other than the official functions of the court.

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CHAPTER - IV

STATEMENTS AND RETURNS

1. CIVIL STATEMENTS AND RETURNS

(i) Monthly statements

C.L. No. 27/AD (E) dated 6th march, 1980 as modified by

C.L. No. 4/Admn. (E) dated 11th January, 1984

It prescribes revised proforma of the monthly statement of pending files of the courts of District Judges, Additional District Judges, Civil Judges, Judges of the Small Cause Court and Munsifs.

CHAPTER - XV RULE 415 Monthly Statement showing pending file of the Courts of District Judges, Additional District Judges, Civil Judges, Judges of the Court of Small Cause and Munsifs of Judgeship in the	Cases pending at the end of the month	Appeals from the decision of	Remarks	22	
			Revision U/s 25 of the J.S.C.C. Act	21	
			Revisions under the Panchayat Raj Act	20	
			Miscellaneous Appeals	19	
			Revenue Appeals	18	
			Ceiling Appeals	17	
			Munsif	16	
			Civil Judge	15	
		Miscellaneous	S.C.C.	14	
			Regular	13	
		Execution	S.C.C.	12	
			Regular	11	
		S.C.C. Suits		10	
			References under the Land Acquisition Act	9	
				Cases relating to claims under the Motor Vehicles Act	8
				Cases under E.E. Act	7
		Regular suits	Above Rs. 10,000/-	6	
			Upto Rs. 10,000	5	
	Powers exercised	Small Causes Court		4	
		Regular		3	
	Name of Presiding Officers			2	
	Name of the Courts			1	

C.L. No. 9/VIII-125 dated 16th January, 1986

The District Judges are required to send monthly statements of the pendency and disposal of cases filed under U.P. Urban Buildings (Regulation of Letting, Rent and Eviction) Act, 1972, to the Court.

C.L. No. 22/Vh-14 dated 29th march, 1962

The number of Regular Suits and Civil Appeals which are stayed in the Courts of Civil Judges and Munsifs on account of Consolidation of Holdings Act should also invariably be noted in the remarks column of the monthly statement in future in Form no. 146 prescribed under Courts' G.L. no. 17/T (b)-1-49, dated April 30, 1949 and modified by G.L. no. 10/Vh-4, dated May 10, 1952.

C.L. No. 65 dated 31st October, 1962

Before the courts rise for the annual vacation or the Christmas or other holidays, occurring at the end of the month, monthly statements should be prepared and dispatched to the District Judge concerned on the evening of the last working day in that month. The office of the District Judge will receive the same and incorporate them in the district return, which must be submitted, to the High Court either during the vacation or the holidays if the offices are open or at the commencement of the next month.

C.L. No. 39/Admn. (E) Sec.: dated 21 August, 1997

Regarding mentioning the categorywise total and Grand total of pending cases in the monthly statement of pending Civil and Criminal Cases (Session Court and Magisterial Court)

I am directed to say that the monthly statements of pending Civil and Criminal cases (Session Court and Magisterial Court) are being sent by your Judgeship without mentioning the categorywise Total and Grand Total of the pending cases for a very long time, which causes inconvenience to the Hon'ble Inspecting Judges.

I am, therefore, to request you kindly to direct the concerned dealing Assistant to furnish the monthly statements of pending Civil and Criminal cases (Session Court and Magisterial Court) mentioning the categorywise Total and Grand Total of the pending Civil and Criminal cases (Session Court and Magisterial Court) in future.

(ii) Quarterly statements

C.L. No. 51 dated 20th April, 1976

The District Judges are required to send quarterly report about institution and disposal of civil cases in the District Courts, in the prescribed proformas, to the Court by the end of the month following the quarter.

PROFORMA – 1

Statement showing the general results of trial of civil cases in civil courts of original jurisdiction in State/Union Territory During the quarter ending

NUMBER OF CASES DISPOSED OF DURING QUARTER	Pending at the close of the quarter	Miscellaneous cases (Col. 8 minus 18)	20
		Regular suits (Col. 5 minus 17)	19
	Total	Miscellaneous cases (col. 10, 12, 14 and 16)	18
		Regular suits (col. 9, 11, 13 and 15)	17
	By transfer	Miscellaneous cases	16
		Regular Suits	15
	After full trial	Miscellaneous cases	14
		Regular Suits	13
	Without contest, Exparte, Admission of claims, compromised and by arbitration	Miscellaneous cases	12
		Regular suits	11
	Without trial	Miscellaneous cases	10
		Regular Suits	9
	Miscellaneous cases	Total (Col. 6 & 7)	8
		Instituted and otherwise received during quarter including transfer	7
		Pending at the beginning of the quarter	6
Regular Suits	Total (Col. 3 and 4)		5
		Instituted and otherwise received during quarter including transfer	4
		Pending at the beginning of the quarter	3
No. of courts	Doing both civil and criminal work and approximate time devoted to civil work Doing civil work only and number of days devoted		2
Class of courts			1*

* 1. Munsif/Sub Judge (Junior); *2. Senior Civil Judge/Subordinate Judge (Senior); *3. Small Cause Courts; *4. District /Additional District Judge.

PROFORMA – II

Statement showing the business of the Civil Appellate Courts of the State/Union Territory of During the quarter ending

No. of Appeals disposed of during quarter	Pending at the close of the quarter	Miscellaneous (columns 8 minus 17)	18
		Regular columns 5 minus 15	17
	Total	Miscellaneous (Columns 10, 12 and 14)	16
		Regular (columns 9, 11, 13)	15
	After full hearing	Miscellaneous	14
		Regular	13
	Transferred to other courts	Miscellaneous	12
		Regular	11
	Dismissed or not prosecuted	Miscellaneous	10
		Regular	9
Miscellaneous Appeals	Total (Columns 6 and 7)		8
	Instituted and otherwise received during the quarter including transfer		7
	Pending at the beginning of the quarter		6
Regular Appeals	Total (Columns 3 and 4)		5
	Instituted and otherwise received during quarter including transfer		4
	Pending at the beginning of the quarter		3
Number of courts and number of days devoted in civil work			2
Class of Courts			1*

(a) Stayed cases

G.L. No. 9/167-4 dated 28th April, 1931

Suits are frequently postponed because the issue for decision is about to come before the High Court in appeal in some other suit and the trial court, therefore, directs the proceedings to be stayed until the appeal in the High Court is decided. If all District Judges direct trial courts hearing original suits to send them information whenever a suit is adjourned for this reason and to notify to them the number of the suit adjourned and the number of the appeal which is pending before the High Court, it may be possible to have such appeals expedited. If a regular list is maintained by District Judges and forwarded to the High Court with the quarterly statements it is hoped that much more comprehensive arrangements may be made in the High Court in order to prevent unnecessary delays in trial courts.

C.L. No. 79/VIIIb-74 dated 18th August, 1953

The above list should also contain information with respect to all cases the records of which have been sent to the High Court.

All courts in a judgeship should send the information regarding the records submitted by them directly to the High Court to the Record Room every quarter. The information will be consolidated there and then sent to the High Court.

* 1. Senior Civil Judge/Subordinate Judge (Senior); *2. District/Additional District Judge

G.L. No. 43/167-4 dated 3rd October, 1933

District Judges should also submit with quarterly statements a list of execution cases pending in their judgship, proceedings in which have been stayed by order of the High Court when stay orders are over a year old. This will enable the Court to expedite the hearing of the appeals in consequence of which proceedings in execution cases have been stayed for a considerable time.

(b) Cases pending over a year

G.L. No. 1/44-5 dated 8th January, 1936 as amended by

G.L. No. 12/44-15 Dated 1st May, 1941 and

G.L. No. 68/VIIIb-236 dated 18th October, 1948

The delay statements of cases pending for over a year which are submitted to the High Court with quarterly returns under Chapter XV rule 414 General Rules (Civil), 1957 take a considerable amount of time of the Hon'ble Judges of this Court and of the ministerial officers in lower courts without any corresponding gain.

The following orders are, therefore, issued with a view to give a better idea about cases pending for over a year and to show if presiding officers have methodically regulated the work in their courts and properly controlled proceedings.

There are two classes of delays in disposal of cases (a) unavoidable and (b) avoidable. The cases falling under class (a) may belong to one of the following categories:

- (i) Death of parties.
- (ii) Restoration of cases towards the end of the year or quarter.
- (iii) Non-service of notices.
- (iv) Where the hearing of a suit has been stayed under section 10 of the Code of Civil
- (v) Procedure or postponed because the issue for decision is about to come before the High Court in appeal.

Where execution or other proceedings have been stayed by order of the appellate court or the High Court.

In these cases the delay is ordinarily beyond the control of the court though vigilance and prompt action on the part of the presiding officer is effective to some extent to minimize delay for causes mentioned in (i) and (iii).

No delay statements need be prepared in such cases. The object would be served equally well by looking through such cases at the time of inspections by the Hon'ble Judges or the District Judges.

In other cases, which fall in class (b), delay statements in Form nos. 91 and 92 should be submitted to the District Judge every quarter and not every month. He will himself scrutinize the statements for officers other than the Munsifs and may ask one or more civil Judges to go through the delay statements of the courts of Munsifs. The Civil Judges should submit a short note to the District Judge for his information and orders about cases in which the proceedings are noticed to be dilatory.

These delay statements will not be sent to the High Court but only a consolidated statement in the following form should be submitted:

Name of the Officer	Number of cases pending more than a year at the close of the quarter of class (a) in which delays are beyond the control of officer		Number of cases pending more than a year at the close of the quarter of class (b) in which delays are within the control of the officer	
	Original suits	Execution applications	Original suits	Execution application
Sri District Judge, Sri Civil Judge, Sri Munsif.				

NOTE: (1) The number of suit and date of institution of three oldest cases and execution applications of class (b) should also be furnished in the remarks column.

(2) As an officer who has not been sufficiently long in his post in a district cannot be held responsible for the delay and for an unmethodical work of his predecessor the note of cases in class (b) should be made in the name of the officer, if he has been in particular officer at a place for three months at least, otherwise the figures should be shown against his predecessor and the fact mentioned in the remarks column.

The above statement together with the list of cases delayed owing to proceedings in the high Court as required under General Letter no. 9/167-4, dated April 28, 1931 and 43/167-4, dated October 3, 1933, should be furnished in every quarter to the High Court.

The statement will be submitted to the Honourable Judge in the Administrative Department and if he finds that any case has been pending too long, he would ask for the detailed statement of that case and pass necessary orders.

A large number of cases of class (b) will be taken to indicate not only want of method and proper control on the part of the presiding officer but also inefficient ineffectual supervision on the part of the District Judges. The officers should be informed that the number of old cases of class (b) would be noted against their names and would be one of the factors by which their efficiency, would be judged. Additional information for 25 oldest cases of class (b) in the following form should be submitted to the Court:

Name of the Officer or Court	Particulars of the case	Last date fixed	Next date fixed	Reasons for adjournment and purpose of next date	Remarks
1	2	3	4	5	6

The Presiding officers should be asked to scrutinize the figures of avoidable and unavoidable delays themselves and to further classify cases of unavoidable delays into groups mentioned above. These group wise figures may be indicated in the remarks column of the quarterly statement prescribed above.

G.L. No. 78 dated 12th January, 1898

In the first column of every form of the explanation of delay submitted with the quarterly civil returns the name of the officer in whose court the case was instituted and the names of officers, if any, to whom the case was from time to time transferred, may be written in red ink.

G.L. No. 2886/67-8 dated 30th June, 1914

Full particulars of the appeal in connection with which the record of a case pending for over a year has been called for by the High Court and the explanation of delay in respect of which cannot be submitted with the quarterly return, should be submitted in the form of an explanation sheet so that the record may be traced in the office of the High Court without difficulty.

(c) Out-turn

C.L. No. C-37/81 dated 30th May, 1981

Quarterly statements of “out-turn” of work of judicial officers should be sent to the Court within a fortnight after the close of the quarter and the letters forwarding such statements should be addressed to “the Registrar (Confidential Department)”.

G.L. No. 3/IVh-14 dated 29th January, 1955

Column no. 26 of the Form no. 168 (*Now Form no. 167 vide notification no. 264/VIIIb-1 dated 23.8.61*) of G.R. (Civil) 1957, Volume II is meant only for the purpose of indicating the number of days devoted to judicial work as calculated according to the “Prescribed Minimum”. As such in long cases occupying more than five days, the judicial officers should write the number of days calculated according to the “Prescribed Minimum” in Column no. 26 and the extra number of days the case took should be stated in the remarks column with cogent reasons for the same i.e., indicating the number of witnesses, accused etc. This will be clear from the following illustration. If, for instance, a Sessions Trial which should be finished in 3-1/2 days according to the “Prescribed Minimum” actually takes 10 days for various unavoidable reasons, these 3-1/2 days should be shown in column no. 26 and the remaining 6-1/2 extra days devoted to the case should be indicated in the remarks column with necessary explanation conveying an idea of the length of the case.

With regard to the work done by judicial officers which is not covered by the “Prescribed Minimum” the same should also be shown in the remarks column of the statement. For instance if a District Judge has not been able to finish a case towards the close of the quarter to which the statement relates and the said case is carried over and completed in the next quarter, it should be shown as part-heard in the remarks column of the quarterly statement concerned indicating the actual number of days spent in the quarter in which the case was taken up and the remaining number of days actually taken in the statement of the subsequent quarter, that is, the number of days according to the standard should be shown in Column no. 26 and the balance out of the actual number of days taken in the next quarter should be shown in the remarks column thereof.

Strict compliance of these directions is the personal responsibility of all judicial officers who should also see that the calculations of judicial work done by them are correctly made by their offices.

C.L. No. C-34/70 dated 23rd March, 1970

The statements of outturn for the quarter ending March 31 should be sent early so as to reach the Court latest by April 17 each year to enable the Court to give annual remarks in time.

**G.L. No. 1/IV-14 dated 18th October, 1960, read with
C.L. No. C-34/70 dated 23rd March, 1970**

The statements are sometimes incomplete and erroneous in as much as the outturn of an officer transferred to another station during the quarter is omitted or part-heard cases of one quarter are shown in both the quarter without specifying the extra time devoted. The office of the Court has to prepare a consolidated annual statement for the financial year on the basis of the quarterly statements and the error consequently creeps in the annual statement too.

In order to avoid such omissions and mistakes it has been decided that in the statement of outturn for the quarter ending March, each year, two column should be added to show the annual outturn of work of each judicial officer and the actual number of days on which he worked during the year excluding those devoted to miscellaneous work and inspections. A note about the extra time devoted, if any, in respect of all the cases disposed of during the financial year and the time spent in hearing part-heard cases during the quarter ending March only should be made in the remarks column of the statement. Particular care should be taken that the outturn of the officers transferred during the quarter is not omitted.

C.L. No. C-137/74 dated 5th September, 1974

The time devoted to the part-heard cases should be accounted for only in that financial year in which such cases are concluded.

C.L. No. 11 dated 5th December, 1903

When any change of officers takes place within a quarter, the number of cases left pending by the officer relieved should be shown in the remarks column of the statements.

(iii) Half yearly statements

**C.L. No. 54/Ad (E) dated 2nd November, 1988 read with
C.L. No. 1/Admn. (E) dated 3rd January, 1989**

District Judges are required to send half yearly statements for the half-year ending June 30, 1989 and onward periods in the revised proformas nos. 1 to 7, which have been prescribed by Government of India Ministry of Law & Justice vide letter No. 37/32/87-JUS (M), dated 1st September, 1988, appended herewith.

STATEMENT –1**Statement showing court strength doing criminal and civil work in the State/Union Territory of during the half year ending**

Name of the Court	Total number of courts during the half year		Number of Courts		Number of courts doing both civil and criminal work	Approximate time (in days) devoted by the courts doing both civil and criminal work (Shown in column 6)		Number of working days during the half year
	Sanctioned strength	Working strength	Doing criminal work only	Doing civil work only		On criminal work	On civil work	
1	2	3	4	5	6	7	8	9
1. District Judge/Sessions Judge 2. Additional District/Sessions Judge 3. Senior Civil Judge/Sub-Judge-Class I 4. Metropolitan Magistrates 5. Chief Judicial Magistrates 6. Judicial Magistrates (Class I) 7. Judicial Magistrates (Class II) 8. Special Judicial Magistrates 9. Executive Magistrates 10. Munsifs 11. Judge, Small Cause Courts 12. Any other Judicial Officer								

NOTE: If a judicial officer is doing other than court work, the same may please be mentioned with approximate time devoted by him to that work during the half year.

[NOTE: Columnwise instructions for preparing this statement is given at page 265 Ed.]

STATEMENT – 2**Institution, Disposal and Pendency of Criminal Cases in Session Courts in the State/Union Territory of****.....for the half year ending**

Class of cases	Pending at the beginning of the half year	Instituted during the half year	Disposed of during the half year	Cases pending at the end of the half year					
				(Period-wise break-up of pendency)					
				Less than six months old	Six to twelve months old	One to three years old	Three to ten years old	Over ten years old	Total of columns 5-9
1	2	3	4	5	6	7	8	9	10
Cases under Section 302 IPC Other IPC cases Criminal Revisions Criminal Appeals Other Criminal Cases									
Total									

STATEMENT – 3**Institution, Disposal and Pendency of Criminal Cases in Magisterial Courts in the State/Union Territory of during the half year ending**

Class of cases	Pending at the beginning of the half year	Instituted during the half year	Disposed of during the half year	Pendency of cases at the end of the half year					
				(Period-wise break-up of pendency)					
				Less than six months old	Six to twelve months old	One to three years old	Three to ten years old	Over ten years old	Total of (Columns 5+6+7+8+9)
1	2	3	4	5	6	7	8	9	10
Police Challan cases									
Complaint cases									
Traffic cases									
Food Adulteration cases									
Other cases									
Total									

STATEMENT – 4**Institution, Disposal and Pendency of Civil Cases in District Courts in the State/Union Territory of..... during the half year ending
(Original Jurisdiction)**

Description of cases	Cases pending at the beginning of the half year	Cases instituted during the half year	Cases disposed of during the half year	Cases pending at the end of the half year					
				(Period-wise break-up of pendency)					
				Less than six months old	Six to twelve months old	1-3 years old	3-10 years old	Over 10 years old	Total of (columns 5+6+7+8+9)
1	2	3	4	5	6	7	8	9	10
Suits									
Small Cause/Summary Suits									
Land Acquisition Cases									
Rent Control Cases									
Matrimonial Cases									
Other Cases									
Total									

STATEMENT – 5

Institution, Disposal and Pendency of Civil Cases in District Courts in the State/Union Territory of during the half year ending
(APPELLATE Jurisdiction)

Description of cases	Pending at the beginning of the half year	Instituted during the half year	Disposed of during the half year	Pending at the end of the half year					
				(Period-wise break-up of pendency)					
				Less than six months old	6-12 months old	1-3 years old	3-10 years old	Over 10 years old	Total of (columns 5-9)
1	2	3	4	5	6	7	8	9	10
Regular Appeals									
Acquisition appeals									
Rent Control Appeals									
Matrimonial Appeals									
Other/Miscellaneous Appeals									
Total									

STATEMENT - 6

Institution, Disposal and Pendency of Civil Cases in Subordinate Courts in the State/Union Territory of for the half year ending

Name of Court	Pending at the beginning of the half year	Instituted during the half year	Disposed of during the half year	Pending at the end of the half year					
				(Period-wise break-up of pendency)					
				Less than six months old	Six to twelve months old	One to three years old	Three to 10 years old	Over ten years old	Total of (columns 5-9)
1	2	3	4	5	6	7	8	9	10
Total									

STATEMENT - 7

Institution, Disposal and Pendency of District, Sessions and Subordinate Courts in the State/Union Territory of for the half year ending

Name of cases	Pending at the beginning of the half year	Instituted during the half year	Disposed of during the half year	Pending at the end of the half year					
				(Period-wise break-up of pendency)					
				Less than six months old	Six to twelve months old	One to three years old	Three to ten years old	Over ten years old	Total of (columns 5-9)
1	2	3	4	5	6	7	8	9	10
CIVIL									
CRIMINAL									
Total									

Columnwise explanations for preparing Statement No. 1 for Court Strength relating to Districts Courts and Subordinate Courts doing Criminal and Civil Work

- (1) *Sanctioned strength* (Column 2): Courts (Posts of Judges) sanctioned and it includes the posts vacant also (Working strength + Vacant posts.)
- (2) *Working strength* (Column 3): Courts (Posts of Judges) actually functioning (i.e. Sanctioned Strength – Vacant posts).
- (3) *Doing Criminal work only* (Column 4): the Courts exclusive meant for criminal work and are not doing any civil work.
- (4) *Doing civil work only* (Column 5): the Courts exclusively meant for civil work and are not doing any criminal work.
- (5) *Number of Courts doing both Civil and Criminal work* (Column 6): The Courts having both civil and criminal work.
- (6) *Approximate time (in days) devoted by the courts doing both civil and criminal work* (Column 7) (On Criminal work): Time devoted on criminal work by the courts (shown in column 6) doing both civil and criminal work.
- (7) *Approximate time (in days) devoted by the courts doing both civil and criminal work* (Column 8) (On Civil work): time devoted on civil work by the courts (shown in column 6) doing both civil and criminal work.
- (8) *Number of working days during the half year* (Column 9): Working days means, the actual days for which the courts remained open during the half year.

There are two types of courts namely: (1) Vacational Courts (2) Non-Vacational Courts.

- (1) Working days for Vacational Courts: Days for which Vacational Courts remained open should be in between 110-120 days. (The courts in a month considered to be open only for 25 days and as such there should be $25 \times 6 = 150$ days during a half year. Excluding vacation of 30 days, 120 days are left for Vacational Courts.

In case the working days are more than 120 days/less than 110 days, the position may be indicated through a footnote.

- (2) Non-Vacational Courts: Days for which non-vacational courts remained open during a half year should be in between 130-140 days (The courts in a month considered to be open for 25 days and as such there should be $25 \times 6 = 150$ days during a half year. Excluding 10 holidays approximately, the working days might be 140 days or less.
- (9) In column 10 the following may be included:
 - (i) Time devoted on recording of statements, participation in identification parades, attending to superior courts to give evidences in cases where the statements are recorded; administrative functions such as inspections, participation in Conferences to discuss ways and means of improving the disposals; (+) plus period of leave availed by the Judges.
 - (ii) Information relating to other work may be shown in respect of all courts (shown in columns 4, 5 and 6).

C.L. No. 30 dated 19th May, 1989

Uniformity in the number of working days (Column no. 9) be maintained in all the Subordinate Courts. As such the number of working days (approximately) for the half years ending 30.6.1988 and 31.12.1988 have been calculated and are being sent herewith for preparing the half yearly statement no. 1.

(i)	For Non-Vacational Courts	-	140 days (approximately) for the Half Year Ending 30.6.1988
(ii)	For Vacational Courts	-	115 days (approximately) for the half year ending 30.6.1988
(iii)	For Non-Vacational and Vacational Courts	-	131 days (approximately) for the half year ending 31.12.1988

It also invites attention to Chapter XI of Subsidiary Rules, and rule 143 of Financial Handbook Volume II at page 256 where it has been mentioned that except the Courts of Civil Judges and Munsifs all other Courts are Non-Vacational Courts.

C.L. No. 22/Admn. (E) dated 21st April, 1989

The District Judge should give top priority to furnishing the information with regard to Parliament questions and Half Yearly Statements.

(iv) Annual statements**(a) Preparation****G.L. No. 2/G-1 dated 19th January, 1940**

The following directions are to be carefully observed by all subordinate courts in the preparation of the annual civil returns:

Form nos. 85, 87, 93, 94 and 95

1. Unpaid tribunals. 2. Paid sub-divisional tribunals. 3. Small Cause Courts. 4. District Courts other than Chief Courts of districts. 5. Chief Courts of district
--

- In column 1 of these forms the name the office of each judicial officer falling under each of the abovementioned five heads noted in blocs should be shown under the proper head. If, for example, a judicial officer has worked as a Civil Judge and has also exercised the powers of a Judge, Small Cause Court at the time, his name and work as a Civil Judge should be shown under the head “(4) District Courts other than Chief Courts of districts” while his name and work as a Judge, Small Cause Court should be shown under the head “(3) Small Cause Courts.”
 - The total of each head should be shown under that head and a grand total under all the heads should be shown at the end.
- A skeleton form is appended below for facility of guidance on the above two points.
- The number of cases shown as pending at the close of the year in Form no. 85 (i.e. the total of column 28 of the said form) should agree with the total in form no. 86.

4. In submitting returns to the Court only up-to-date forms should be used. The practice of pasting blank paper on the forms should be avoided. If necessary more than one form may be utilized.

(Form referred to at para 2 ante)

1. Unpaid tribunals (Honorary Munsifs)

C.L.No. 2/6 dated 5th January, 1949

Sri Honorary Munsifs Bench of Honorary Munsifs Total.

Paid Sub-divisional tribunals (Munsifs)

Sri Munsifs from to

Sri Additional Munsif

Fromto

Total.

2. Small Cause Courts

Judge, Small Cause Court, exercising powers up to Rs. 1,000.

Sri fromto Judge, Small Cause Court exercising powers up to Rs. 500.

Sri from to ... Judge, Small Cause Court exercising powers up to Rs. 250.

Sri fromto

3. District Courts other than Chief Courts of districts

(Civil Judges)

Sri Civil Judge from to

Sri Additional Civil Judgefromto Total.....

4. Chief Courts of district (District Judges)

Sri District Judge fromto

Sri Additional District Judgefrom..... to Total

5. Grand Total

C.L. No. 76 dated 11th December, 1963

While submitting the annual civil returns of the judgeship in Form no. 85 (showing the general result of civil suits in the courts of original jurisdiction in respect of suits pending for more than a year shown in Column nos. 31 and 32) the District Judges will see that the statement should, inter alia, contain the additional detailed information on the following points as well:

- (1) Suits in which service of summonses on parties does not take place or parties die and substitution proceedings have to be taken.
- (2) Suits which are remanded for fresh hearing by appellate or revisional courts.
- (3) Pending suits which are stayed, under orders of superior Courts, and
- (4) Suits which are stayed due to special legislation like the Consolidation of Holdings Act.

C.L. No. 2/IXg-1 dated 4th January, 1969

While submitting the annual Civil and Criminal statements to the Court, the following further information should also be incorporated in the relevant statement.

- (1) The actual periods for which each temporary court functioned during the year.
- (2) The number of cases pending instituted and disposed of, under Encumbered Estates Act and the Uttar Pradesh Agriculturists Relief Act, separately.

(b) Submission of statement with annual return**G.L. No. 47/41-78 dated 30th December, 1942**

District Judges should submit with the annual statements another statement in the

Name of the judicial officer together with periods during which they worked in different capacities	Original suits decided after full trial	S.C.C. suits decided excluding transfers	Appeals regular excluding transfers			Total no. of cases pending over a year at the end of the year in which delay is within the control of the officer	Criminal work done
			Civil Judge's Appeals	Munsif's Appeals	Revenue Appeals		
						Original suits	Execution applications
							Session trials or Criminal cases decided by Munsifs
							Appeals
							Revisions
							Remarks *
1	2	3	4	5	6	7	8
							9
							10
							11
							12

following form showing the work done by judicial officers during the year.

**Statement showing the work done by the judicial officer of the judgeship in U.P.
during the year year 19 year 19**

Statement showing disposal of old and intricate cases**C.L. No. 66/VIIIh-13 dated 12th May, 1952**

In order to induce disposal of old cases, District Judges should require all presiding officers in their judgeships to submit to them in April every year a statement in the form appended to the letter noted in the bloc and pass such orders thereon as they may consider proper.

A list of all cases held up on account of cases pending in the High Court should be submitted to the Court at the same time with full references and particulars of the cases pending in the Court to enable steps to be taken to expedite their disposal. The list

* This column is to show the nature of any case, which is complicated, and the time it is likely to take. It should also, in such cases, give the section or sections of charge and number of prosecution and defence witnesses.

should indicate whether the cases in subordinate courts are stayed by orders of this Court or are being delayed merely because the record has been sent for by this Court.

G.L. No. 1631 dated 22nd April, 1913

District Judges should submit with the annual civil returns of their judgeship a statement showing the period during which each officer worked, in all cases where the work was done by more than one officer during the year.

G.L. No. 15 dated 16th December, 1909

District Judges should not allow annual statements to be dispatched without satisfying themselves that correct figures have been entered. The High Court looks to District and Sessions Judges and District Magistrates to see that these instructions are fully carried out.

**C.L. No. 8 dated 6th February, 1962 read with
C.L.No. 13/VIIIa-90 dated 2nd February, 1961 and
C.L. No. 40/Xg-1 dated 26th August, 1967**

The annual statements should be submitted to the Court by the prescribed date viz., February 15, each year according to Rules 419 and 420 Chapter XV of the General Rules (Civil) 1957.

C.L. No. 14/VIIIb-130 dated 2nd February, 1961

Inviting the attention of the District Judges to the provisions of rule 419 of Chapter XV, General Rules (Civil) 1957, Volume I, they are required to submit correct statements positively on or before the 15th day of February at the latest each year so that publication of the Report on the Administration of Justice may not be unnecessarily delayed.

2. CRIMINAL RETURNS AND STATEMENTS

(i) Monthly statements

(a) In form no. 39

G.L. No. 20 dated 30th March, 1948

The following particulars should invariably be mentioned in the remarks column of the session's statement in respect of each pending sessions trials –

(1) All the dates fixed for the hearing of the case.

(2) If the case has been heard in part, it should be so stated and the reasons for not continuing its hearing from day to day and for its adjournment should also be shown.

(3) Where long dates are fixed in adjourned cases, the remarks column should contain reasons therefore against such cases.

**G.L. No. 67/VIIIa-14 dated 18th October, 1948 as amended by
C.L. No. 105/VIIIa-14 dated 16th October, 1951 and
C.L. No. 108/VIIIa-14 dated 23rd October, 1951 read with
C.L. No. 78/7-T (A-St.)-6-51 dated 25th July, 1951 and
C.L. No. 63/VIIIa-14 dated 7th June, 1972**

The following instructions are issued for careful compliance while preparing monthly statements of sessions trials concluded or pending in the courts of sessions:

- (1) In Form no. 39 prescribed under rule 172, Chapter XVIII of the General Rules (Criminal), 1957 (Now 1977 vide notification no. 504/vb-13 dated 5.11.83. (HCJ Part IX, no. 64), additional information should invariably be furnished on the points indicated below.
- (2) The decided and pending sessions trials should be divided into three groups:
 - (a) Decided,
 - (b) Transferred (to other courts), and
 - (c) Pending; and
 - (d) Their particulars given separately on the same sessions statements. Cases transferred shall thus be shown in the above return.
- (3) The first column of the form should contain the original number of sessions trials and they should be arranged serially.
- (4) Column no. 2 should ordinarily contain the name of the first accused and the number of the rest.
- (5) Column no. 8 should give the result of trial of all the accused individually or in groups as may be necessary. The section or sections under which the accused are convicted should also be mentioned in this column.
- (6) Column nos. 9 and 10 should contain the number of witnesses for prosecution and defence already examined in the case in red ink and also the number of witnesses for prosecution and defence likely to be examined in the case on future dates in blue ink.
- (7) Column no. 11 should contain the number of days actually occupied in the trial, with dates of hearing. For example, if the case was taken up on five dates but no work was done on one day and half day's work on another day, the number of days occupied would be only 3-1/2. The entry shall be made as follows:

March 15, 1948 (1); March 16, 1948 (1); March 17, 1948 (1); March 18, 1948 (0) and March 19, 1948 (1/2); total 3-1/2 days work.
- (8) All the future dates fixed for trial should be noted in the remarks column. If record has not been received or if a date has not been fixed, it should be so noted in this column.
- (9) The remarks column should contain inter alia:

- (a) in case of adjournments, work done on the previous date and reasons of adjournment and reasons for fixing long dates if that be the case as required above (Court's General letter no. 20, dated March 30, 1948);
 - (b) explanation in brief of Committing Magistrate for not sending the record after commitment within the prescribed period. (The explanation need not be repeated in subsequent monthly returns);
 - (c) the date and substance of the last report received from the mental hospital in cases stayed under section 466* (Now Section 330 of Cr.P.C. 1973), Criminal Procedure Code and a very brief summary of proceedings taken and the date of last action taken in cases in which the accused is absconding.
- (10) Full particulars of the cases of the High Court on account of which proceedings in sessions trials are held up in the courts of session, i.e., the number, year and the nature of proceeding pending in the Court or the number of the Court's letter, as the case may be, due to which the cases are held up in the courts of session, should invariably be indicated in the remarks column of the statement against cases so stayed.
- (11) The result should be tabulated in the following form at the bottom of the statement:
- (i) Pending at the end of the last month
 - (ii) Number of cases committed
 - (iii) Number of cases received by transfer or otherwise
 - (iv) Number of cases decided
 - (v) Number of cases transferred to other courts
 - (vi) Pending at the end of the month
- Fixed in the month of No Date fixed
- Record not yet received
- (12) The certificate of the presiding officer that the statement contains full and correct list of all cases disposed of during the month, as well as those pending at the close of the month as required under Chapter XVIII, rule 172 of General Rules (Criminal), 1957* (Now 1977 vide notification no. 504/Vb-13 dated 5.11.83) should be appended to the statement, in token of his having checked and verified the statement.
- (13) Copies of judgments in all cases decided during the month bound together with an index should be dispatched before the prescribed date to the Registrar of the High Court at Allahabad, or to the Joint Registrar** of the Lucknow Bench at Lucknow depending upon where an appeal would lie against such decisions.

* Now Section 330 of Cr.P.C. 1973

* Now 1977 vide notification no. 504/vb-13, dated 5.11.83

** Now Additional Registrar.

C.L. No. 73/VIIIa-14 dated 12th May, 1971

The directions contained in G.L. No. 67/VIIIa-14, dated October 18, 1948, should be strictly followed and Form no. 39 should be correctly filled in the number of the accused, the number of witnesses for prosecution and defence already examined, the number of days actually occupied, all the future dates fixed for trial, etc, must clearly be mentioned.

(b) In Form no. 36**C.L. No. 125/IVh-50 dated 10th December, 1952**

Figures of cases under section 6 (1) of the Criminal Law (Amendment) Act, 1952 should also be given separately in Form no. 36 prescribed under rule 172, Chapter XVIII, G.R. (criminal), 1957*.

C.L. No. 2 dated 7th January, 1964

Out of the figures of Sessions Trials pending at the end of the month shown in Column no. 7 those triable by an Assistant Sessions Judge are to be shown separately in the remarks column.

C.L.No. 18 dated 20th February, 1968

Monthly statements of pending criminal cases of the Courts of Chief Judicial Magistrates, Judicial Officers⁺ and Munsif magistrates should be prepared and submitted to the Court in the first week of the following month with particulars duly filled in the form prescribed under the C.L.

C.L. No. 117 dated 11th September, 1975 read with**C.L. No. 156 dated 23rd December, 1975**

Consolidated monthly information of the judgeship and magistracy regarding institution and disposal of criminal cases should be furnished to the Court regularly by the 10th day of following month in the following forms for onward transmission to the Department of Justice, Government of India, New Delhi:-

PROFORMA 1
CRIMINAL CASES

Sessions Court – Name of the Judgeship.....

Total no. of courts functioned during the quarter of	Nature of cases	Total no. of cases pending at the beginning of the quarter	Total no. of cases instituted during the quarter	Total	Total no. of cases disposed of during the quarter	Total no. of cases which remained pending at the end of the quarter
1	2	3	4	5	6	7
Original (Sessions Trials)						
Appeals						
Revisions						

NOTE: (1) Total figures of the judgeship should be furnished and not court-wise.

* Now 1977 vide Notification No. 504/vb-13 dated 5.11.1983

⁺ Now Judicial magistrates

- (2) The figures should be properly checked before submission. The opening balance must be maintained with closing balance of the previous quarter.
- (3) Internal transfer of cases should not be treated as disposed of cases and they should not be shown in column no. 6.

**PROFORMA II
CRIMINAL CASES**

Subordinate Courts – Names of the Judgeship

Total no. of courts functioned during the quarter	Nature of cases	Total no. of cases pending at the beginning of the quarter	Total no. of cases instituted during the quarter	Total no. of cases brought to trial during the quarter	Total no. of cases disposed of during the quarter	Total no. of cases remained pending at the end of the quarter
1	2	3	4	5	6	7
Police challan cases						
Complaint cases						

- NOTE:**(1) Total figures of the judgeship should be furnished and not court-wise.
- (2) Top priority should be given to this work and the statements mentioned above should be sent separately and not stitched along with other monthly or quarterly statements sent to the Court.

C.L. No. 50/VIIc-8 dated 16th April, 1975

District Judges should instruct all Magistrates and Judges to send a monthly progress report about probation cases under section 360 Cr.P.C., in the prescribed form as given below. The report should be scrutinized by the District Judges concerned to see that the aforesaid provisions of law have been complied with.

Statement showing details of first offenders whose cases were tried during the month of –

1. Serial no.
2. Name of the offender with parentage, religion, caste (if any) and address.
3. Age.
4. Case no.
5. Police Station.
6. Offences with crime, section and Act.
7. Date of decision.
8. Summary of order passed.
9. Let off on Under section 360 of Cr.P.C. or placed under the supervision of the Probation Officer under First Offenders Probation Act and if not state reasons.

C.L. No. 15 Admn. (E) dated 4th March, 1982

All the presiding officers shall prepare monthly statements relating to the fines imposed and realized, of their respective courts and submit the same to the District Judge latest by the second day of the following month without waiting for the clearance from the Treasury. The statements thus received from the presiding officers should be compiled in the office of the District Judge who, in turn, will prepare quarterly statements of the fines imposed and realized in the Sessions and Magisterial Courts separately and

submit the same to the Court latest by the seventh day of the following month of each quarter.

C.L. No. 4/Admn. (B) dated 18th March, 1971

Munsif Magistrates should submit criminal return/statements to the Sessions Judge through the Chief Judicial Magistrate.

(ii) Quarterly statements

C.L. No. 45 dated 15th April, 1976

The District Judges are required to send quarterly report to the Court, regarding institution and disposal of cases in sessions and subordinate Courts, in the revised proformas.

CRIMINAL CASES

PROFORMA –1

Sessions Court – NAME OF THE JUDGESHIP

Total Number of Courts functioned during the quarter of		Nature of cases	Total number of cases pending at the beginning of the quarter	Total number of cases instituted during the quarter	Total	Total number of cases disposed of during the quarter	Total number of cases which remained pending at the end of the quarter
1		2	3	4	5	6	7
Doing criminal work only and number of days devoted	Doing both Civil and Criminal work approximate time devoted to criminal work						
Original (Sessions Trials) Appeals Revisions Other Criminal Cases							
NOTE: 1. Total figures of the Judgeships should be furnished and not courtwise. 2. The figure should be properly checked before submission. The opening balance must be maintain with closing balance of the previous quarter. 3. Internal transfer of cases should not be treated as disposal of cases and they should not be shown in Column No. 6.							

PROFORMA – II

STATEMENT SHOWING THE NUMBER OF CRIMINAL CASES INSTITUTED, DISPOSED OF, PENDING AND THE RESULT OF TRIAL IN MAGISTERIAL COURTS IN THE STATE/UNION TERRITORY OF DURING THE QUARTER ENDING

No. of Courts	Cases pending at the beginning of quarter			Cases instituted during quarter		No. of Police challan cases disposed of during quarter by					
Doing criminal work only and number of days devoted	Doing both civil and criminal work and approximate time devoted to criminal work	Police challan cases	Complaint cases	Police challan cases	Complaint cases	Final form or final report received and accepted	Compounding or withdrawal	Committed to Sessions Court	Un-contested trial	Contested trial	Total of col. (7+8+9+10+11)
1	2	3	4	5	6	7	8	9	10	11	12

No. of complaint cases disposed of during quarter by						Pending at the end of the quarter						Remarks
Dis-missal	Ab-sence of com-plaint, with-drawal or com-pound-ing	Commit-tal to Sessions Courts	Un-contested trial	Con-tested trial	Total (13+14+15+16 and 17)	Police Challan			Complaint cases			
						For want of final report/ final form or charge-sheet	Pending other-wise	Total (19 +20)	Pending on account of enquiries under section 202 Cr.P.C.	Pend-ing other-wise	Total (22 +23)	
13	14	15	16	17	18	19	20	21	22	23	24	25

(iii) Of stayed criminal cases

C.L. No. 75/VIIIa-1 dated 6th September, 1956

A list of cases pending in the High Court on account of which proceedings have been held up in criminal courts should also be submitted along with the quarterly returns to the High Court by Sessions Judges in accordance with the directions contained in G.L. No. 9/167-4 of 1931 and C.L. No. 79/VIIIb-74, dated August 18, 1953.

(iv) Half yearly statements

C.L. No. 8 dated 23rd January, 1970

Total number of sessions' cases disposed of by the Sessions Judges should be furnished to the Court after every six months i.e., at the end of September and March, alongwith the statement of criminal work.

(v) Annual criminal statements

(a) In Form No. 35

C.L. No. 62 dated 11th November, 1954

While preparing the annual statement in Form no. 35, General Rules (Criminal), 1957 (Now 1977 vide notification no. 504/Vb-13 dated 5.11.83) showing general result of the trials in original criminal courts, the figures relating to cases under the Criminal Law Amendment Act, 1952 should be shown separately below the figures of cases under the Indian Penal Code and other laws.

(b) In Form no. 20

C.L. No. 19/Xg-1 dated 21st February, 1957

The figures relating to each of the three categories, namely, persons who died, escaped or were transferred to another district required to be entered in Column 11 of the annual statement in Form no. 20 of G.R. (Criminal), 1957 (Now 1977 vide notification no. 504/Vb-13 dated 5.11.83), showing the general result of criminal trials in the tribunals of various classes, should be given separately and not collectively.

G.L. No. 15 dated 16th December, 1909

District and Sessions Judges and Magistrates should not allow the statements to be dispatched without satisfying themselves that correct figures have been entered. The Court looks to District Judges and District Magistrates to see that these instructions are fully carried out.

C.L. No. 41/Admn. (B) dated 3rd April, 1975

Statement of Criminal cases pending trial should be sent to the Court after ensuring its correctness with the figures submitted by the Superintendent of Police.

3. GENERAL DIRECTIONS

(i) Monthly report of pending civil and criminal cases

C.L. No. 68/T(b) dated 12th August, 1968

District Judges should invariably submit monthly report about pendency of civil and criminal cases in their judgeships so as to reach the Court by the 7th of the succeeding month, which is possible only when they dispatch the same from their office by the 3rd of that month.

C.L. No. 26 dated 1st March, 1976

As required by rule 172 of General Rules (Criminal) and rule 415 of General Rules (Civil) monthly statements of pending cases in Form nos. 36 and 146 of Criminal and Civil cases should be sent to the Court by the 7th of the following month. Directions contained in the Courts letter referred to above should be strictly followed.

(ii) Preparation of statement of pending cases

G.L. No. 69/viiiB-236 dated 18th October, 1948

Cases pending for more than six months or a year are prima facie of a duration exceeding three months and consequently should be included in the lower time groups.

C.L. No. 66 dated 21st October, 1964

As such cases, pending for more than one year should be included in the two groups of more than six months and three months duration and cases pending for more than six months in those pending for more than three months.

(iii) Submission of statements on due dates

C.L. No. 13/VIIIa-90 dated 2nd February, 1961 read with

C.L. No. 9 dated 6th February, 1962 and

C.L. No. 40/Xg-1 dated 26th August, 1967 and

C.L. No. 7/Xg-1 dated 21st January, 1970

Annual civil and criminal statements as provided under rules 177 and 178 of General Rules (Criminal) and rule 419 of General rules (Civil) should be submitted to the Court positively by the February 15, next after the close of the year and in no case later than the February 15, each year so that the publication of the Report on the Administration of Justice may not be delayed unnecessarily. Failure to do so will be viewed with great concern. The statements should be prepared correctly in the prescribed forms.

C.L. No. 75/Xg-1 dated 13th December, 1967

The officers concerned should take up and finish the work of compilation positively by January 31, each year. If necessary they should not be allowed winter holidays and asked to do compilation work during the holidays. The submission of correct annual civil and criminal statements by the prescribed date is the personal responsibility of the District Judges and the Additional District Judges not at headquarters.

C.L. No. 362/Xg-1 dated 1st March, 1977

It invites attention to the aforesaid circulars and to rule 178 of the General Rules (Criminal) and rule 419 of the General Rules (Civil) regarding submission of annual civil and criminal statements to the High Court.

The annual statements should be sent to the Court invariably by the 15th February every year.

C.L. No. 2/Ten-E-5/Admn. 'Ga' dated 10th November, 1976

Annual returns and periodical statements should be submitted in Hindi (Devanagari).

C.L.No. 1/VIII-g-47/AD (E) dated 1st April, 1978

All the District Judges are requested to pay a personal attention to see that all statements are submitted on the due dates. If for any reason any particular statement is not furnished, they should immediately apprise the Court of the reason. In case any

statement is submitted with delay, it should be accompanied with an explanation for the delay.

C.L. No. 158/71 dated 22nd December, 1971

The court feels that not only the disposal of an officer according to standard prescribed but also the nature of the cases decided by him during a particular year should be looked into for purposes of annual remarks. It is, therefore, necessary that a statement showing the total number of various types of cases decided by the officer during the year be also submitted to the Court. The statement should show the number of sessions trials, criminal appeals, criminal revisions, regular suits, civil appeals, miscellaneous appeals, civil revisions, etc. In case of criminal revisions and civil revisions the number of revisions dismissed summarily should also be indicated. The statement containing these particulars may be sent along with the quarterly statement of outturn for the last quarter of the year ending March 31.

4. BUDGET ESTIMATES, STATEMENTS AND RETURNS

(i) Submission of budget estimates

C.L. No. 6/X-B-2 (New Demands) dated 22nd January, 1968

Budget estimates and list of new demands are to be submitted to the Court invariably by the first week of August every year after thorough examination and fully justifying the demand item-wise. The new proposal of demands should not be submitted direct to the Government.

C.L. No. 69/Budget-Xb-2 dated 12th October, 1984

The preparation of annual budget, including supplementary budgets is an important matter. It is necessary that budget estimates are prepared and sent to the Court well in time for consideration, so as to enable the court to submit the consolidated budget to the Government within the prescribed date.

In case proper budget estimates are not received from the District Judges in time, correct position cannot be ascertained and proper demands cannot be made to Government. These results in, inadequate budget provision by the Government. In these circumstances it becomes difficult for the Court to allot funds demanded by the District Judges.

District Judges should ensure that the budget estimates are realistic and correct leaving only small margins relatable to unexpected exigencies.

The importance of maintenance of correct accounts and proper and timely compliance of the requirements of the Budget Manual should be impressed upon the officer-in charge and officials entrusted with the work and strict control over the same should be kept by the District Judge, so that the budget estimates prepared and submitted by him are fairly realistic.

G.L. No. 19/73-59 (2) dated 7th July, 1941 read with

G.O. No. A-1365/X-301 (a) dated 14th May, 1941

The Government has, with effect from the April 1, 1942, transferred to the High Court, the duty of controlling the expenditure under the heads "Civil and Sessions

Courts”, “Courts of Small Causes’ and Water tax on residential buildings” subordinate to the head “27-Administration of Justice-Works-Maintenance and Repairs”, in accordance with paragraph 90-95 of the Budget Manual. The budget provision for the heads mentioned above, will, with effect from the financial year 1942-43, also be placed at the disposal of the High Court for distribution to subordinate courts.

Abstract from G.O.

District Judges should forward the budget estimates under the heads in question so as to reach the court by the August 7, each year.

G.L. No. 7/CC dated 24th January, 1947

While submitting their budget estimates District Judges should see that separate figures are given under “Works Maintenance and Repairs” (a) for Civil and Sessions Courts and (b) for Small Cause Courts.

C.L. No. 49/Xb-2 dated 31st August, 1964

The budget estimates should be submitted in the usual budget form in accordance with the Government Nyaya (Ka-1) Endorsement no. 4236 (ii) VII-A-1, dated April 2, 1964.

C.L. No. 38/CC dated 1st June, 1966

District Judges should invariably forward latest by the 7th day of October the budget estimates for annual repairs, taxes, maintenance of electric installation, etc. to the Court mentioning clearly and separately the amounts required for each of the aforesaid items. In this connection it is also added that the amounts to be demanded for annual repairs should, as far as possible, be based on the measurement book or Public Works Department schedule of rates.

C.L. No. 56/Xb-6 dated 28th May, 1968

Directions contained in G.Ls. and C.Ls. noted below should be strictly followed and it should be ensured that demands are placed with the Court at the earliest and savings invariably reported latest by the second day of March every year to facilitate allotment of funds in time and appropriation of unutilized amounts for some urgent work elsewhere or ultimate surrender of savings to the Government before the 25th day of March as required under paragraph 141 of the U.P. Budget Manual:

1. C.L. no. 105, dated November 22, 1957
2. C.L. no. 11-73-41, dated March 22, 1939
3. C.L. no. 68/U, dated November 17, 1955
4. G.L. no. 19/73-59 (2), dated July 7, 1941 read with G.O. no. A-1365/X-301 (a), dated May 14, 1941
5. C.L. no. 2/Xb-6, dated February 23, 1967

C.L. No. 147/Xb-2 (Budget) dated 29th November, 1971

Budget estimates should invariably be submitted to the Court in time so as to reach the Court by the 7th of August each year and demands relating to new items of expenditures e.g. purchase of furniture, typewriters, in addition to the existing stock should not be included in the budget estimates and should invariably be submitted to the Court separately through the “Schedule of New Demands” giving full facts and figures in justification of the demands.

NOTE: Please see Chapter III for instructions regarding budget estimates for court compound and buildings etc.

(ii) Savings and expenditure to be reported to Court

C.L. No. 3 dated 6th January, 1949

District Judges should report annually the savings out of the allotments for maintenance and repairs, maintenance of court compound and any other grant, which may be placed at their disposal by this Court during the year. This information should reach the Court every year by 2nd March, or latest by 15th March, in exceptional cases.

C.L. No. 52/Xb-6 dated 13th July, 1965 read with

C.L. No. 11/Xb-9 dated 18th January, 1952

As provided in paragraph 141 of the U.P. Budget Manual (Fourth Edition) the District Judges should surrender the savings to the Court as soon as they are known and in any case by March 2.

C.L. No. 74/Xb-9 dated 30th October, 1950

As prescribed in paragraph 98 of the Uttar Pradesh Budget Manual (3rd Edition) it is incumbent on the office of the High Court to send to the Accountant General each month a statement showing totals of expenditure under each primary unit of grant of which the Court is the controlling authority. District Judges should, therefore, submit statements of expenditure of the grants allotted by the Court in the form appended hereto, before the 3rd of each month instead of sending it once at the close of financial year as directed in the Court's circular letter no. 3 of 1949. Each allotment should be shown in the statement whether or not any expenditure has been incurred against it.

District Judges should take immediate steps, when funds are allotted for a particular work-other than annual repairs to have the work completed as early as possible and savings, if any, reported immediately to the Court.

Name of grant	Courts' allotment order with date	Amount allotted	Expenditure for the month of			Balance available in the grant	Remarks
			Name of treasury	Number and date of voucher	Amount		

NOTE:Such as ‘Temporary establishment’, ‘Court Compound’, Contingencies’ other than that for temporary courts, ‘Petty and Electrical Works’, ‘Maintenance and repairs’, ‘Annual repairs on buildings’. ‘Annual repairs on Small Cause Courts buildings’, ‘Water-tax on residential buildings’.

C.L. No. 61/Xb-91 dated 28th June, 1968

Monthly statements of expenditure in respect of the allotments made from the head “21-Administration of Justice – H. Works – (1) Original Works (2) Repairs (3) Other Charges” should be submitted regularly in the proforma given below before the 3rd day of each month. Head of account to which a charge is debitable should invariably be mentioned in the voucher sent to the A.G. through the treasury and also in the statement of expenditure.

Name of grant (purpose)	Number and date of Courts Allotment order	Amount allotted	Head of Account to which the charge is debitable	Name of Treasury	Expenditure for the month of			
					Number and date of voucher	Amount	Balance available	Remarks
1	2	3	4	5	6	7	8	9

21-Administration of Justice –H-Works-

1. Original works
2. Repairs
3. Other charges

NOTE:

- (1) In column 4 strike out which is not applicable.
- (2) In column 6 mention the voucher number and date as mentioned in the voucher submitted to the Accountant General, U.P. through treasury.
- (3) Separate statements be sent in respect of the expenditures desirable to the head “21 – Administration of Justice – District and Sessions Court and E - Court of Small Causes.”

C.L. No. 37/Xb-2 dated 1st June, 1966

All the savings anticipated under the various items should be surrendered to the Court invariably and the demand for additional grants, if any, under other items may be made to the Court separately.

C.L. No. 3/Xb-6 dated 23rd February, 1967

District Judges should see that in respect of all surrenders made to the Court after March 2, every year, reasons for the delay with respect to each such item of surrender are reported to the Court in the prescribed proforma either along with the proposal for

surrender of savings itself or immediately thereafter by the third week of March each year.

PROFORMA

Statement showing the Class in which savings were surrendered to Government after the prescribed date

Serial No.	Grant no. and Major and Minor head	Name of item under which surrender made	Number and date of letters in which surrender was made	Amount surrendered	Reasons why savings should not be reasonably foreseen and surrendered by the prescribed date
1	2	3	4	5	6

C.L. No. 128/Xb-6 dated 28th November, 1970

All savings must be reported to the Court as soon as they are known and should reach the Court latest by the 1st of February. Non-reporting of the savings by the scheduled date or late surrender of savings is a grave financial irregularity. Under the provisions of paragraph 141 of the U.P. Budget Manual (IV Edition) and instructions issued by the Court, officers making belated surrenders will be held responsible for the resultant financial irregularity. Works for which money has been allotted should as far as possible be completed within a month from the date of allotment order and a fortnightly progress report be sent to the Court. Where the work cannot be completed within the stipulated time, reasons and justification should be furnished. Non-utilization of allotted funds or their lapse to Government will be treated as administrative inefficiency. As soon as the allotment order is received an acknowledgement maybe sent to the Court. If the progress report is not received by the Court within a month, the money allotted will be presumed as savings. Report regarding belated surrenders should be submitted in the proforma prescribed by C.L., dated February 23, 1967 (given at preceding page).

C.L. No. 14/Xb-1 dated 9th February, 1970

For submission of monthly statements of expenditure the directions contained in C.L. nos. 61/Xb-9, dated June 28, 1968 and 34/31 s(i)-63 dated May 9, 1963 should be strictly followed. Expenses incurred on rent are chargeable to the head "Contingencies" only when buildings are acquired on rent for short periods. Such expenses are otherwise debitable to the head "H-Works-Repairs"-Special attention should be paid for debiting expenditures to proper heads and sub-heads and the savings must be reported to the Court immediately after it is known.

C.L. No. 102/Xb-6 (Budget) dated 16th September, 1972

In compliance with Court's direction all final savings should invariably be surrendered to the Court so as to reach the Court by 7th February each year positively.

C.L. No. 1/Xb-9 dated 3rd January, 1973

Strict compliance of directions contained in C.L. no. 61/Xb-9, dated June 28, 1968 and 14/Xb-9, dated February 9, 1970 for debiting the expenditure to proper heads and sub-heads should be made. The statements of expenditure (both monthly and consolidated) in respect of the allotment made by the Court from the head "21-

Administration of Justice-G-Works” should invariably be submitted by the 3rd day of each month in the prescribed proforma.

C.L. No. 101/Xb-6 (Budget) dated 16th September, 1972

Under G.O. no. B-1-3985/X-12-1971 (A), dated September 30, 1971, preliminary statement of anticipated excess and savings is to be submitted by the Nyaya (High Court) Anubhag to the Vitta Vibhag latest by 25th November each year. Utmost care should, therefore, be taken in the preparation of such statement because any error may result in loss and inconvenience to Government and also avoidable excess expenditure. The statement should, therefore, be carefully prepared and sent to the Court latest by 15th November.

C.L. No. 73/Xb-9 dated 30th November, 1963

In the monthly reports about expenditure sent to A.G. and the Court the head from which the allotment is actually made should be shown correctly.

(iii) Application for additional grant

**C.L. No. 51/Xb-2 dated 7th July, 1965 read with
G.O. No. (i)/VII-610 (51)/62 dated 24th June, 1963**

Applications for additional grants should in no case be submitted earlier than November and should invariably be accompanied by a statement in the prescribed form, showing the position of excess/savings under the various heads and the detailed reasons therefore.

(iv) Full description of works

C.L. No. 51 dated 23rd May, 1957

Full description of the work and particulars of the grants to which the expenditure is debitable and which is specified in every allotment order issued by the Court should be given in each bill sent to the treasury.

(v) Grants for purchase of books and furniture

C.L. No. 37/IXg-8 dated 26th May, 1955

A list of books and furniture required for each court along with their prices should be submitted to the Court by the District Judges every year by 15th of May positively.

This list should contain only such items as are of urgent nature and cannot be met from the provision made in the budget for the current financial year.

C.L. No. 29 dated 2nd May, 1964

Requirement for Bastas are also to be included in the estimate for furniture. As the funds at the disposal of the Court are meager only minimum demand for essential articles is to be included in the budget estimates.

C.L. No. 74/IXg-8 dated 13th May, 1971

During the period of shortage of furniture attempt should be made to make complete pieces of furniture out of the defective or damaged ones.

(vi) Estimate for house building advance

C.E. No. 79/X6-28 dated 18th September, 1968

According to G.O. no. B-25629/ten-184/64, dated February 28, 1967, para 3 District Judge should ensure that the estimate of amount needed for house building advance is sent to Finance (Budget) Department direct.

(vii) Budget Estimate of Local Purchase of Stationery

G.L. No. 4270/budget-II dated November 21, 1991

Budget estimate of Local Purchase of Stationery

I am directed to invite your attention to the G.O. No. 1750/VII-Nayaya-2-86-G/91; dated 27.4.91 addressed to all heads of department and to say that the Government has authorized all the heads of department to purchase the stationery locally. Only few items will be supplied by the Government Press directly every year.

I am also to request you to send your annual demand of stationery with number of Courts for the year 1992-93 and onwards according to the monetary allotment of your judgeship as fixed by the Government press alongwith requirement of articles of stationery itemwise with lowest market price, to the Court within 15 days from the date of the receipt of the letter.

The matter may please be treated as most urgent.

(viii) शासन स्तर पर उपलब्ध करायी जाने वाली सूचनाओं का सही होना।

C.E. No. 41/VIIIe-15/Admn.(F) dated April 5, 1990

उपर्युक्त विषयक मंत्रि परिषद की दिनांक 6-12-1989 को हुई बैठक में पारित आदेशों के उद्धरण की एक प्रति संलग्न करते हुए आपसे यह कहने का मुझे निदेश हुआ है कि शासन स्तर पर उपलब्ध करायी जाने वाली सूचना एवं आकड़ों के प्रेषण के विषय में यह सुनिश्चित कर लिया जाये कि ये सभी सूचनाएं/एवं आंकड़े सही हैं।

कृपया इस सम्बन्ध में विभिन्न स्तरों पर संबंधित अधिकारियों को जिम्मेदारियों भी सौंपी जाय और इनकी शुद्धता की जाँच के लिए समय-समय पर निरीक्षण भी किए जायें। कृपया इन आदेशों को कठोरता पूर्वक अनुपालन सुनिश्चित करें तथा कृत कार्यवाही से शासन को तत्काल अवगत कराएं।

5. STATEMENTS OF EXPENDITURES, ACCOUNTS

(i) Expenses

(a) *Exhibition of losses in Government accounts and appropriation accounts*

G.L. No. 6/46-146 dated 16th November, 1934

The annual statement relating to the extra-statutory remissions of revenue and abandonment of claims to revenue sanctioned during each financial year concerning District Judges' courts should always be submitted to the Court before the 30th April each year. The statement should include the figures for small causes courts also. In case there

(c) Expenditure over temporary and additional civil courts

C.L. No. 82/15-A dated 6th August, 1951

To enable the Court to control the expenditure incurred over the staff, contingencies, etc. of the additional courts of Civil Judges and Munsifs, the District Judges should submit a statement in the form appended below by the 7th of the month following that to which it relates:

Statement showing the expenditure incurred over the temporary Courts of Civil Judges/Munsifs for the month of 19

Name of the temporary Court	Pay of establishment with details of staff	ALLOWANCES		Contingencies.
		Dearness Allowances	C.C.	

Grand Total

(d) Quarterly statement of payments made by disbursing officers

C.L. No. 53/IXa-16 dated 31st May, 1957

Each disbursing officer should forward to the Assistant Director, Collation Branch, Poonamalee, High Court, Madras, quarterly statements of payment of Rs.250/- and above made by them to the contractors and other non-officials with full addresses of the payees, dates of payments etc. in the proforma sent with the C.L. noted in the bloc.

(e) Proper maintenance, preparation and submission of the accounts of expenditure pertaining to courts

G.L. No. 746/Budget B-2 dated February 24, 1990

Proper maintenance, preparation and submission of the accounts of expenditure pertaining to court below under the Head 2104-Admn. Of Justice of each month positively by the 5th of the succeeding month to the High Court

With reference to Court's Circular Letter issued from time to time on the subject noted above, I am directed to invite your attention to the provisions contained in the Budget Manual and to say that the statement of expenditure of each month relating to your Judgeship must be sent by the Fifth of the succeeding month positively. The Statement should be clear, correct and accurate and complete and should include all the sub-heads i.e. District Judge, Civil Judge, Munsif, P.S. charges, R.R. & copying making charges, Judge Family Court, Judge Anti-corruption, Criminal Courts, Railways Magistrates, J.S.C.C. Each and every item of the sub-heads be mentioned separately.

I am further to say that quarterly statements of expenditure of each three months i.e. April to June, July to September, October to December and January to March be also sent to the Court regularly. In each statement whether monthly or quarterly, the items under District Judges Sub-Head i.e. "O.E.", "T.E.", "Maintenance of Motor Vehicles and

Petroleum Charges”, “Original Works”, “Repairs”, “Improvement of Court Compound” and “Rent Rates and Taxes” should be, at any Cost, be omitted.

I am further to say that any lapse in this regard with be the personal responsibility of the District Judge/Officers Incharge, Nazarat.

(ii) **Accounts**

C.L. No. 47/Xb-2 dated 16th April, 1976

In order to maintain correct accounts, it is necessary that the District Judges should invariably report the figures of expenditure to the Treasuries and take care to debit the expenditure under the correct heads strictly in conformity with those specified in the allotment orders. A chart showing the different heads under which the expenditure has to be booked and reported to the Court is enclosed herewith. Separate statements are to be sent in respect of expenditure pertaining to the Courts of District Judges and Additional District Judges under the head “District and Sessions Judges” subordinate to the main head “214-Administration of Justice. Non-plan-B-Civil and Sessions Court”. Similarly expenditure pertaining to Civil Judges and Additional Civil Judges and Munsifs and Additional Munsifs has to be shown in the respective statements of ‘Civil Judges’ and ‘Munsifs’. There will be separate statements for Judge Small Causes, process-serving staff, record room and copy-making charges.

Separate statements will also have to be sent to the High Court in regard to the expenditure on criminal courts, viz., those of Chief Judicial Magistrates, Judicial Magistrates, Honorary Magistrates and Railway Magistrates.

The Court may be moved in all such matters together with estimates etc., duly verified by the competent (P.W.D.) authorities for obtaining necessary sanction of the Court.

APPENDIX ‘A’

Statement of expenditure incurred in the month of 19 relating to the judgeship

Head and items	Treasury Challan		Amount	Remarks
	Voucher Number	Date		

214 – Administration of Justice – Non- Plan

B. Civil and Sessions Courts –

District & Sessions Judges

1. Pay
2. Wages of Servants
3. Dearness Allowance
4. Travelling Expenses
5. Other Allowances
6. Office Expenses
7. Expenses on Telephone
8. Other Charges –Diet to Witnesses

TOTAL

(b) **Civil Judges**

1. Pay
2. Wages of Servants
3. Dearness Allowance
4. Travelling Expenses
5. Other Allowances
6. Office Expenses
7. Expenses on Telephone

TOTAL

(d) **Munsifs**

1. Pay
2. Wages of Servants
3. Dearness Allowance
4. Travelling Expenses
5. Other Allowances
6. Office Expenses
7. Expenses on Telephone

.....
TOTAL
.....

Process serving charges (Judicial)

1. pay
2. Dearness Allowance
3. Travelling Expenses
4. Other Allowances
5. Office Expenses

.....
TOTAL
.....

(g) **Record Room and Copy Making Charges**

1. Pay Dearness Allowance
2. Dearness Allowance
3. Travelling Expenses
4. Other Allowances
5. Office Expenses

.....
TOTAL
.....

DISTRICT JUDGE

(c) **Anti-corruption Judge**

1. Pay
2. Dearness Allowance
3. Travelling Expenses
4. Other Allowances
5. Office Expenses

.....
TOTAL
.....

JUDGE, ANTI-CORRUPTION, LUCKNOW

APPENDIX 'B'

Statement of expenditure incurred in the month of ...19... relating to the judgeship ...

Head and Items	Treasury Challan		Amount	Remarks
	Voucher Number	Date		

214 – Administration of Justice – Non-Plan

C. Judges Small Cause Courts.

1. Pay
2. Dearness Allowance
3. Travelling Expenses
4. Other Allowances
5. Office Expenses

.....
TOTAL

.....
DISTRICT JUDGE

APPENDIX 'C'

***Statement of expenditure incurred in the month of 19
relating to the judgeship***

Head and Items	Treasury Challan		Amount	Remarks
	Voucher Number	Date		

214 – Administration of Justice – Non-Plan

B. Civil and Sessions Courts

(a) District & Sessions Judges

8. Original works

9. Repairs

- (a) Annual
- (b) Special
- (c) Quadriennial
- (d) Improvement of Court Compound

10. Rent, Rates and Taxes

11. Other Charges

(Agra, Faizabad and Kanpur)

.....
TOTAL

.....
C. Judges Small Causes Courts

6. Rent, Rates and Taxes

.....
TOTAL

.....
DISTRICT JUDGE

APPENDIX 'D'

**Statement of expenditure incurred in the month of 19
relating to the judgeship**

Head and Items	Treasury Challan		Amount	Remarks
	Voucher Number	Date		

289 – Special and Backward Areas, Hill Areas,

(d). Other Expenses

10. Administration of Justice -

8. Original works

9. Repairs

(a) Annual Repairs

(b) Special Repairs

(c) Quadriennial Repairs

(d) Improvement of Court Compound

10. Rent, Rates and Taxes

11. Other Charges

.....
TOTAL
.....

DISTRICT JUDGE

APPENDIX 'E'

Statement of expenditure incurred in the month of 19 ...relating to the court of ...

Head and Items	Treasury Challan		Amount	Remarks
	Voucher Number	Date		

214 – Administration of Justice – Non-Plan

D. Criminal Courts

I. Permanent Establishment

1. Pay

2. Dearness Allowance

3. Travelling Expenses

4. Other Allowances

5. Office Expenses

6. Other Charges-Diet to witnesses

.....
TOTAL
.....

II. Courts of Honorary Magistrates

1. Pay

2. Dearness Allowance

3. Other Allowances

4. Office Expenses

.....
TOTAL
.....

III. Railway Magistrate Establishment

1. Pay
2. Dearness Allowance
3. Travelling Expenses
4. Other Allowances
5. Office Expenses

.....

TOTAL

.....

Grand Total of Criminal Courts

.....

DISTRICT JUDGE

APPENDIX 'F'

Statement of expenditure incurred in the month of 19 ..relating to the court of

Head and Items	Treasury Challan		Amount	Remarks
	Voucher Number	Date		

299 – Special and Backward Areas -

Hill Areas (d) Other Expenses

(10) Administration of Justice

Civil Court

1. Pay

2. Wages

3. Dearness Allowance

4. traveling Expenses

5. Other Allowances

6. Office Expenses

7. Expenses on Telephone

(11) Payment for Professional and Special Services

(12) Other Expenses – Diet for Witnesses

.....

TOTAL

.....

DISTRICT JUDGE

APPENDIX 'G'

Statement of expenditure incurred in the month of 19 ..relating to the court of ...

Head and Items	Treasury Challan		Amount	Remarks
	Voucher Number	Date		

299 – Special and Backward Areas,

Hill Areas (d) Other Expenses

(10) Administration of Justice-Criminal Court

1. Pay
2. Wages
3. Dearness Allowance
4. Travelling Expenses
5. Other Allowances
6. Office Expenses
7. Expenses on Telephone
- (11) Payment for Professional and Special Services
- (12) Other Expenses – Diet for Witnesses

.....
TOTAL

DISTRICT JUDGE

NOTE*

The various heads and sub-heads mentioned in the aforesaid circular letters have been changed by Government Order No. B1-165/10-118/82 dated 1.2.1987 and the heads and sub-heads etc. have been numbered as follows. This mode of indication has been made operative with effective from 1.4.1987. Illustrative examples are given at the foot of the list. A list of standard items of expenditure is also appended indicating their new heads.

न्याय विभाग से सम्बन्धित लेखा शीर्षकों का विवरण

राजस्व लेखा

- (अ) राजस्व व्यय:
- | | | |
|----|-------------------------------------|----------------------|
| 1- | मुख्य लेखा शीर्षक | 2014 - न्याय प्रशासन |
| 2- | उप मुख्य लेखा शीर्षक | |
| 3- | लघु शीर्षक | |
| | (अ) 102 उच्च न्यायालय | |
| | (ब) 105 सिविल और सत्र न्यायालय | |
| | (स) 106 लघुवाद न्यायालय | |
| | (द) 108 दण्ड न्यायालय | |
| | (य) 110 महाप्रशासक और शासकीय न्यासी | |
| | (र) 114 कानूनी सलाहकार परिषदें | |
| | (ल) 800 अन्य व्यय | |
| 4- | उप शीर्षक | |
| | (अ) 102 उच्च न्यायालय | |
| | 01 उच्च न्यायालय | |
| | (ब) 105 सिविल और सत्र न्यायालय | |
| | 01 जिला तथा सेशन न्यायाधीश | |
| | 02 दीवानी न्यायाधीश | |
| | 03 भ्रष्टाचार उन्मूलन न्यायाधीश | |
| | 04 मुंसिफ | |
| | 05 आदेशिका वाहन व्यय | |

* By Ed.

- 06 अभिलेखाकार और प्रतिलिपिकरण के व्यय
 07 पारिवारिक न्यायालय
 (स) 106 लघुवाद न्यायालय
 01 अधिष्ठान
 (द) 108 दण्ड न्यायालय
 01 नियमित अधिष्ठान
 02 अवैतनिक मजिस्ट्रेटों के न्यायालय
 03 रेलवे मजिस्ट्रेटों का अधिष्ठान
 (य) 110 महाप्रशासक और शासकीय न्यासी
 01 अधिष्ठान
 (र) 114 कानूनी सलाहकार परिषदें
 01 महाधिवक्ता
 02 विधि परामर्शी तथा सरकारी अधिवक्ता
 (ल) 800 अन्य व्यय
 01 न्यायिक प्रशिक्षण एवं अनुसंधान संस्थान
 02 पंडित गोविन्द बल्लभ पन्त शोध पीठ

उपर्युक्त पुनरीक्षित लेखा वर्गीकरण के अनुसार अब प्रत्येक मुख्य लेखा शीर्षक हेतु चार अंकों का कोड, उप मुख्य शीर्षक हेतु दो अंकों का कोड तथा प्रत्येक लघु शीर्षक हेतु तीन अंकों का कोड निर्धारित किया गया है। पुनः लघु शीर्षकों को उप शीर्षकों में विभाजित करते हुए प्रत्येक उप शीर्षक के लिए दो अंकों के कोड निर्धारित किये गये हैं। यदि उप शीर्षकों के अधीन विस्तृत शीर्षक भी हो तो उन्हें उप शीर्षक के कोड के अंकों सहित दो अंकों के अतिरिक्त कोड द्वारा प्रदर्शित किया जाता है। अन्त में दो अंकों के कोड द्वारा मानक मदें उल्लिखित की जाती हैं।

उदाहरणार्थ - यदि किसी माह में किसी जिले के सिविल और सत्र न्यायालय का व्यय विवरण प्रेषित करना है तो उसमें लेखा शीर्षकों का उल्लेख निम्न प्रकार किया जाना चाहिए:-

सिविल और सत्र न्यायालय ----- का माह ----- का व्यय विवरण

अनुदान संख्या ----- 42
 मुख्य लेखा शीर्षक 2014 न्याय प्रशासन
 उप मुख्य शीर्षक 00 -----
 लघु शीर्षक 105 सिविल और सत्र न्यायालय
 उप शीर्षक 01 जिला तथा सेशन न्यायाधीश
 अथवा
 02 दीवानी न्यायालय
 अथवा
 03 भ्रष्टाचार उन्मूलन न्यायाधीश
 अथवा
 04 मुन्सिफ
 अथवा
 05 आदेशिका वाहन व्यय
 अथवा

06 अभिलेखागार और प्रतिलिपिकरण व्यय

अथवा

07 पारिवारिक न्यायालय

उपर्युक्त उप शीर्षकों के अधीन वेतन, मेंहगाई भत्ता एवं कार्यालय व्यय इत्यादि मानक मदों पर हुए व्यय का मदवार उल्लेख किया जायेगा। शासनादेश संख्या - बी-1-165/दस-118/82 दिनोंक 1 फरवरी, 1987 द्वारा निम्नलिखित मानक मदें उनके साथ उल्लिखित कोड संख्या के साथ शासन द्वारा अंगीकृत की गई है।

(ब) राजस्व प्राप्तियों:

- | | | |
|----|-----------------------------|-----------------------------|
| 1- | मुख्य लेखा शीर्षक | 0070 अन्य प्रशासनिक सेवायें |
| 2- | उप मुख्य लेखा शीर्षक | 01 न्याय प्रशासन |
| 3- | लघु शीर्षक | |
| | (अ) 102 जुमाने और जब्तियाँ | |
| | (ब) 501 सेवायें और सेवा फीस | |
| | (स) 800 अन्य प्राप्तियाँ | |
| 4- | उप शीर्षक | |
| | (अ) 102 जुमाने और जब्तियाँ | |

01 उच्च न्यायालय के जुमाने

02 अधीनस्थ दीवानी न्यायालयों के जुमाने

03 मजिस्ट्रेटों द्वारा किए गए जुमाने और जब्तियाँ

04 जुमाने जिनके संबंध में गाँव पंचायतों से भिन्न अन्य स्थानीय निकायों को प्रतिकर दिए जाते हैं।

05 अन्य मदें

(ब) 501 सेवायें और सेवा फीस

01 की गई सेवाओं के लिए भुगतान की उगाही

02 आदेशिका निवृत्ति (हुक्मनामें तामील करने वाले) की फीस

03 दीवानी न्यायालयों में अमीनों की फीस

04 कुर्क अमीन की फीस

05 अकिंचनवादों के संबंध में वसूलियाँ

06 भू-राजस्व देने वाली भूमियों के बेचने की फीस

07 उच्च न्यायालय के पेपर बुकों के संपादन की फीस

08 अदालती अभिलेखागारों से प्राप्तियाँ

09 फौजदारी न्यायालयों के अभिलेखागारों से प्राप्तियाँ

10 नोटरीज एक्ट 1952 के अधीन प्राप्तियाँ

11 महाप्रशासक तथा राज्य न्यासी की फीस और कमीशन

12 सरकारी सेवकों द्वारा गवाही के संबंध में यात्रा तथा उन्हें देय फीस के व्यय से सम्बन्धित जमा धनराशियाँ

13 नोटरीज रूल्स के अधीन प्रमाण पत्र नवीनीकरण फीस

14 निजी निकायों के लिए काम करने वाले सरकारी कर्मचारियों द्वारा प्राप्त फीस

15 उच्च न्यायालय के साक्ष्य पुस्तकों आदि की छपाई के लिए कमीशन तथा डाक व्यय जो पक्षों से लिया गया

16 अन्य मदें

(स) 800 अन्य प्राप्तियाँ

01 उच्च न्यायालय के अहाते में खाद्य पदार्थ बेचने के लिए अनुज्ञप्ति फीस

02 उच्च न्यायालय लखनऊ शाखा के उद्यानों से प्राप्तियाँ

03 उच्च न्यायालय से सम्बद्ध बार और वकीलों के कार्यालयों का किराया

04 उच्च न्यायालय की प्रकीर्ण प्राप्तियाँ

05 दीवानी न्यायालयों की उपज की बिक्री तथा खाद्य पदार्थ बेचने की अनुज्ञप्ति फीस

06 अधि भुगतानों की वसूलियाँ

07 जालसाजी के दीवानीवादों जिनमें सरकार प्रतिवादी होती है न्यायालयों द्वारा दिलाया गया वाद व्यय

08 भूमि और घरों की बिक्री

09 इमारतों का किराया

10 आवासीय भवनों पर जलकर

11 अनध्यर्पित और राजसात सम्पत्ति की बिक्री

12 दीवानी न्यायालयों की प्रकीर्ण प्राप्तियाँ

13 फौजदारी न्यायालयों की प्रकीर्ण प्राप्तियाँ

14 लोक सेवा अधिकरण की प्राप्तियाँ

न्याय विभाग के लोक लेखा से सम्बन्धित लेखा शीर्षक

1-	मुख्य लेखा शीर्षक	8443 सिविल जमा राशियाँ
2-	उप मुख्य लेखा शीर्षक	- -
3-	लघु शीर्षक	(अ) 103 प्रतिभूति जमा (ब) 104 सिविल न्यायालय जमा (स) 105 आपराधिक न्यायालय जमा (द) 121 चुनाव के सम्बन्ध में जमा (य) 800 अन्य जमा

4	उप शीर्षक	
	(अ)	103 प्रतिभूति जमा
	(ब)	104 सिविल न्यायालय जमा 01 सिविल न्यायालय 02 उच्च न्यायालय
	(स)	105 आपराधिक न्यायालय जमा
	(द)	121 चुनाव के सम्बन्ध में जमा 01 राज्य विधान मण्डल के लिए उम्मीदवारों द्वारा किए गए जमा 02 संसद के लिए उम्मीदवारों द्वारा किए गए जमा 03 चुनाव याचिकाओं के लिए किए गए जमा 04 चुनाव अपीलों के लिए किए गए जमा 05 स्थानीय निकायों के निर्वाचन के लिए जमा
	(य)	800 अन्य जमा 01 गैर सरकारी निकायों के लिए किए गए कार्य के लिए सरकारी कर्मचारियों द्वारा प्राप्त शुल्कों की जमा

व्योरेवार शीर्षक वर्गीकरण के निम्न स्तर पर आय-व्यय अनुमानों में अंगीकृत की गई व्यय की मानक मदें इस प्रकार हैं-

व्यय की मानक मदें

संख्या संख्या-बी-1-3334/दस-2005-12(2)/2006 के अनुसार वर्तमान में लागू

मानक मद	विवरण
01- वेतन	इसमें अधिकारियों व कर्मचारियों के वेतन जैसा कि मूल नियम (21) में परिभाषित किया गया है और बोनस सम्मिलित होंगे।
02- मजदूरी	इसमें आकस्मिक व्यय से संदत्त श्रमिकों और कर्मचारियों की मजदूरी / पारिश्रमिक सम्मिलित है।
03- मेंहगाई भत्ता	शासन द्वारा समय समय पर स्वीकृत / देय मेंहगाई भत्ता की व्यवस्था सम्मिलित होगी।
04- यात्रा व्यय	इसमें ड्यूटी पर यात्रा के फलस्वरूप सभी प्रकार के व्यय, किन्तु अवकाश यात्रा सुविधा, स्थानान्तरण यात्रा-व्यय तथा प्रशिक्षण हेतु यात्रा-व्यय न सम्मिलित हो, आते हैं।
05- स्थानान्तरण यात्रा-व्यय	स्थानान्तरण के फलस्वरूप यात्रा-व्यय।
06- अन्य भत्ते	इसमें सरकारी कर्मचारियों को देय मकान का किराया, नगर प्रतिकर भत्ता, वाहन व्यय प्रतिपूर्ति भत्ता एवं नियत यात्रा भत्ता तथा विकलांग भत्ता आदि सम्मिलित हैं।
07- मानदेय	मानदेय के रूप में दी जाने वाली धनराशि की व्यवस्था इस मद के अन्तर्गत सम्मिलित है।
08- कार्यालय व्यय	इनके अन्तर्गत किसी कार्यालय को चलाने के लिए अपेक्षित आकस्मिक व्यय यथा डाक व्यय, सज्जा की खरीद और उनका अनुरक्षण, वर्दियों, ग्रीष्म और शरद कालीन व्यय सम्मिलित हैं।
09- विद्युत देय	सरकारी कार्यालयों / कार्यात्मक भवनों / अतिथि गृहों आदि के विद्युत देयों के व्यय हेतु व्यवस्था सम्मिलित है।
10- जलकर/ जल प्रभार	सरकारी कार्यालयों / कार्यात्मक भवनों / अतिथि गृहों आदि के जलकर / जल प्रभार के भुगतान

	की व्यवस्था सम्मिलित हैं।
11- लेखन-सामग्री और फार्मों की छपाई	कार्यालय के उपयोगार्थ फार्मों की छपाई और अन्य लेखन-सामग्री (सम्यूटर स्टेशनरी के अलावा) की व्यवस्था सम्मिलित है।
12- कार्यालय फर्नीचर एवं उपकरण	इसके अन्तर्गत कार्यालय फर्नीचर के अतिरिक्त कार्यालय मशीन जैसे - टाइपराइटर, फोटोकॉपीयर, फैक्स आदि के व्यय सम्मिलित होंगे। इसमें कम्प्यूटर का क्रय सम्मिलित नहीं है।
13- टेलीफोन पर व्यय	सरकारी कार्यालयों / सरकार की तरफ से आवासों में लगे टेलीफोन आदि के देयकों का भुगतान। इसमें सेल्यूलर फोन पर अनुमोदित व्यय भी सम्मिलित होगा।
14- कार्यालय के प्रयोग के लिए स्टॉफ कारों और अन्य मोटर गाड़ियों का क्रय	सरकारी कार्यालयों / कार्यात्मक भवनों / अतिथि गृहों आदि के प्रयोगार्थ तथा उपयोग की जाने वाली मोटर वाहनों के क्रय की व्यवस्था।
15- गाड़ियों का अनुरक्षण और पेट्रोल आदि की खरीद	सरकारी कार्यालयों / कार्यात्मक भवनों / अतिथि गृहों आदि के प्रयोगार्थ उपयोग की जाने वाली मोटर वाहनों के सम्बन्ध में पेट्रोल / डीजल तथा अनुरक्षण सम्बन्धी व्यय की व्यवस्था।
16- व्यावसायिक और विशेष सेवाओं के लिए भुगतान	इसमें विधिक / विशेषज्ञ सेवा का व्यय, परामर्शदात्री सेवा की फीस, परीक्षाओं के संचालन के लिए परीक्षकों और कक्ष निरीक्षकों आदि को देय पारिश्रमिक सम्मिलित है।
17- किराया, उपशुल्क और कर स्वामित्व	इसमें किराये पर लिये गये भवनों के किराये, उपशुल्क और कर आदि पर व्यय सम्मिलित है। इसमें भूमि के पट्टे पर व्यय भी सम्मिलित है।
18- प्रकाशन	इसमें कार्यालय संहिता और नियम संग्रह तथा अन्य मूल्य सहित और बिना मूल्य लेख्यों के मुद्रण पर होने वाला व्यय सम्मिलित है किन्तु इसमें विख्यापन सामग्री का मुद्रण सम्बन्धी व्यय सम्मिलित नहीं है। इसमें अभिकर्ताओं को देय विक्री पर छूट भी सम्मिलित होगी।
19- विज्ञापन, बिक्री और विख्यापन व्यय	इसके अन्तर्गत अभिकर्ताओं का कमीशन और विज्ञापन सामग्री की छपाई से सम्बन्धित व्यय सम्मिलित होगा।
20- सहायक अनुदान / अंशदान / राज सहायता	मानक मद संख्या 43 तथा 48 में परिभाषित सहायक अनुदान की धनराशियों को छोड़कर अय सभी प्रकार की सहायक अनुदान / अंशदान / राज सहायता, जिसमें समाज सुरक्षा योजनाओं के अधीन पेंशन भी सम्मिलित हैं।
21- छात्रवृत्तियों और छात्र वेतन	विभिन्न शैक्षिक कार्यक्रमों के अन्तर्गत दी जाने वाली छात्रवृत्ति / छात्र-वेतन की व्यवस्था।
22- आतिथ्य व्यय / व्यय विषयक भत्ता आदि	इसके अन्तर्गत अनुमन्य आतिथ्य व्यय / मनोरंजन भत्ते सम्मिलित होंगे। अन्तर्विभागीय बैठकों, कान्फ्रेंसों आदि में दिये जाने वाले, जलपान को “कार्यालय व्यय” के अन्तर्गत अभिलिखित किया जायेगा।
23- गुप्त सेवा व्यय	गुप्त सेवा सम्बन्धी व्यय।
24- वृहद् निर्माण कार्य	जैसा कि वित्तीय नियम संग्रह खण्ड-VI के पैरा-314 में परिभाषित किया गया है। इसमें भूमि अधिग्रहण और संरचनाओं से सम्बन्धित लागत भी सम्मिलित होगी।
25- लघु निर्माण कार्य	जैसा कि वित्तीय नियम संग्रह खण्ड-VI के पैरा-314 में परिभाषित किया गया है।
26- मशीनें और सज्जा / उपकरण संयंत्र	इसमें किसी कार्यालय के संचालन के निमित्त अपेक्षित मशीन, सज्जा, साधित्र (एपरेटस) आदि से भिन्न मशीनें, सज्जायें और साधित्र आदि तथा विशिष्ट निर्माण कार्य के लिए अपेक्षित विशेष उपकरण और संयंत्र सम्मिलित है।
27- मोटर गाड़ियों की खरीद	यह मानक-मद समाप्त कर दिया गया है।
28- मोटर गाड़ियों का अनुरक्षण और पेट्रोल आदि की खरीद	यह मानक-मद समाप्त कर दिया गया है।
29- अनुरक्षण	इसके अन्तर्गत निर्माण कार्य, मशीनें और सज्जा (जो मद 24, 25 और 26 के अन्तर्गत आते हैं) के अनुरक्षण व्यय को अभिलिखित किया जाता है। इसमें अनुरक्षण सम्बन्धित मरम्मत भी सम्मिलित है।
30- निवेश / ऋण	सार्वजनिक संस्थाओं/ निगमों आदि में अंशपूंजी विनियोजन अथवा ऋण दिये जाने की व्यवस्था।

31- सामग्री और सम्पूर्ति	उस मद के अन्तर्गत खाद्यान्न, बीज, खाद, राजकीय मुद्रणलयों के लिए कागज एवं अन्य मुद्रण सामग्री, खनिज अन्वेषण से सम्बन्धी सामग्री, पुष्ठाहार कार्यक्रम के अन्तर्गत वितरित की जाने वाली खाद्य सामग्री आदि का क्रय सम्मिलित होगा।
32- ब्याज / लाभांश	इसके अन्तर्गत पूँजी / ऋण पर ब्याज सम्मिलित होगा।
33- पेंशन / आनुतोषिक / अन्य सेवानिवृत्ति हितलाभ	पेंशन / आनुतोषिक तथा तत्सम्बन्धी भुगतान एवं सेवानिवृत्ति के समय अवकाश के नकदीकरण तथा अंशदायी भविष्य निधियों / पेंशन निधियों को अंशदान सम्मिलित है, लेकिन समाज सुरक्षा योजनाओं के अधीन पेंशन सम्मिलित नहीं है।
34- अवमूल्यन	मूल्य हास के सम्बन्ध में व्यवस्था।
35- अन्तर्लेखा संक्रमण	समेकित निधि से लोक लेखे में व्यवस्थित निधियों तथा कतिपय विशिष्ट मामलों में लोक लेखे से समेकित निधि में संक्रमित / स्थानान्तरित की जाने वाली धनराशि की व्यवस्था। निर्माण एवं अनुरक्षण सम्बन्धी “अधिष्ठान व्यय” और “मशीनरी तथा उपस्कर व्यय” को प्रतिशतता के आधार पर एक लेखाशीर्ष से दूसरी लेखाशीर्ष में संक्रमित करने तथा राज्य व्यापार योजनाओं (स्टेट ट्रेडिंग स्कीम्स) से सम्बन्धित राजस्व व्यय की धनराशि को पूजीकृत करने के लिए भी इस मानक मद का उपयोग किया जा सकता है।
36- बट्टा खाता / हानियों	इसके अन्तर्गत वसूल न होने वाले बट्टे खाते में डाले गये ऋण आते हैं। हानियों में व्यापार सम्बन्धी हानियाँ सम्मिलित होंगी।
37- उचन्त	उचन्त से सम्बन्धित व्यय वर्गीकृत होगा।
38- अन्तरिम सहायता	शासन द्वारा समय-समय पर स्वीकृत अन्तरिम सहायता की व्यवस्था।
39- औषधि तथा रसायन	चिकित्सालयों आदि के लिए औषधि तथा रसायन के क्रय के लिए व्यवस्था, जिसमें रुई पट्टी आदि भी सम्मिलित है।
40- औषधालय सम्बन्धी आवश्यक सज्जा	चिकित्सालयों आदि में सफाई एवं साज-सज्जा हेतु व्यवस्था।
41- भोजन व्यय	विभिन्न विभागों में शासन की ओर से की जाने वाली भोजन व्यवस्था से सम्बन्धी व्यय।
42- अन्य व्यय	यह अवशिष्ट शीर्षक है जिसमें पारितोषिक और पुरस्कार सम्बन्धी व्यय तथा विवेकाधीन कोष से व्यय भी सम्मिलित है।
43- वेतन-भत्ता आदि के लिए सहायक अनुदान	इसमें मूल वेतन, मंहगाई वेतन, समाय समय पर जारी शासनादेशों द्वारा अनुमन्य मंहगाई भत्ता एवं अन्य भत्ते पर व्यय सम्मिलित होगा। शासन के ओदशों के अन्तर्गत संविदा पर रखे गये कार्मिकों का पारिश्रमिक आदि भी इस मद के अन्तर्गत वर्गीकृत होगा।
44- प्रशिक्षण हेतु यात्रा व्यय एवं अन्य प्रासंगिक व्यय	इसमें समय समय पर जारी शासनादेशों के अन्तर्गत होने वाली प्रशिक्षण से सम्बन्धित यात्रा-व्यय, शुल्क तथा अन्य प्रासंगिक व्यय सम्मिलित होंगे।
45- अवकाश यात्रा व्यय	इसके अन्तर्गत अवकाश यात्रा से सम्बन्धित व्यय वर्गीकृत होगा।
46- कम्प्यूटर हार्डवेयर / साफ्टवेयर का क्रय	इसके अन्तर्गत कम्प्यूटर से सम्बन्धित हार्डवेयर / साफ्टवेयर से सम्बन्धित व्यय वर्गीकृत होगा।
47- कम्प्यूटर अनुरक्षण / तत्सम्बन्धी स्टेशनरी का क्रय	इसके कम्प्यूटर से सम्बन्धित अनुरक्षण एवं कम्प्यूटर स्टेशनरी, प्रिन्टर रिबन / कार्ट्रिज आदि पर होने वाला व्यय सम्मिलित होगा।
48- पूँजीगत व्यय के लिए सहायक अनुदान	अनुदान के रूप में दी गई धनराशि से यदि पूँजीगत कार्यों पर व्यय किया जाता है तो इस प्रकार का व्यय इस मानक मद के अन्तर्गत वर्गीकृत होगा।
49- चिकित्सा व्यय	इसके अन्तर्गत चिकित्सा सम्बन्धी व्यय वर्गीकृत होगा।
50- मंहगाई वेतन	मूल वेतन के 50 प्रतिशत के समतुल्य मंहगाई भत्ता का अंश।

राजस्व प्राप्तियाँ

मुख्य लेखा शीर्षक	0070 अन्य प्रशासनिक सेवायें
उप मुख्य शीर्षक	01 न्याय प्रशासन
लघु शीर्षक	102 जुर्माने और जब्तियाँ
उप शीर्षक	02 अधीनस्थ दीवानी न्यायालयों के जुर्माने।

सिविल कोर्ट डिपॉजिट्स से सम्बन्धित धनराशियों के व्यवहार में उपर्युक्त लोक-लेखा से सम्बन्धित लेखा शीर्षकों का विवरण दिया जाना चाहिए।

C.I. No. 116/Xb-2/Budget dated 5th July, 1977

Since the courier system has been introduced, accounts knowing man maybe sent to the Court who, after handing over the dak in the Court, may go to the office of the Accountant General, U.P. with complete and verified accounts (from treasury accounts) and verify the figures of expenditure of the whole judgeship and income from court compound with those booked in that office. After removing all the differences between the accounts (of Distt. Judge's Office and that of A.G.'s Office) hand over the verified figures to the office of the Court. The office of the Court will then compile the figures of all the judgeships and verify the same with those booked in the office of the Accountant General, U.P. The District Judges who send the dak under courier system to Lucknow Bench may send the accounts knowing assistant to the office of the Accountant General, U.P., Allahabad with the direction that he should verify the figures in question with those booked in that office and after verification hand over the same to the office of the Court.

C.L. No. 118/Xb-2/B-II dated 21st October, 1978

The statement may be sent to the court through the dealing assistant so that mistakes, if any, may be told to him and he may be able to remove the differences in the account and mistakes may not occur again.

C.L. No. 110/Xb-2 (Budget) dated 25th September, 1979

The accounts in respect of the 24 courts of Additional Sessions Judges and 84 courts of Munsifs Magistrates in the State to be established w.e.f. October 1, 1979, on the recommendation of the VII Finance Commission report should be maintained separately.

The progressive figures of expenditure of the said courts with voucher number and date may also be sent to the Court regularly by 5th of each month.

C.L. No. 64/Xb-2/Budget-II dated 11th June, 1980

Statement showing figures of expenditure under each sub-head should be submitted to the Court positively by 5th of each month.

C.L. No. 78/Budget/Xb-2 dated 10th December, 1981

In order to avoid the chances of wrong classification and to minimize the difficulties in verification and reconciliation of accounts it is necessary that each and every voucher should bear separate seal with correct head OR sub-head viz., District Judge, Civil Judge, Munsif, Process Serving Charges, Record Room and Copy Making Charges, Criminal Courts, Honorary and Special Criminal Courts, Railway Magistrates, Judge Small Causes Courts and Judge Anti-Corruption, Higher Criminal Courts and Lower Criminal Courts created on the recommendation of the VII Finance Commission,

so that correct booking under proper heads of Account may be made in accounts and records maintained in the office of A.G., U.P., Allahabad.

The statements of expenditure should be submitted to the Court in the prescribed proforma positively by the 5th of each month, duly prepared in accordance with the above directions.

C.L. No. 27/Budget/Xb-2, dated 27th April, 1983

It is very essential that each and every voucher should bear separate seal with correct heads or sub-heads of account viz. "District Judge", OR District and Sessions Judge-VII Finance Commission", "Munsif" OR "Munsif-VII Finance Commission".

The account in respect of the "District and Sessions Judge VII Finance Commission" and "Munsif Magistrate-VII Finance commission" should invariably be maintained separately and properly.

In future the statements of expenditure should be submitted to the Court in the prescribed proforma by the 5th of each month positively so that there may not be delay in the work of reconciliation of figures of expenditure with those booked in the office of the A.G., U.P.

6. MISCELLANEOUS STATEMENTS AND RETURNS

(i) Annual stock returns and statements

C.L. No. 35/IXg-46 dated 9th April, 1951

Stock registers of furniture should be properly kept in all districts, showing court wise, the number of articles of each kind in hand at the beginning of the year, the number of articles purchased during the year, the number of articles condemned during the year and the number remaining in hand with a brief note as to the condition and location of each article.

It is essential that the stock is carefully checked every year. A report about such checking should be communicated to the Court by April 15, each year.

In this connection, reference is invited to the rules relating to the maintenance of stock books of government property forwarded to all District Judges under G.O. no. 3128/XVIII-340-30, dated November 24, 1934.

C.L. No. 31 dated 2nd May, 1962

A separate number for each article of furniture should be given in the stock book maintained in the judgeship. For example, if there are 238 chairs they should bear 238 different numbers and similar should be the case with all other articles of furniture. This procedure facilitates checking because it is easy to note in the stock book the serial number of the particular article which are allotted to a particular Court-room or to the residence of a particular officer.

The expenses involved in numbering the articles of furniture are to be met from the contingent grant.

C.L. No. 25 dated 11th April, 1962

In order to facilitate verification of the furniture and other government property supplied to one particular room or office, a separate page should be allotted to each room or office in the distribution list maintained under rule 8 of paragraph 801 of the M.G.Os. and on that page all kinds of furniture and other government property supplied to that room or office should be entered.

C.L. No. 92/Main L dated 8th September, 1969

Statement of local purchase of stationery, in duplicate should be submitted to the Court latest by April 15, each year as required under the amended para 67 (5) of the Printing and Stationery Manual.

(ii) Employment returns and statements

(a) To the Adviser and director of Statistics

C.L. No. 5100/Xf dated 9th May, 1950 as modified by

C.L. No. 65/Xf-35 dated 14th October, 1950

District Judges should send direct to the Economic Adviser and Director of Statistics, Uttar Pradesh, Sarojini Naidu Marg, Lucknow, information regarding the number of persons employed under them (including themselves) on the last working day of March and September. The number of persons employed should be classified in the pay groups as indicated below. For this purpose the pay should be taken as actual pay including special pay and personal pay, if any, but excluding allowances. Persons on leave as well as those working in leave vacancies should be included but a person who worked for a part of the month but was not employed on the last day of the month should not be included. Part time government servants working on the last day of the month should be included. Statements should be sent regularly in the form given below so as to reach the Economic Adviser and Director of Statistics by the 15th of April and the 15th of October respectively every year.

Any difficulty or doubt in the matter may be referred to the Economic Adviser and Director of Statistics, Uttar Pradesh, Lucknow.

NUMBER OF PERSONS EMPLOYED IN THE OFFICE OF ...ON...19...

Group No.	Pay groups (Pay includes special pay and personal pay but excludes all allowances)	Number of persons employed
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- (i) Below Rs. 50 per month
- (ii) Rs. 50 or above but below Rs. 100 per month.
- (iii) Rs. 100 or above but below Rs. 200 per month.
- (iv) Rs. 200 or above but below Rs. 300 per month.
- (v) Rs. 300 or above but below Rs. 400 per month.
- (vi) Rs. 400 or above but below Rs. 500 per month.
- (vii) Rs. 500 or above but below Rs. 750 per month.

- (viii) Rs. 750 or above but below Rs. 1000 per month.
- (ix) Rs. 1000 or above.

[Note: The pay groups have since been changed to the ones given below]

- (i) Below Rs. 201 per month.
- (ii) Rs. 201 and above but below Rs. 251 per month.
- (iii) Rs. 251 and above but below Rs. 301 per month.
- (iv) Rs. 301 and above but below Rs. 401 per month.
- (v) Rs. 401 and above but below Rs. 501 per month.
- (vi) Rs. 501 and above but below Rs. 701 per month.
- (vii) Rs. 701 and above but below Rs. 901 per month.
- (viii) Rs. 901 and above but below Rs. 1001 per month.
- (ix) Rs. 1001 and above but below Rs. 1201 per month.
- (x) Rs. 1201 and above but below Rs. 1601 per month.
- (xi) Rs. 1601 and above but below Rs. 1801 per month.
- (xii) Rs. 1801 and above but below Rs. 2001 per month.
- (xiii) Rs. 2001 and above but below Rs. 2251 per month.
- (xiv) Rs. 2251 and above but below Rs. 2501 per month.
- (xv) Rs. 2501 and above but below Rs. 2751 per month.
- (xvi) Rs. 2751 and above but below Rs. 3001 per month.
- (xvii) Rs. 3001 and above but below Rs. 3501 per month.
- (xviii) Rs. 3501 and above but below Rs. 4001 per month.
- (xix) Rs. 4001 and above but below Rs. 5001 per month.
- (xx) Rs. 5001 and above.

TOTAL

(b) To High Court

C.L. No. 79 dated 15th September, 1956

District Judges should submit to the Court by the first week of August each year the particulars in the following form about each member of the staff that may be working in their judgeship with the Courts of Additional Civil Judges or Additional Munsifs created either under the Greevan scheme or as a result of increase in the Provincial Judicial cadre. If there is no such court in the judgeship, a blank statement should be submitted.

FORM

Name of Court	Name of post	Date of appointment of present occupant	Rate of pay	Rate of pay to which the official would be entitled in the next financial year

C.L. No. 45 dated 19th September, 1967

Annual statements of establishment should be sent strictly in accordance with G.O. no. AI/5641/X-15 (7)-62, dated February 24, 1965 in the prescribed form.

(c) To Government

C.L. No. 51/Ve-94/Admn. (D) dated 24th July, 1987

Whenever any informations or statements are sought for by the Government or the Commissioner, Scheduled Castes and Scheduled Tribes the same should be sent to the Government direct under intimation to the Court.

C.L. No. 84/Admn. (E) dated 20th December, 1982

It invites attention to Government letter no. 7451/VII-SC-82, dated November 25, 1982, which requests all the District Judges to submit monthly statements of monitoring cell meetings to the Government latest by the 10th of every succeeding month positively.

(iii) Annual statement regarding loss of documents

C.L. No. 114 dated 21st December, 1957

In order to have full information of the comparative position regarding loss of papers from the record of cases in subordinate courts prevailing in respective judgements, the Court has decided that District Judges should submit a statement showing the loss of papers and files during the preceding year and the action taken thereon by 15th January each year in the following proforma:

Particulars of the case	Details of loss	Remarks

(iv) Report regarding inspection of courts

C.L. No. 30/H dated 6th April, 1956

While submitting their annual statements District Judges should report to the Court whether all the courts in their judgementship and all the branches of their offices have been inspected in that year. If not, reasons for the omission should be given.

(v) Submission of quarterly statement to vigilance commission

C.L. No. 18 dated 5th March, 1965

Attention of District Judges is invited to Government's C.L. (Secret) No. 4939/VIII-A-II-591/64, dated November 13, 1964 and they are directed to send the statements in the proforma prescribed by the vigilance commission direct to the Commission every quarter under intimation to the Court.

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CHAPTER - V

INSPECTION

1. PROFORMA

C.L. NO. 102/H DATED 19TH SEPTEMBER, 1978

It encloses questionnaire/proforma for guidance at the time of making inspection of the various courts and offices.

[Note: For questionnaire/proforma please see Appendices.]

2. INSPECTION BY JUDGES OF THE HIGH COURT

G.L. NO. 70/H DATED 18TH OCTOBER, 1948

When Hon'ble the Chief Justice or the Hon'ble Judge in the Administrative Department is likely to inspect the civil courts at a station, his tour programme and detailed instructions are sent to the District Judge concerned in due course; but meanwhile they should have statements in the usual form prepared, three copies for each court so that all statements, explanations, etc. may be ready for the use of the inspecting Judge in good time.

3. VISIT OF ADMINISTRATIVE JUDGE

C.L. NO. 118 DATED 15TH SEPTEMBER, 1975

The following guidelines should strictly be adhered to by all the District Judges in connection with the Administrative Judge's visit: -

1. Accommodation should be reserved for him in the Circuit House, Canal Administrative Quarters or Inspection House or P.W.D. Inspection House in order of merit. In the Circuit House the best available suite should be reserved and, in case of an Inspection House, the whole of it should be reserved.
2. No police pilot should be arranged to receive him at the out-skirts of the town, but at the entrance of the town or at the first main crossing of roads near the entrance, a uniformed Chaprasi should be deputed to lead him to the place of stay.
3. The District Judge (or Additional District Judge not at the headquarters) need not be present at the place of stay, or await his arrival and certainly no judicial officer should be there to receive him.
4. There should be no garlanding and no guard of honour by the police either on his arrival or on his departure.
5. The District Judge or Additional District Judge should not spend anything on him or on his staff. They should not collect money to meet any expenditure in connection with his visit without his permission.
6. The District Judge should prepare a programme of his visit. It should include the following:
 - (1) A visit to the civil courts.

- (2) Meeting with all the civil judicial officers at the station collectively and individual interviews for any of them who want it. At the meeting of all the judicial officers the District Judge should have ready a statement showing the names of the officers, dates of their posting in the district and their powers. This meeting may conveniently take place in the chambers of the District Judge, also interviews granted to officers seeking them.
- (3) A visit to the Civil Court Bar Association. It must be explained to the President that it is an informal visit in which there should be no speeches or welcome address of any kind, no refreshments and no garlanding. The visit would take 30-45 minutes. The most convenient time for this visit would be during lunch interval. Otherwise it can be just after the work of the day is over or just before the work starts.
- (4) Interviews with leading members of the Bar, 5 to 8, depending upon the importance of the Bar Association. It may be better for the District Judge to get the list from the President of the Civil Court Bar Association, but he may for good reasons amend it by additions, subtraction or alteration. Each interview may be allowed 10-15 minutes. These interviews may take place at the place of stay or in the District Judge's chambers. If any member of the Bar not in the list asks for an interview it should be arranged for and five minutes may be allowed to him.

The District Judge should see that the Food Control Order, if any, in force in the district, is not infringed in connection with any function to which the Administrative Judge is invited. No permission from the District Magistrate should be obtained for any such function.

C.L. NO. 5101/IC-34 DATED 9TH MAY, 1950

Paragraph 204 of the Police Regulation is reproduced below for the information of and necessary action at the proper time by all District Judges and Additional District Judges and Munsifs not at the headquarters of the Judgeship:

“204. A guard of one head constable and three constables will be provided for the Commissioner of a Division, the Inspector General of Police and the Deputy Inspector General of Police when on tour. A similar guard may also be provided at places other than Allahabad and Lucknow for the Hon'ble Judge of the High Court and the Administrative Member of the Board of Revenue when he visits such places during the course of his tour of inspection.

Such guards may be supplied by the Superintendent of each district, which the officers on tour visit. The Superintendent of Police of such district will, if necessary, apply to the Deputy Inspector General of Police for relief from his range reserve in which allowance for such claims have been made.

4. INSPECTION BY DISTRICT JUDGE

C.L. NO. 79 DATED 15TH DECEMBER, 1960

The District Judge should inspect the work of the new Munsif posted to his district on his first appointment, within three months of his posting and should submit to the High Court the inspection note recorded by him without waiting for the compliance.

C.L. NO. 2437 DATED 27TH JULY, 1903

Court has had occasion to notice that some District Judges, in submitting their notes of inspection of subordinate courts, forwarded at the same time a report by their Munsarim on the working of certain department of the office under inspection. The Court has no objection to a subordinate official being deputed to verify points on which a District Judge desires to have fuller information but it considers that the inspection of a subordinate Court and of its office and the report thereon should be the work of the Judge himself.

C.L. NO. 71/IVF-79 DATED 31ST OCTOBER, 1964

Inspections of the subordinate courts and offices should be made by the District Judges or the officiating District Judges themselves, and not by Additional District Judges or other officers holding charges of the work of the District Judges in their absence or for any other reason as required in rule 610 Chapter XXVI of General Rules (Civil) 1957, Volume I.

C.L. NO. 130 DATED 28TH AUGUST, 1974 SUPERSEDES

C.L. NO. 66/H DATED 2ND JUNE, 1970

District Judges are required to inspect the work of Additional District and Sessions Judges. They may authorize one or two senior Additional District Judges to inspect the court of Munsifs.

C.L. NO. 12 DATED 27TH FEBRUARY, 1965

The District Judges are expected to answer the requirements of inspection contained in the Court's General letter no. 111/35(a)-2, dated January 11, 1921 by devoting one day to the Courts of Munsifs, Civil Judges not invested with sessions powers and additional courts and two days time to the courts of Civil Judges exercising sessions powers and Additional District Judges. Inspection of Nazarat, Copying Department and Record Room may be made by devoting one day to each of them.

C.L. NO. 133/ADMN. (B) DATED 20TH DECEMBER, 1969

District Judges should make regular inspections, at least once in a year, of the courts of Chief Judicial Magistrates and judicial officers doing criminal work and their offices and furnish their inspection notes with compliance reports to the Court. While making inspections of the aforesaid courts and offices, the following items should also be taken into consideration:-

1. Accommodation for courts and offices
2. Furniture
3. Notice Boards

4. Pending file
5. Diaries
6. Maintenance of registers by the office
7. Weekly cause list
8. Handling of cases with reference to :
 - (a) Granting remands
 - (b) Cases of under-trials in jail, if taken up expeditiously,
 - (c) Bail orders, if properly passed,
 - (d) Securities, if properly accepted,
 - (e) Charges, if framed properly,
 - (f) Summoning of witnesses and service on them,
 - (g) Adjournments, if properly granted,
 - (h) Commitment proceedings: -
 - (i) If all witnesses of fact and medical witnesses for the prosecution examined.
 - (ii) If calendars prepared properly,
 - (iii) Whether documents given to the accused at the proper stage as required by section 173, Criminal Procedure Code,
 - (iv) Whether proper control exercised over the proceedings and recording of evidence.
 - (v) Examination of records of about 20 pending cases of various types.

C.L. NO. 15/VIII-B-6 DATED 23RD JANUARY, 1952

While inspecting subordinate courts, District Judges should look into the manner of disposal of interlocutory applications by presiding officers and the court staff. Presiding Officers should also, when inspecting the work of their clerks, see how the office has dealt with such applications.

C.L. NO. 30/VIII-B-121 DATED 14TH MARCH, 1953

District Judges should while inspecting the courts also see whether the case diary prescribed under rule 401, Chapter XVI of the General Rules (Civil), 1957 has been properly maintained by presiding officers in their own hand.

C.L. NO. 46/VIIIB-121 ADMN.(G)(8) DATED 20TH JULY, 1983

The District Judges should ensure strict compliance of directions regarding maintenance of diary by Presiding Officers in their own handwriting while inspecting the courts; they should particularly see this matter and it should find mention in the inspection notes.

C.L. NO. 13 DATED 20TH DECEMBER, 1902

District Judges should also see whether a blank page has been inserted at the beginning of each copy of General Rules (Civil) and (Criminal) and the serial number of each correction slip received from the press has been noted thereon alongwith (a) the date of amendment and (b) the number of the rule amended; and mention in his inspection notes whether the copy of the Rules is up-to-date.

C.L. NO. 15/H-150 DATED 27TH FEBRUARY, 1950

District Judges will be allowed credit for inspection work according to the actual time spent by them provided it is considered reasonable by the High Court.

5. INSPECTION BY OFFICER-IN-CHARGE

C.L. NO. 61/VIIIB-82 DATED 20TH MAY, 1980

In all the judgeships the officer-in-charge, copying-section, should make frequent surprise visits to copying section in order to streamline its working and to remove the bottlenecks.

C.L. NO. 107 DATED 17TH OCTOBER, 1952

An annual check of the go down by the officer-in-charge and an occasional check by the District and Sessions Judge are necessary and should be made.

6. INSPECTION BY CHIEF JUDICIAL MAGISTRATES

(i) Of under trials in jail

G.L. NO. 38/ADMN. (B) DATED 9TH DECEMBER, 1968

The Chief Judicial Magistrate (Now Addl. Chief Judicial Magistrate vide C.L. No. 198/Admn. Dated 10.12.76) alone shall inspect the jail at least once in a month to ascertain the position of the under-trials and send a copy of his inspection note to the District Judge for necessary action in regard to his findings. He will be allowed half-day for this work.

(ii) Of courts and offices

G.L. NO. 1/ADMN. (B) DATED 3RD SEPTEMBER, 1974

The Chief Judicial Magistrates and Judicial Magistrates shall inspect their offices effectively in every branch once in every quarter as provided in rule 611 of General Rules (Civil), 1957.

The Chief Judicial Magistrates shall also make quarterly inspections of the courts and offices of the Judicial Magistrates including Munsif Magistrates (in so far as their criminal work is concerned) and Special Judicial Magistrates and submit their inspection note to their District Judges, Such inspections will not ordinarily take more than a day for each court inspected by them.

C.L. NO. 198/ADMN. (A) DATED 10TH DECEMBER, 1976

The Court has been pleased to allocate the Administrative work hitherto done by the Chief Judicial Magistrates as under:

The Chief Judicial Magistrates will as far as possible, assign half the officers to be inspected by him and the rest by the Additional Chief Judicial Magistrates. The inspection notes of the District Judge/Chief Judicial Magistrates/Additional Chief Judicial Magistrates will be sent to the successor-inspecting officer. Henceforth all the District Judges will also inspect the criminal work of the Judicial Magistrates and Munsif Magistrates in addition to civil work.

Jail inspections will be made by the Additional Chief Judicial Magistrates only.

C.L. NO. 82/VIII G-38 ADMN. G DATED 18TH DECEMBER, 1981

The Chief Judicial Magistrates should while inspecting the jails make a note from the jail records about the number of under trials confined in the jail, the offence under which a particular prisoner has been charged, the date from which he is confined in jail, reasons for his continued detention and other relevant materials. If he is released during the period after the date of the last inspection then the date of release and the cause of release, e.g., disposal of case, grant of bail etc., should also be noted. They shall also maintain proper record of these findings and send copy to District Judge.

C.L. NO. 115/ADMN. (A) DATED 3RD OCTOBER, 1979

The Chief Judicial Magistrate/the District Judge of the place where the Railway Magistrate has his headquarter is alone entitled to inspect the work of the Railway Magistrate.

C.L. NO. 58/H-ADMN. (D) DATED 26TH MAY, 1978

The Executive Magistrates and the Deputy Revenue Officers are also under the subordination of the Chief Judicial Magistrates under section 15 Cr.P.C. in so far as their judicial work is concerned, their courts should also be inspected by the Chief Judicial Magistrates like the courts of the Judicial Magistrates, Munsif Magistrates and the whole-time Special Judicial Magistrates.

C.L. NO. 15 DATED : 1ST APRIL, 1997

Inspection of Courts and Offices of Executive Magistrates etc., by the Chief Judicial Magistrates

I am directed to refer to the Court's Circular Letter No. 58/H-Admn.(D) dated May 26, 1978 on the above subject and to ascertain whether the instructions contained in the said Circular Letter are being followed now and the Chief Judicial Magistrates are inspecting the offices of the Court of Executive Magistrates and Deputy Revenue Officers, who have been appointed as Special Judicial Magistrates under Section 13 Cr.P.C.

I am, therefore, to request you to kindly inform the Court immediately whether the said Circular Letter issued by the Court is being followed or not.

C.L. No. 12 dated 24th March, 2005

Inspection of the Courts of Sub Divisional Magistrates by the Chief Judicial Magistrate.

Upon a careful consideration of the matter regarding inspection of the Courts of Sub Divisional Magistrates by the Chief Judicial Magistrates, the Hon'ble Court has been pleased to direct that the Chief Judicial Magistrates shall inspect the Court of Sub Divisional Magistrates performing duties of Judicial Magistrate in relation to offences punishable under Section 198-A of the U.P. Z.A. & L.R. Act, 1950.

Therefore, I am directed to request you kindly to bring the above to the notice of all concerned for their information and necessary compliance.

7. INSPECTION BY OTHER AUTHORITIES

(i) Inspection by Munsarims

C.L. NO. 26/2-C DATED 17TH MARCH, 1951 AND

C.L. NO. 145/VE-42 DATED 23RD NOVEMBER, 1971

It has been brought to the notice of the Court that irregularities have been committed in a number of judgship resulting, in some instances, in the defalcation of government money. It appears that the prescribed rules are not strictly followed and the assistants are able to disregard the rules because their work is not regularly inspected by the Munsarims.

The Court considers it necessary that Munsarims should inspect in detail the work of all clerks and more particularly of clerks dealing with accounts, preparation of bills and payment orders at least once every six months.

District Judges are, therefore, requested to give necessary instructions to all Munsarims in their judgship. The inspection notes should be submitted to District Judges and the Court expects them to see that inspections are made regularly and are detailed and effective.

(ii) Inspection by inspectors of offices and stamps

G.L. NO. 26/180 DATED 9TH JUNE, 1933 READ WITH

**G.L. NO. 39 DATED 8TH SEPTEMBER, 1933 AND MADE APPLICABLE TO
AVADH COURTS UNDER C.L. NO. 49/X-10 DATED 26TH AUGUST, 1950**

The Inspectors of Stamps and Offices who check stamp duties and also look into procedure in revenue offices will be available for the inspection in the civil courts of the following:-

- (1) Official Receiver's accounts.
- (2) Nazarat
- (3) Copying Department
- (4) Library
- (5) Stationery
- (6) Record Room.

(Sanctioned by Governor under Finance Department G.O. No. A-585/X-224, dated August 17, 1933)

G.L. NO. 40/180-2(9)-2(10) DATED 1ST JUNE 1937

Inspectors of Stamps as well as Inspectors of Offices are allowed to make inspection of the offices of the civil courts.

G.L. NO. 36/180-18(7) DATED 21ST JULY, 1938

(Withdrawn by C.L.No 2 dated 18th January, 2000.)

The Chief Inspector of Offices, at the request of the High Court inspects civil courts offices in order to assist District Judges and presiding officers in maintaining proper control over them. District Judges and presiding officers are not, of course,

responsible to the Chief Inspector for the action, which they take on his inspection notes but they should inform him of the final orders they pass upon those notes so that he may be able to carry out his inspections with efficiency from year to year. The Chief Inspector of Offices is authorized to ask for this information if it is not supplied.

C.L. NO. 2 DATED 18TH JANUARY, 2000

Recall of Court's C.L. No. 36/180/18(7) , dated 21.7.1938.

I am directed to inform you that the Court has reviewed its C.L. No. 36/180/18(7), dated 21.7.1938 by which the Chief Inspector of Offices were conducting inspection of Civil Courts Offices. Now the Court has recalled the aforesaid Court's circular letter No. 36/180/18(7), dated 21.7.1938.

C.L. NO. 32-180-3(7) DATED 7TH JULY, 1939

With the amalgamation of the posts of Inspector General of Registration and Chief Inspector of Stamps with effect from July 2, 1938, the respective inspectorates viz., Inspectorate of Stamps and the Inspectorate of Registration Offices were also amalgamated into a combined service.

Inspectors of Registration and Stamps should be given all possible facilities for carrying out their duties efficiently and the presiding officer of the court which is inspected should be responsible for seeing that these facilities are given.

Part-time services of one of the court peons should also be allowed to the Inspectors during the course of their inspection if and when necessary.

C.L. NO. 96/XA-4 DATED 1ST OCTOBER, 1958

If any head of department desires to get his office or any of the subordinate offices under him inspected by the Inspectorate of Offices in connection with proposals for extra staff, he should submit the proposal to Government in the administrative department concerned. Such references should in no case be made direct to the Chief Inspector of Government Offices.

(iii) Compliance of inspection report

C.L. NO. 59/XC-10 DATED 2ND MAY, 1952

The Inspector of Government Offices will, after completing, hand over or forward to the District Judge concerned, two copies of his inspection note. One of these will be forwarded by the District Judge to the Court without delay and the other will be retained in his own office for taking necessary action thereon and for submitting a report to the Court as to the action taken by him.

C.L. NO. 110/X-C-10 DATED 11TH NOVEMBER, 1953 AND

C.L. NO. 65/X-E-10 DATED 27TH APRIL, 1974

The above compliance report should be submitted to the Court in duplicate as soon as possible or positively within one month of the receipt of the inspection note and should deal with the objections separately, and not on the margin of the notes, paragraph by paragraph. No report should be sent directly to the Chief Inspector of Offices.

C.L. NO. 51/X-C-10 DATED 26TH AUGUST, 1950

District Judges shall see that the defects and irregularities brought to their notice as a result of the inspection of their offices by the Inspector of Offices are not repeated.

8. GENERAL INSTRUCTIONS

G.L. NO. 12/H-1 DATED 14TH FEBRUARY, 1948

The Court has noticed that in spite of the provisions in the rules and the instructions issued by it, District Judges have not been inspecting their subordinate courts regularly, and in the majority of cases inspections are not as detailed and exhaustive as necessary. It is perhaps not realized that inspections are intended to serve a specific purpose, and that purpose is defeated if District Judges inspect the courts subordinate to them only superficially. Inspections should be given the same attention and importance as other administrative work.

C.L. NO. 11/H-2-51 DATED 31ST JANUARY, 1915

The Court views with concern a general tendency on the part of the District and Sessions Judges to overlook the instructions issued by it from time to time, particularly in the matter of the inspection of subordinate courts. An occasional lapse may be overlooked but a repeated breach of these instructions betrays a lack of appreciation of the object of such instructions.

District Judges would be well advised to keep handy at one place a complete list of the directions issued by the Court on the subject of inspections. A cursory glance at these instructions immediately before an inspection is made would focus the attention of the inspecting officer on the points requiring his attention and would make the inspection much more methodical and useful than an average inspection is at present.

An inspection carried out in the spirit of a mere formal compliance of the instructions issued by the Court is bound to defeat the very object of such inspections and cannot lead to any useful result. The most common defects noticed in inspection notes are indicated below:

- (a) Inspections are not made regularly. To avoid this, District Judges should maintain a statement showing the dates on which various courts and offices were inspected by presiding officers or by the District Judge. This statement should be examined by the District Judge from time to time and necessary instructions issued to the presiding officers of the courts subordinate to him. It will also remind him about his own inspections.
- (b) Inspections are not done in the prescribed manner. If each officer adopts his own method, there can be no uniformity. This leads to confusion. The method indicated by the Court should be adhered to so far as practicable. Copies of inspection notes should, as a rule, be forwarded to this Court within a month from the date of inspection.
- (c) Confidential notes by the District Judge concerning the presiding officers of the courts inspected are not sent along with copies of inspection notes. This should be done in future. In any case the confidential notes should be

forwarded to the Court as soon as after the submission of a copy of the inspection note as possible.

- (d) Full particulars of cases pending in this Court or any other court on account of which proceedings are held up in the subordinate court inspected are not always found in the inspection notes and this entails much avoidable correspondence. In future, full particulars of such cases should be given in the notes.

While inspecting a subordinate court, special care should be taken to see if the instructions issued by the Court, in the matter of arrangement of cause list, fixation of dates, examination of parties, clearance of pleadings, proper maintenance of diary and order-sheet, settlement of issues, early preparation of decrees, issue of commissions and expeditious disposal of execution and miscellaneous cases, etc. are followed by the presiding officers.

C.L. NO. 49 DATED 22ND APRIL, 1970

In view of the fact that the annual remarks are recorded for the period April 1 to March 31 and the work of inspection by the District Judges has increased greatly, the instructions contained in Courts' General letter no. 12/1, dated February 14, 1948 and Circular Letter no. 11/H-2-51, dated January 31, 1957 in so far as they relate to the period for making inspections have been modified to the effect that a District Judge shall inspect his vernacular office and other offices under him during the period April 1 to June 30, and all courts subordinate to him during the period October 1 to March 31. In case the number of courts subordinate to him is very large, he shall inspect them during the period July 1 to March 31. The time schedule for inspections as given in the Court's Circular Letter No. 12, dated February 27, 1965 shall be strictly adhered to.

G.L. NO. 1010/H-1 DATED 22ND FEBRUARY, 1928

It sometimes occurs that the inspection notes of a court made by a District Judge or Additional District Judge do not reach the court concerned until the officer who was presiding at the time of the inspection has been transferred. District Judges should see that whenever this occurs, a copy of the note is sent to the officer concerned, wherever he may be.

C.L. NO. 49/H-ADMN. (D) DATED 25TH APRIL, 1979

The District Judges and the Chief Judicial Magistrates should personally ensure that compliance reports are invariably sent along with the inspection notes, to the Court.

Henceforth, the inspection notes shall be submitted to the Court within one month of the date of inspection, accompanied with compliance report.

C.L. NO. 33-H DATED 26TH MARCH, 1953

A guard file of inspection notes may be maintained for each court. All inspection notes should be pasted to these guard files and a fresh guard file should not be started until the current one has been completely used up. These guard files will enable a continuous record of inspections to be maintained in each court in the judgeship.

C.L. NO. 36/98 DATED 20TH AUGUST, 1998

Inspection of various courts and offices by the Officers and District Judges

It has come to the notice of the Hon'ble Court that the inspections made by the District Judges and the Presiding Officers are not searching. They are stereotype. The Officers are directed to make searching inspections and may seek other informations in addition to what have been set in the proforma issued by the Hon'ble Court for the inspection of the courts. A duty is cast upon the District Judges that in the inspections they should give special attention to the disposal of the old cases. The District Judges are further directed to take care that as far as possible new cases are transferred to the courts of Civil Judge (Junior Division) initially by the parent courts. While inspecting the offices and Nazarat the District Judges must ensure that sufficient infrastructure has been provided to the court.

I am, therefore, directed that the directions contained above may be strictly complied with.

9. INSPECTION OF RECORDS

(i) Central Inspection Room

C.L. NO. 27/BUDGET DATED 15TH FEBRUARY, 1977

Each judgeship should have a centralized place for inspection and making enquiries.

At least three or four clerks must have become surplus in the copying department as a result of the provision for typewriters in that department. The District Judges should utilize the services of such surplus clerks in providing for central inspection room and enquiry office. One or two peons or orderlies may also be provided to the inspection and enquiry room. They have to inform the relevant office of the court from where records have to be obtained and the peon or orderly attached to that court may be required to take the record to the inspection room and bring it back to the relevant office.

Once a centralized inspection room and enquiry office have been established and got going, entry of everyone, namely, lawyers or their clerks or the litigants must be strictly banned from offices of the courts. All inspections, as well as enquiry work, must be done through the central rooms.

This system, however, will not apply to courts situate in outlying places.

(ii) Inspection by Government

C.L. NO. 113 DATED 5TH DECEMBER, 1958.

Rule 229, General Rules (Civil), 1957, is not meant to help an officer or representative of the Government conducting a case to which Government is a party. The proper discretion for Presiding Officers to exercise in such cases will be to decline the request for inspection of the record without payment of the requisite fee.

In case where the Government for some administrative reason want to inspect a record, the Presiding Officer should exercise his discretion under the above rules in favour of the Government.

C.L. No. 12/VIII-a-40; dated 31st January, 1953

Prosecuting Inspectors and Prosecuting Sub-Inspectors may be permitted by District and Sessions Judges to inspect the records of sessions cases.

C.L. No. 79/Admn. (D); dated 23rd October, 1980

All possible cooperation and facility should be extended to the Investigating officers of the Crime and Investigation Department for making the necessary records available to them at the earliest.

If retention of copies of the records made available to the Crime Department is considered necessary, Photostat copies thereof may be prepared and kept for record.

(iii) Application for information

C.L. No. 34/VIII-b-278; dated 4th April, 1968

Applications for information under rules 224 and 225 of the General Rules (Civil), 1957, Volume I, should be entered in a register maintained in the following form:-

S. No	Date of Application	Name of applicant	Particulars of the case	Brief description of information sought	Date when information furnished to the applicant	Signature of the recipient of information	Remarks
1	2	3	4	5	6	7	8

10. INSPECTION NOTES

C.L. NO. 29/H/Admn. (D) dated 19th March, 1990

Inspection notes recorded by the District Judges and Chief Judicial Magistrates.

I am directed to say that in spite of detailed directions contained in the various circular letters, issued by the Court on the subject, it has come to the notice of the Court that when queries are made from the District Judges regarding the compliance of the directions, issued by them during the course of inspection, the reply generally sent by them is that the official/officer concerned has noted the directions for compliance without actually obtaining the signatures of concerned officer/official and without sending the extract of the note along with the compliance report, which makes it to appear that the directions have not been complied with or noted for compliance.

It is, therefore, requested that in future such compliance reports be submitted duly noted and complied with by all concerned along with extract of the note containing the compliance report.

Your attention is also drawn to the Court's C.L. No. 102/H/Admn. (D), dated 19.9.78 and C.L. No. 49H/Admn. (D) dated 25.4.79 which contain the proforma of surprise inspection note as well but it is generally noted that surprise inspection notes are not sent on prescribed proforma with the result that certain important information are not received in the Court.

The inspection notes are also not being submitted within the prescribed time, which is only one month from the date of inspection as provided in the aforesaid Circular Letter dated 25th April, 1979.

I am, therefore, to request you to kindly send the inspection notes duly complied with well within time and in case of surprise inspection, the notes should be on the prescribed proforma and compliance thereof should also be ensured before sending copy of the inspection note to the court.

11. JOINT VISITS TO THE JAIL

C.L. NO. 82/VIIIF-9/inspection section Dated 12th September, 1994

Joint visits to the jail by the District Judge, the District Magistrate and the Senior Superintendent of Police.

In continuation of earlier Court's General Letter No. 38/Admn. 'B' dated 9.12.1968 and Court's Circular Letter No. 196/Admn. 'A' dated 10.12.1976 and C.L. No. 82/VIIIg-38 Admn. 'G' dated 18.12.1981, I am directed to say that there should be quarterly visits to the jail in each Sessions Division and such periodical visits should be conducted by the District Judge, the District Magistrate and the Senior Superintendent of Police. The visit should be made by them personally. It may please be ensured that they be not permitted to depute any one else to the jail on their behalf at such joint inspection. The District Judge will keep in touch with the District Magistrate and Senior Superintendent of Police and start such joint visits to the jail as early as possible.

I am, therefore, to request that inspection reports of such joint periodical visits to the jail be prepared by District Judge and sent to this Court in time.

C.L. NO. 9/ADMN.'G' DATED 9TH FEBRUARY, 2000

Joint visits to the jail by the District Judge, the District Magistrate and the Senior Superintendent of Police.

In continuation of marginally noted circular letters. I am desired to inform you that National Human Rights Commission deprecated about the inhuman conditions of the under trials languishing in jails. Commission has also been appalled by the spectacle of overcrowding, insanitary conditions and mismanagement of prison administration. The problem is further compounded by lack of sensitivity on the part of the prison staff to the basic human rights of the prisoners.

It has been provided in U.P. Jail Manual that District & Sessions Judges to function as ex-officio visitors to jails within their jurisdiction so as to ensure that prison inmates are not denied certain basic minimum standards of health, hygiene and institutional treatment. Prisoners are in judicial custody and hence it is incumbent upon the Sessions Judges to monitor their living conditions and ensure that humane conditions prevail within the prison walls also. Time to time Hon'ble Supreme Court has also directed that the District & Sessions Judges must visit prisons for proper management of prison administration. He should make expeditious enquiry into the grievance of the prisoners and take suitable corrective measures.

1. **C.L. No. 82/VIII-Inspection Section dated 12.9.94**
2. **C.L. No. 82/VIII-38 Admn.'G' dated 18.12.81**
3. **C.L. No. 198/Admn. (A) dated 10.12.76**

Further, pursuant to the directions of Hon'ble Supreme Court, it is also essential that the joint inspection of the prisons by the District & Sessions Judge, District Magistrate and Senior Superintendent of Police be made to take necessary corrective measures so that the grievance of the prisoners is immediately attended and they are provided speedy justice, which is a facet of Article 21 of the Constitution.

I am, therefore, to request you that at regular intervals joint inspection of the jails may please be made to review the conditions of the prisoners.

C. L. NO. 34/2006 : DATED: 7.8.2006

Concern over the plight of the children living in Jails on account of arrest of their mothers for certain criminal offences.

The Hon'ble Supreme Court while disposing of the Writ Petition (C) No. 559 of 1994-R.D. Upadhyay Vs. State of A.P. & Ors. Has deprecated the plight of children living in Jails along with their incarcerated mothers in really difficult conditions and suffering from diverse deprivations relating to food, health, accommodation, education and recreation etc.

In this regard, I am directed to enclose herewith a copy of judgment and order passed by Hon'ble Apex court and to say that while making inspection of the jails, the District Judge of the concerned district shall ensure that the provisions as contained in Constitution of India, Juvenile Justice (Care and Protection of Children) Act, 2000, Jail Manual as well as other provisions of relevant rules, regulations, instructions etc. concerning children are being suitably followed in letter and spirit.

Further pursuant to the directions of Hon'ble Supreme Court, it is also essential that the joint inspection of the prisons by the District Judge, District Magistrate and Senior Superintendent of Police be made on regular intervals to take necessary corrective measures so that grievances of the children living in jails with their mothers are immediately attended to and they are provided facility as per the provisions contained in relevant rules, regulations, instructions etc.

I am, further to add that the Courts dealing with cases of women prisoners whose children are in prison with their mothers are directed to give priority to such cases and decide their cases expeditiously.

I am, therefore, to request you to kindly ensure compliance of the directions as contained in the judgment and order of Hon'ble Supreme Court aforesaid as well as in Court's Circular letter punctually and faithfully.

C.L. NO. 67/ DATED 17TH DECEMBER, 1996

Information of Jail visits by District/Sessions Judges and Report regarding Sanitary Conditions in the Jail.

Hon'ble Chairperson, National Human Rights Commission has sent a letter to Hon'ble the Chief Justice of the High Court, copy of which is being enclosed.

Hon'ble the Chief Justice has directed that the following information be obtained from all the District Judges in Uttar Pradesh.

Please provide the following information:

- How many jails exist in your district for the detention of prisoners and under trials.
- What is the capacity of the jail/Jails in your district?
- How many convicts/under-trials are in detention in the Jails?
- Whether the jail is over-crowded, keeping in view the capacity and the number of inmates in the jail?
- How are the sanitary conditions of the jail / jails in your district/
- How many times in a month/year you have visited the jail as Sessions Judge as ex-officio visitor of your jail within your jurisdiction?
- Have you prepared a note on the minimum standard of health, hygiene, institutional treatment and dispensing.
- How many times you alongwith the District Magistrate and the Superintendent of Police have visited the jail. Submit the statements of your visits.
- Have you visited the jail/ jails in compliance with the directions of the Supreme Court? Have you made enquiries into the grievances of the prisoners? Submit report about the remedy and action suggested by you?
- Whether grievance deposit box has been provided to the prisoners in the jail/ jails of your district?
- Inform whether any meeting of the District Judge, District Magistrate, and the Superintendent of Police of the districts has been arranged at regular intervals to review the conditions of the prisoners? If so, also send the reports of such meetings.

The aforesaid informations may kindly be sent to the Hon'ble Court latest by 20.12.1996.

I am, therefore, directed to request you to provide the aforesaid information at an early date.

C.L. NO. 16 VIIH-/2006: DATED 4 MAY, 2006

Number of under trial prisoners together with the period of their detention and the status of their trial.

Recently the Court has noticed a number of instances of under trial prisoners anguishing in jails for a few decades. Such wretched cases illustrate the inconsiderateness of the justice delivery system and portray a rather dreary image of its functioning, having direct crash on human and constitutional rights of the prisoners. The Court is of the

considered view that regular monitoring of the progress of the under trial prisoners by the Court itself and efficient inspection actually and meticulously investigating the number of under trial prisoners together with the period of their detention and the status of trial might help in avoiding the stoppable likelihood of having such inopportune and forgotten under trial prisoners as well expecting the trial of such prisoners.

Therefore, I am directed to request you to kindly ensure regular and valuable scrutiny of the progress of the trial of under trial prisoners by the Courts under our administrative control. I am further directed to demand that while making joint inspection of the District Jail under Court's Circular Letter No. 82/VIII-f-9/inspection Section dated 12.9.1994 make concrete and pains taking analysis of the number of under trial prisoners. Further also, the Chief Judicial Magistrate/Additional Chief Judicial Magistrate authorized to ascertain the position of the under trials under Court's G.L. No. 38/Admn. (B) dated 9th December 1968 read with Court's Circular Letter No. 198/Admn. Dated 10.12.1976 be directed to craft substantial and conscientious analysis of the number of under trial prisoners together with the period of their detention and the status of their trial. Still further, neatly typed quarterly report in regard to the number of under trial prisoners together with the period of their detention and the status of their trial as well minutiae of steps taken to accelerate the trial of such prisoners be recurrently sent so as to reach the Deputy Registrar (Administration) by the 10th day of the opening month of each next following quarter.

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ADDENDA

C.L. NO. 34/DR (S)/2005, DATED 19TH NOVEMBER, 2005

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 (Railways) (ii) two years stay in an outlying court or at Sonbhadra upto July 31st 2006, 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 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 no. T.A. will be admissible to those officers whose request for premature transfer within two years of his posting to a particular station and one year in outlying courts or at Sonbhadra is accepted by the Court.

Officer 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 posting which are enumerated in Appendix "A" annexed herewith 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 2006.

(APPENDIX "A")

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, Sidharthnagar, Faizabad, Sultanpur, Pratapgarh, Kushi Nagar at Padrauna, Ambedkarnagar at Akbarpur and Sant Kabuir Nagar.
(iii)	BAREILLY ZONE	Bareilly, Pilibhit, Rampur, Budaun, Bijnor, Shahjahanpur, Moradabad and Jyotiba Phole Nagar.
(iv)	AGRA ZONE	Agra, Aligarh, Mathura, Farrukhabad, Etah, Etawah, Mainpuri, Firozabad, Hathras, Kannauj and Auraiya.
(v)	LUCKNOW ZONE	Lucknow, Hardoi, Raebareli, Gonda, Sitapur, Bahraich, Barabanki, Lakhimpur Kheri, Shravasti 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

2. 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) As contemplated in C.L. No. I/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 including Additional Chief Judicial Magistrate (Railways) 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 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, as also a statement of places where they received education as required under C.L. No. 25/Admn (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 of January 2006.

संख्या: 3670/60-3-04-(16ए0क्यू0)/2000

प्रेषक

के०एल०मीना

सचिव,

उत्तर प्रदेश शासन।

सेवा में,

1. समस्त सचिव/प्रमुख सचिव,
उत्तर प्रदेश शासन।
2. समस्त विभागाध्यक्ष,
उत्तर प्रदेश।

3. समस्त जिलाधिकारी
उत्तर प्रदेश।
4. समस्त मण्डलायुक्त,
उत्तर प्रदेश।

विषय: दहेज प्रतिषेध अधिनियम, 1961 एवं उत्तर प्रदेश दहेज प्रतिषेध नियमावली, 1999 यथासंशोधित 2004 के प्राविधानों का कड़ाई से अनुपालन कराया जाना।

महोदय,

दहेज एक सामाजिक बुराई है एवं इसको रोकने के लिए केन्द्र सरकार द्वारा दहेज प्रतिषेध अधिनियम बनाया गया है। अधिनियम के प्राविधानों के अन्तर्गत राज्य सरकार द्वारा उत्तर प्रदेश दहेज प्रतिषेध नियमावली वर्ष 1999 में प्रख्यापित की गई थी। माननीय सर्वोच्च न्यायालय में दहेज प्रतिषेध अधिनियम 1966 के प्रभावी अनुपालन हेतु एक जनहित याचिका दायर की गई, जिसमें सभी राज्य सरकारों को प्रतिपक्षी बनाया गया है। माननीय सर्वोच्च न्यायालय के निर्देशानुसार केन्द्र सरकार द्वारा वर्ष 1999 में मानक नियमावली परिचालित की गई। मानक नियमावली के अधार पर उत्तर प्रदेश दहेज प्रतिषेध नियमावली 1999 में कुछ नये प्राविधान जोड़े गये हैं, जिससे अधिनियम/नियमावली के प्राविधानों को कड़ाई से पालन हो सके एवं इस सामाजिक बुराई को दूर किया जा सके।

2. नियमावली (प्रतिलिपि संलग्न) के नियम-5 में यह व्यवस्था है प्रत्येक सरकारी सेवक अपने विवाह के सम्बन्ध में यह उल्लेख करते हुए अपने नियुक्ति प्राधिकारी/विभागाध्यक्ष को स्वहस्ताक्षरित घोषणा-पत्र प्रदान करेगा कि उसने कोई दहेज नहीं लिया है। यह व्यवस्था दिनांक 31 मार्च, 2004 से लागू की जा चुकी है। कृपया अपने स्तर से यह सुनिश्चित करें आपके विभाग में आपके विभाग में 31-3-2004 के बाद नियुक्त सभी सरकारी सेवकों ने उक्त आशय का घोषणा-पत्र दिये जाने की सूचना दिनांक 31-1-2005 तक महिला कल्याण विभाग को उपलब्ध कराने का कष्ट करें।

संलग्नक: यथोक्त।

भवदीय,

ह0/-

के0एल0मीना

सचिव।

संख्या: 1107/60-3-05-3(16क्यू0ए0)/2000

प्रेषक

के0एल0मीना

सचिव,

उत्तर प्रदेश शासन।

सेवा में,

1. समस्त सचिव/प्रमुख सचिव,
उत्तर प्रदेश शासन।

2. समस्त विभागाध्यक्ष,
उत्तर प्रदेश।

3. समस्त जिलाधिकारी
उत्तर प्रदेश।

4. समस्त मण्डलायुक्त,
उत्तर प्रदेश।

महिला एवं बाल विकास अनुभाग-3

लखनऊ: दिनांक 02 मई, 2005

विषय: दहेज प्रतिषेध अधिनियम, 1961 एवं उत्तर प्रदेश दहेज प्रतिषेध नियमावली, 1999 यथासंशोधित 2004 के प्राविधानों का कड़ाई से अनुपालन कराया जाना।

महोदय,

उपर्युक्त विषयक शासनादेश संख्या: 3670/60-3-04-3(16ए0क्यू0)/2000, दिनांक 30 दिसम्बर, 2004, जिसकी प्रति सुलभ संदर्भ हेतु संलग्न सहित प्रेषित की जा रही है, की ओर आपका ध्यान आकर्षित करते हुए मुझे यह कहने का निदेश हुआ है कि शासन के उक्त पत्र द्वारा आपसे अपेक्षा की गई थी कि उत्तर प्रदेश दहेज प्रतिषेध (प्रथम संशोधन) नियमावली, 2004 के नियम-5 की व्यवस्था के अनुसार प्रत्येक सरकारी सेवक जो दिनांक 31-3-2004 के बाद नियुक्त किया गया हो, उससे नियुक्ति प्राधिकारी द्वारा इस आशय का घोषणा-पत्र प्राप्त कर लिया जाये कि उसने अपने

विवाह के सम्बन्ध में कोई दहेज नहीं लिया है, कार्मिकों द्वारा घोषणा-पत्र दिये जाने की सूचना से दिनांक 31-3-2005 तक शासन को भी अवगत कराये जाने की अपेक्षा की गई थी।

2. अतएव उक्त सम्बन्ध में पुनः अनुरोध है कि कृपया उक्तानुसार कार्मिकों से घोषणा-पत्र प्राप्त कर शासन को स्थिति से तत्काल अवगत कराने का कष्ट करें।

संलग्नक: यथोक्त।

भवदीय,
ह0/-
के0एल0मीना
सचिव।

शीर्ष प्राथमिका

संख्या- 1284/60.-3-2005-3(65)

प्रेषक

के0एल0मीना
सचिव,
उत्तर प्रदेश शासन।

सेवा में,

- | | |
|--|--|
| 1. समस्त सचिव/प्रमुख सचिव,
उत्तर प्रदेश शासन। | 3. समस्त जिलाधिकारी
उत्तर प्रदेश। |
| 2. समस्त विभागाध्यक्ष,
उत्तर प्रदेश। | 4. समस्त मण्डलायुक्त,
उत्तर प्रदेश। |

महिला एवं बाल विकास अनुभाग-3

लखनऊ: दिनांक 26 मई, 2005

विषय: दहेज प्रतिषेध अधिनियम, 1961 एवं उत्तर प्रदेश दहेज प्रतिषेध नियमावली, 1999 यथासंशोधित 2004 के प्राविधानों का कड़ाई से अनुपालन कराया जाना।

महोदय,

उपर्युक्त विषयक शासनादेश संख्या-3670/60-3-04-3(16ए0क्यू0)/2000 दिनांक 3-12-04 तथा अनुस्मारक संख्या- 1107/60-3-05-3(16क्यू0ए0)/2000 दिनांक 2-5-2005 का कृपया संदर्भ ग्रहण करें जिसके द्वारा यह अपेक्षा की गई थी कि दिनांक 31-3-04 के बाद तैनात प्रत्येक सरकारी सेवक अपने विवाह के सम्बन्ध में यह उल्लेख करते हुए अपने नियुक्ति प्राधिकारी/विभागाध्यक्ष को स्वहस्ताक्षरित घोषणा-पत्र प्रस्तुत करेगा कि उसने दहेज नहीं लिया है।

2. अतः इस सम्बन्ध में मुझसे यह कहने का निदेश हुआ है कि अपने अधीनस्थ दिनांक 31-3-2004 के बाद तैनात समस्त सरकारी सेवकों से स्वहस्ताक्षरित घोषणा-पत्र “उसने अपने विवाह में कोई दहेज नहीं लिया है” की सूचना महिला एवं बाल विकास को तत्काल उपलब्ध कराने का कष्ट करें।

भवदीय,
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सचिव।

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the governor is pleased to make the following English translation of notification no. 2457/60-3-3(65)-97, dated March 31, 2004

No. 2457/60-3-3(65)-97

March 31, 2004

In exercise of the powers under section 10 of the Dowry prohibition Act, 1961 (Act no. 28 of 1961), the Governor is pleased to make the following rules with a view to amending the Uttar Pradesh Dowry prohibition Rules, 1999:

THE UTTAR PRADESH DOWRY PROHIBITION (FIRST AMENDMENT) RULES, 2004

1. **Short title and commencement** – (1) These Rules may be called the Uttar Pradesh Dowry Prohibition (First Amendment) Rules, 2004

(2) They shall come into force with effect from the date of their publication in the Gazette.

2. **Amendment of rule 5** – In the Uttar Pradesh Dowry Prohibition Rules, 1999 hereinafter referred to as the said rules for existing rule 5 set out in Column 1 below, the rule as set out in Column 2 shall be substituted namely:

Column 1 Existing Rules	Column 2 Rules as hereby substituted
5.(1) The State Government may designate the Chief Probation Officer or any suitable Officer posted in Women Welfare Department as the Chief Dowry Prohibition Officer to administer and coordinate the work among the Dowry Prohibition Officers relating to Dowry Prohibition through out the State.	5. (1) the State Government may designate the Chief Probation officer or any other suitable officer posted in Women Welfare Department, as the Chief Dowry Prohibition officer to administer and coordinate the work among the Dowry Prohibition Officers relating to Dowry Prohibition through out the State.
(2) The Chief Dowry Prohibition Officer shall coordinate the work of Dowry Prohibition Officers and shall be responsible for creating consciousness and awareness to prevent dowry system among the public to set out programmes with a view to uproot the evil of dowry system.	(2) The Chief Dowry Prohibition Officer shall coordinate the work of Dowry prohibition Officers and shall be responsible for creating consciousness and awareness to prevent dowry system among the public and to set out programmes with a view to uproot the evil of dowry system.
(3) The Chief Dowry Prohibition Officer shall be responsible for the preparation and submission of an	(3) The Chief Dowry Prohibition officer shall be responsible for the preparation and submission of an Annual Report on the progress of implementation of the provisions of the Act

<p>Annual Report on the progress of implementation of the provisions of the Act and related matters and of such statistics as may from time to time be required by the Government.</p> <p>(4) The Chief Dowry Prohibition Officer shall also perform such other functions as may from time to time be assigned to him by the State Government.</p>	<p>and related matters and of statistics as may from time to time be required by the Government.</p> <p>(4) The Chief Dowry prohibition Officer shall also perform such other functions as may from time to time be assigned to him by the State Government.</p> <p>(5) The Chief Dowry Prohibition Officer shall issue instructions to all the departments of the State government to the following effects:</p> <p>(a) every government servant shall under his signature furnish a declaration regarding his marriage to his Head of Department/appointing authority stating that he has not taken any dowry.</p> <p>(b) one specified day in a year shall be observed as Dowry prohibition Day.</p> <p>(c) pledge to be administered to the students in schools and Colleges and other institutions not to give or take dowry.</p>
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3. Amendment of rule 6 – In the said rules in rule 6 after sub-rule (9) the following sub-rules shall be inserted, namely:

Column 1 Existing Rules	Column 2 Rules as hereby substituted
	<p>(10) Where on the date fixed for hearing of the complain or petition or on any other date to which such hearing may be adjourned, the complainant or Petitioner does not appear the Dowry Prohibition officer, may in its discretion, either dismiss the complaint or petition for default or hear and come to a finding as to its merit, which shall be recorded in the case file.</p> <p>(11) The Dowry Prohibition Officer while making enquiries under the Act or when he attends any marriage for the purpose of making enquiries, take the assistance of any Police Officer or other Officers to assist him in the performance of his functions and it shall be the duty of the Police Officer to render all assistance required by the Dowry Prohibition</p>

	<p>officer.</p> <p>(12) He shall render assistance to the police in investigating the complaint filed under the Act and to the Court in the trial of the case.</p> <p>(13) The Dowry Prohibition Officer (Member-Secretary/Convener of the advisory Board) shall send a copy of the proceedings of each meeting of the Advisory Board, within a fortnight from the date of meeting to the District Magistrate with a copy to the State Government for information and necessary action.</p>
<p>4. Amendment of rule 9. – In the said rules for existing rule 9 set out in column 1 below, the rule as set out in Column 2 shall be substituted namely:</p>	
<p>Column 1</p> <p>Existing Rules</p>	<p>Column 2</p> <p>Rules as hereby substituted</p>
<p>9. Limitation and Conditions subject to which a dowry prohibition Officer may exercise Powers of Police Officer.</p> <p>Save and except of the provisions of chapter V of the Code of Criminal Procedure, namely the power of arrest of a person without warrant the Dowry Prohibition Officer shall have the powers of a Police Officer under the said Code for the purpose of investigation and submission of report before the competent magistrate.</p>	<p>9. Limitation and Conditions subject to which a Dowry Prohibition Officer may exercise Powers of Police Officer.</p> <p>(1) Save and except the provisions of Chapter V of the Code of Criminal Procedure, namely the power of arrest of a person without warrant the Dowry Prohibition Officer shall have the powers of a Police Officer under the said Code for the purpose of investigation and submission of report before the competent magistrate.</p> <p>(2) Whenever Dowry Prohibition Officer has reasonable grounds for believing that an offence punishable under the Act has been or is being or is about to be committed within his jurisdiction and that the search of any premises with warrant cannot be made without undue delay, he may after stating the grounds of his belief and having prior written permission of the District Magistrate, search such premises without a warrant.</p> <p>(3) Before making a search under sub-section (2) the Dowry prohibition Officer shall call upon two or more residents of the locality in which the place to be searched is situated to</p>

	<p>attend and witness the search and may issue an order in writing to them or any of them to do so.</p> <p>(4) any person who without reasonable cause, refuses or neglects to attend and witness a search under this rule, when called upon to do so by an order in writing delivered or rendered to him shall be deemed to have committed an offence under section 187 of the Indian Penal Code (45 of 1860)</p>
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By order,
K.L. MEENA,
Secretary

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Appendix-1

QUESTIONNAIRE FOR INSPECTION OF NAZARAT BY DISTRICT JUDGE

1. Has the Officer-in-charge inspected the Nazarat in every quarter and compliance made (Give details in Proforma I).
2. (a) Whether the work distributed between the Nazir and the Assistant Nazirs is sufficient for each of them or any one officials working with dates as well as their duties.
(b) Whether proper and sufficient securities have been furnished by each of them and whether the securities have been verified? (Chapter XXIII rules 541 to 548 General Rules (Civil)).
3. (a) Whether the cash in hand of the Nazir at the time of the inspection tallies with the entries in the cash book and the Day Book ? Whether the Cash Book and the Day Book are posted up to-date?
(b) Whether the cash box is being deposited in the Treasury and received back daily along with register in Form No. 57?
[Rule 351 Central Rules (Civil)].
(c) Whether the cash in hand of the Nazir is more than half the security at the time of the inspection and has the cash in his hand during last one year been generally less than half of the security? (Check some entries from the Day Book and Cash Book from every month).
4. (a) What is the balance of permanent advance at the time of inspection ? Has any amount in excess of the permanent advance been spent from the civil deposits? If so, how much and why?
(b) How many vouchers are pending preparing bills for submission to the Treasury and for what amount? (Give the details giving dates of vouchers).
(c) How many days generally are taken by the Nazir to prepare bills after expenditure?
5. (a) Whether all the saleable forms are available and, if not, have the recoupment orders been sent to the Superintendent, Printing & Stationery* for the forms sold ?
(b) Is the permanent advance of saleable forms sufficient? If not, is there any move for enhancement of the permanent advance?
(c) Since when the Superintendent, Printing & Stationery has not sent recoupment of saleable forms? Have any steps been taken?
6. (a) Whether the excess amount in the hands of the Nazir, when it exceeds half of the security, is being remitted to the Treasury or Bank as a Misc. Deposit ? When the amount was last sent? [Rule 317, General Rules (Civil)],
(b) Whether the Nazir or the Assistant Nazirs concerned are preparing a list of payable balances of Registers Form No. 43 in Form Mo. 47 and affixing the same on the notice board every week? [Last Para of rule 294, General Rules (Civil).]

* NOTE: Now Director, Printing and Stationery

7. Whether there are proper and adequate arrangements for the protection of the building from fire? [Appendix 21, General Rules (Civil) Part II].
8. Whether all the Civil Court officials holding posts requiring security have furnished security? How many of them are making payments in instalments and if they have furnished necessary surety forms 2A and 2B?
9. Has the Nazir any intestate property in his possession and has it been kept in double lock after entering in register of intestate properties Form No. 40?

CIVIL COURT ACCOUNTS

10. Whether plus-minus memos are being submitted to the A.G. by 15th of the next month with proper certificate after verification from the Treasury?
11. (a) If not, how much time is taken and for how many months plus minus memos have not been submitted? Give reasons (Rules 321 to 324 G.R. Civil).
(b) How many repayment applications are pending for reports and for how many days? How many of them are pending on account of non-receipt of advice list and general number?
12. (a) Whether lists of deposits about to lapse are prepared in first week of March and notice given? [Rule 327, General Rules (Civil)].
(b) Whether lists of lapsed deposits and clearance register have been prepared on first of April and sent to the A.G.? If not, when the same were prepared and sent to A.G.? [Rules 331, 328, General Rules (Civil) and para 149, F-H.B. Vol. V, Part I].

PROCESS SERVING STAFF AND SERVING OF PROCESSES

13. (a) What is the strength of the Process Servers? Is it in excess of the requirement in light of rule 123, General Rules (Civil)-750 processes per Process Server and one urgent process equal to 3 processes?
(b) How many posts are lying vacant and for what period?
(c) Whether Process Servers remain properly dressed and wear badges, belts and satchels? [Rule 124, General Rules (Civil)].
14. (a) Whether the Nazir maintains a list of inhabited places and a map of the entire district showing beats therein? [Rule 129, General Rules (Civil)].
(b) Whether the beats have been divided properly leaving a central beat within five miles [Rule 130, General Rules (Civil)].
15. (a) Whether processes within five miles radius are issued daily and returned within 24 hours after serving [Rule 131, General Rules (Civil)].
(b) Whether dates for issue of processes for each beat outside five miles limit have been fixed and processes issued on those dates? [Rule 130, General Rules (Civil)].
(c) Whether processes are being issued fairly?

(d) Whether diet money paid to the process servers is properly entered in Register No. 105 and 43 (Check some entries comparing with the entries in these registers and diary of the process servers).

(e) Whether processes are returned after service in time or are returned beyond time and without seeking extension?

(f) Are all the process servers able to give personal service up to 75%? If not, how many are below the standard and what action has been taken against them? Examine the register of percentage of personal service in light of C.L. No. 93/VI-C-4 dated 20.9.1951 and also get monthly statement prepared in the prescribed form as given in this C.L.

16. When was the Nazarat inspected by the following:-

1. Inspector of Offices
2. Audit party of the A.G.
3. District Judge.
4. Officer in-charge.

Have the inspection notes been complied with and submitted? If so, give dates? If not, why?

17. Whether service books of process servers are posted up to date?

18. (a) Have the godowns and Dead Stock been checked by the Officer in-charge within one year of the inspection ?

(C.L. NO. 107 DATED 17.10.1952)

(b) Are Register of Dead Stock and Perishable Articles being maintained in prescribed form and annually, checked and verified? [Rules 10 and 11 of para 801, M.G.O. and rule 648, General Rules (Civil)].

(c) Is the furniture sufficient, clean and in good order?

(d) Is any register of distribution of furniture maintained? (Rule 7 para 801, M.G.O.)

(e) Has the furniture been numbered and entries made in the register? (Rule 8 para 801, M.G.O.)

19. Are the duplicate keys kept in the Treasury and has annual verification been done and keys changed?

20. Whether any observations or instructions at the last inspection have remained unattended? If so, furnish reasons therefor.

PROFORMA – 1

Name of Officer	Quarter ending	Date of inspection	Date of submission to District Judge
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Appendix-2
QUESTIONNAIRE FOR INSPECTION OF NAZARAT BY
OFFICER INCHARGE

1. Has the Officer in-charge inspected the Nazarat in every quarter and compliance made (Give details in-Proforma-I).
2. (a) Whether the work distributed between the Nazir and the Assistant Nazirs is sufficient for each of them or any one of them is over-loaded with work ? Give names of the officials working with dates as well as their duties.
(b) Whether proper and sufficient securities have been furnished by each of them and whether the securities have been verified? (Chapter XXIII rules 541 to 548, General Rules (Civil)).
3. (a) Whether the cash in hand of the Nazir at the time of the inspection tallies with the entries in the cash book and the Day Book ? Whether the Cash Book and Day book are posted up to-date?
(b) Whether the stamps found in the hand of the Assistant Nazir concerned on physical checking tally with the entries in the register of stamps and dispatch book?
Whether the Nazir and the Assistant Nazir are acquainted with the postal rules and rates and have been exercising proper control over the use of stamps in accordance with various circulars of the Hon'ble High Court? [Rule 349, General Rules (Civil)].
(c) Whether there is any safe or strong box in the Nazarat for keeping some cash and important articles or papers? (Para 3 of rule 351, General Rules (Civil)).
(d) Whether the cash box is being deposited in the Treasury and received back daily along with register in Form No. 57?
[Rule 351, General Rules (Civil)].
(e) Whether the cash in hand of the Nazir is more than half the security at the time of inspection and has the cash in his hand during last one year been generally less than half of the security? (Check some entries from the Day Book and Cash Book from every month)
4. (a) What is the permanent advance of the judgeship and whether it is adequate.
(b) What is the balance of permanent advance at the time of inspection? Has any amount in excess of the permanent advance been spent from the Civil deposits? If so, how much and why?
(c) How many vouchers are pending preparing bills for submission to the Treasury and for what amount? (Give the details giving dates of vouchers).
(d) How many days generally are taken by the Nazir to prepare bills after expenditure?

- (e) How many bills are pending in the Treasury for encashment and since when?
5. (a) Whether saleable forms in the stock with the Nazir tally with the balance in the register of saleable forms (prescribed form No. 144) ? (Rules 514 and 517, General Rules (Civil)).
- (b) Whether all the saleable forms are available and, if not, have the recoupment orders been sent to the Superintendent, Printing & Stationery* for the forms sold ?
- (c) Is the permanent advance of saleable forms sufficient? If not, is there any move for enhancement of the permanent advance.
- (d) Since when the Superintendent, Printing & Stationery* has not sent recoupment of saleable forms? Have any steps been taken?
6. (a) What is the balance of various affidavit coupons in the hands of the Nazir and whether it tallies with the balance shown in the prescribed register ?
- (b) Whether statement of affidavit coupons is being submitted to the Hon'ble High Court within first week and whether the affidavit coupons are requisitioned in sufficient quantity in time as to avoid shortage?
7. (a) Whether cash is being physically checked by the Munsarim every week and proper certificate being given ? (Last para of rule 326, General Rules (Civil)).
- (b) Whether the excess amount in the hands of the Nazir, when it exceeds half of the security is being remitted to the Treasury or Bank as a Misc. Deposit? When the amount was last sent? [Rule 317, General Rules (Civil)].
- (c) Whether the Nazir or the Assistant Nazirs concerned are preparing a list of payable balances of Registers Form No. 43 in Form no. 47 and affixing the same on the notice board every week? (Last para of rule 294 General Rules (Civil)).
- (d) Whether the Presiding Officers of various courts are checking the register of petty receipts and repayment every quarter and result reported to the District Judge ? (Paras-1 and 2 of rule 326, General Rules (Civil)).
8. Whether there are proper and adequate arrangements for the protection of the building from fire ? (Appendix 21, General Rules (Civil) Part II).
9. (a) Whether all the civil court officials holding posts requiring security have furnished security ? How many of them are making payments in instalments and if they have furnished necessary surety forms 2A and 2B?
- (b) Have all the securities been properly entered in Register. Form No. 2-F under Para 71(b) of Financial Hand Book Vol. V. Part I? [Rule 546 G.R. (Civil)].
10. Has the Nazir any intestate property in his possession and has it been kept in double lock after entering the register of intestate properties Form No. 40?

* NOTE: Now Director, Printing and Stationery.

CIVIL COURT ACCOUNTS

11. (a) Whether the Nazir maintains register of receipts and deposits, repayments of deposits, cash book, pass book, register of fines, stamp duty and penalty etc. in Forms No. 35, 36, 37, 38, 39, 41, 42 and 43 and whether these registers are posted up-to-date ? [Rule 280, General Rules Civil].
(b) Whether various cash amounts being received by the Nazir are being credited under proper heads in various registers [Rules 273 and 293, General Rules (Civil)].
(c) Whether the amounts are being sent to the Treasury daily after a fixed time for receipts? [Rules 279 and 289, General Rules (Civil)].
(d) Whether the Presiding Officer is giving quarterly certificates on the register of receipt of deposits? [Rule 325, General Rules (Civil)].
(e) Whether daily totals of each register are being entered in the cash book? [Rule: 316, General Rules (Civil)].
(f) Are the cuttings and erasures in account registers being initialed? [Rule 282, General Rules (Civil)].
12. (a) Whether the advice lists are being received from the Treasury the next day? If not, for what period the advice lists are pending and what action has been taken? [Rule 310 G.R. Civil].
(b) Whether the advice lists are being pasted in proper guard files?
(c) Whether delay extracts and monthly extracts from register of payments and deposits are being received from outlying courts and posted in the relevant registers? [Rules 315, and 321 and 322, General Rules (Civil)].
(d) Whether plus minus memos are being submitted to the A.G. by 15th of the next month with proper certificate after verification from the Treasury? If not how much time is taken and for how many months plus minus memos have not been submitted? Give reasons [Rules 321, to 324, G.R. (Civil)].
13. How many repayment applications are pending for reports and for how many days? How many of them are pending on account of non-receipt of advice list and general number?
14. (a) Whether lists of deposits about to lapse are prepared in first week of March and notice given? [Rule 327, General Rules (Civil)].
(b) Whether lists of lapsed deposits and clearance register have been prepared on first of April and sent to the A.G.? If not, when the same were prepared and sent to A.G.? [Rules 331, 328, General Rules (Civil) and Para 149, F.H.B. Vol. V. Part-I].

DEPARTMENTAL CASH ACCOUNTS

15. Whether the Nazir maintains the following registers for departmental cash account and are these registers posted up-to-date? [Rule 355, General Rules (Civil)]:-
 - (i) A day book (Form No. 58)

- (ii) A stationery register (Form No. 59)
- (iii) A register of contingent charges (Form No. 68) for outlying courts and Form No. 101 for D.J. court),
- (iv) Register of Travelling Allowance Bill.
- (v) A separate Register for T.A. Bill of the Amin and his peon ? (Check these registers).

16. Whether the Nazir maintains the following registers as required by various provisions mentioned in front of these entries?

- (i) Register of Bicycles-G.O. No. U-1065/1-258 dated 28.12.1940 and G.O. No. 922/XVII-220 dated 15.3.1935.
- (ii) Register of Typewriters - Chapter IV Printing & Stationery Manual.
- (iii) Register Form No. 26 Register of land and plans (para 265 F.H.B. Vol. V Part I).
- (iv) Register Form No. 27 Register of building para 265 F.H.B. Vol. V Part 1 and G.L. No. 53/10-SC-2(ii) dated 14.5.1936.
- (v) Register Form No. 29 (Register of rent of Buildings and land para 286 F.H.B. Vol. V Part I.
- (vi) Register Form No. 29-A Rate of rent, cost of repairs revised rent para 281 F.H.B. Vol. V part I.
- (vii) Register Form No. 30-(Rent statement) Para 287-F.H.B. Vol. V Part I.
- (viii) Compliance of para 289 of F.H.B. Vol V part 1 (Quarterly certificate).
- (ix) Register of petition writers para 12 of Appendix 22 of G.R. (Civil) Part II.
- (x) Register of Registered clerks of Vakil (rules 603 and 609 G.R. (Civil) Part-I.
- (xi) Register of duty and penalty (Form No. 39).
- (xii) Register of fine on process servers or other class IV employees.
- (xiii) Register of income from court compound including licence fees from petition writers, typists and clerks of Advocates.

PROCESS SERVING STAFF AND SERVING OF PROCESSES

- 17. (a) What is the strength of the process servers? Is it in excess of the requirement in light of rule 123 General Rules (Civil)-750 processes per process server and one urgent process equal to 3 processes?
- (b) How many posts are lying vacant and for what period?
- (c) Whether process servers remain properly dressed and wear badges, belts and satchels? (Rule 124, General Rules (Civil).
- 18. (a) Whether the Nazir maintains a list of inhabited places and a map of the entire district showing beats therein? [Rule 129, General Rules (Civil)].

(b) Whether the beats have been divided properly leaving a central beat within five miles [Rule 130, General Rules, (Civil)].

19. Whether there is a pigeon hole almirah in the Nazarat and the processes received are kept beatwise as well as according to nature, urgent or ordinary? [Rule-130, para 3, General Rules (Civil)].

20. (a) Whether processes within five miles radius are issued daily and returned within 24 hours after service [Rule 131, General Rules (Civil)].

(b) Whether dates for issue of processes for each beat outside five miles limit have been fixed and processes issued on those dates [Rule 130, General Rules (Civil)].

(c) Whether processes are being issued fairly?

(d) Whether process servers are maintaining diaries properly in the prescribed form and obtain the signatures of Lekhpal, Pradhan, etc. when they visit the villages? [Rule 134, General Rules (Civil)].

Whether diaries of process servers being checked by the Nazir or Assistant Nazir every week?

(e) Whether diet money paid to the process servers is properly entered in Register no. 105 and 43? (Check some entries comparing with the entries in these registers and diary of the process servers).

(f) Whether processes are returned after service in time or are returned beyond time and without seeking extension?

(g) In how many cases processes were not served in time and (a) extension was sought, and (b) no extension was sought? (Check two weeks entries of Register Form No. 105 in light of rules 130, 131 and 132 General Rules (Civil) especially in light of instructions contained in C.L. NO. 93/V1-C-4 dated 20.9.1951 and comment.

(h) Are all the process servers able to give personal service upto 75%. If not, how many are below the standard and what action has been taken against them? Examine the register of percentage of personal service in light of C.L. No. 93/V1-C-4 dated 20.9.1951 and also get monthly statement prepared in the prescribed form as given in this C.L.

21. When was the Nazarat inspected by the following:-

1. Inspector of Offices.
2. Audit party of the A.G.
3. District Judge.
4. Officer in charge.

Have the inspection notes complied with and submitted? If so, give dates? If not why?

22. Whether service books of process servers are posted up-to-date?

- 23 (a) Have the godowns and dead stock been checked by the officer-in-charge within one year of the inspection? (C.L. No. 107 dated 17.10.1952).
- (b) Are Registers of Dead Stock and Perishable Articles being maintained in prescribed form and annually checked and verified? [Rules 10 and 11 of para 801 M.G.O. and rule 648, General Rules (Civil)].
- (c) Is the furniture sufficient, clean and in good order?
- (d) Is any register of distribution of furniture maintained? (Rule 7 para 801, M.G.O.)
- (e) Has the furniture been numbered and entries made in the Register? (Rule 8 Para 801 M.G.O.).
24. Are the duplicate keys kept in the Treasury and has annual verification been done and keys changed?
25. Whether guard file for inspection notes is being maintained?
26. Whether any observations or instructions at the last inspection have remained unattended? If so, furnish reasons therefor.

PROFORMA – I

Name of officer	Quarter ending	Date of inspection	Date of submission to District Judge
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Appendix-3

QUESTIONNAIRE FOR INSPECTION OF COPYING DEPARTMENT BY DISTRICT JUDGE

1. Who is the Officer in-charge of the Copying Department and since when?
2. Has the Officer in-charge inspected the Copying Department every quarter? Give details in Proforma I and comment.
3. Who is the Head Copyist and since when?
4. Is the staff over-manned or under-manned (Rule 269 and 270, General Rules (Civil))?
5. Check the almirah and the box of the Head Copyist and examine all the prepared copies, rejected applications and folios, etc. and comment after getting statements in form no. III, IV, VI, prepared).
6. How many typewriters (Hindi/English) are allotted to the Copying Department and how many are out of order and since when? Are the Typewriters being fully utilized?
7. Whether Register Form No. 31 is properly maintained and entries of urgent and ordinary applications being made in red and blue-black ink? [Rule 265, General Rules (Civil)].
8. Does the Munsarim or the Head Copyist comply with the provisions of rule 254(a) at the time of presentation of application for copies?
9. Are urgent and ordinary copies being prepared within 24 hours and within a week respectively and if not, what is the average duration for these copies? (Give separate average for the last three months preceding the date of inspection.
10. Give number of pending urgent and ordinary applications in proforma II (Discuss reasons of delay in disposal of 12 applications mentioned in the last column).
11. Whether printed forms for preparation of decrees and formal orders are being used for issue of copies? If not why? (Last para of rule 257, General Rules (Civil).
12. Are copies of judgments in appeals, sessions trials and revisions being received from various courts concerned? In how many cases these copies have not been received? Quote the number of cases with name of courts of which copies were not received.
13. Whether copies involving more than 1500 words are being prepared without realizing the excess fees? If so, in how many cases during the last two months?
14. Are copies on payment being prepared on stamp papers? [Rule 255, General Rules, (Civil)].
15. (a) In how many cases free copies have been issued to any other person except prisoner, Government Law Officer and Heads of Departments of the Government of India, any High Court, in India or any other authority exercising similar jurisdiction, any court subordinate to the High Court at Allahabad or any particular court in any foreign country? Check applications for inspection [Rules 248, 251 and 252 G.R. (Civil)].

- (b) How many free copies prepared on applications under rules 248, 251 and 252 General Rules (Civil) read with G.O. No. 113 dated 5.12.1958 and C.L. No. 75/VIII a-51 dated 3.12.1960 remained undelivered within the prescribed time during one year period preceding the date of inspection ?
16. (a) Whether unused stamps in cases of rejected applications are being returned within 30 days after intimation to the applicant or his counsel and if unreturned stamps are being destroyed and necessary entry made in register form No. 31 ? Give details of such applications in Proforma III in respect of rejected applications during the period of three months one month prior to the date of inspection. (Rule 254, paras V to IX).
- (b) Examine some rejected applications to see if reports and orders are correct.
17. Whether copies remaining undelivered after 15 days of the notice are being disposed of after obtaining orders of the Judge? Send a statement prepared in Proforma IV. Examine pending undelivered copies with the Head Copyist on the date of inspection as well as the entries in Register Form No. 31 in respect of undelivered copies at least for three months, one month prior to the date of inspection? (Para 2 of rule 260 G.R. (Civil).
18. Whether copies are being prepared legibly, accurately, properly noting the number of words correctly and are being properly certified as true copies duly and legibly signed by the Copyist and Head Copyist? Check some of the copies pending with the Head Copyist undelivered, preferably prepared before the date of intimation of the inspection and prepared by each Copyist with G.L. No. 29/A dated 1.8.1929, G.L. No. 43 dated 10.8.1934 G.L. No. 59/Ve 65 dated 22.9.1950 and G.L. No. 41/Ve-65 dated 6.5.1957.
19. Whether the consolidated register of Karguzari and distribution of work in form no. 33-A referred to in rule 268, is being put up before the Officer-incharge copying department fortnightly (G.L. No. 56/A-17(l) dated 1.11.1935 as amended by G.L. No. 7/A-2(l) dated 27.1.1936).
20. Are records being received in and returned back from the Copying Department within 24 hours of the sending of the application or the preparation of the Copy. Get a statement prepared in Proforma VI. (Rules 246, 254 (a) Para 3 and (b) (ii) and C.L. No. 3/Ve-81 dated 27.2.1952).
21. Whether strict rule of priority is being maintained by the Head Copyist? (Examine some ten days in the register form No. 31).
22. Are provisions of rules 250 and 253 being followed in the case of applications for copies by strangers or in cases under hearing?
23. (a) Whether copies of maps and registers etc. are being prepared after preparing estimates and whether registers in form No. 28 and 29 are maintained ?
- (b) Whether copies of maps and registers etc. are being prepared by the Copyist or by some special copyist?
24. Whether fortnightly statement (Progress Report) is being maintained and put up before the District Judge?

25. Whether the Copyist are maintaining a register of Karguzari in form No. 33 properly?
26. Whether rejected applications are sent to the court concerned or the record room soon after rejection?
27. Whether the Head Copyist maintains a guard files of:
- Inspection Notes
 - For orders of the District Judge,
 - For C.L. and G.L. and
 - For orders of the officer in-charge Copying Department?
28. Does the Head Copyist work intelligently and in a business like manner?

PROFORMAS REGARDING INSPECTION OF COPYING DEPARTMENT

PROFORMA – I

Name of Officer	Quarter ending	Date of inspection	Date of submission to the District Judge after compliance
1	2	3	4

PROFORMA – II

Nature of application Civil or Criminal	Urgent 78 77	Ordinary 78 77	3 Oldest of each types
1	2	3	4

PROFORMA – III

Particulars of application	Date of rejection	Value of folio	Date of return	Date of destruction
1	2	3	4	5

PROFORMA – IV

Particulars of application	Date of notice	Date of Order of Officers incharge Copying Department	Remarks
1	2	3	4

PROFORMA – V

Name of Copyist	Particulars of application	Words shown	Actual Words found	No. of words in excess
1	2	3	4	5

PROFORMA – VI

Name of official	Particulars of application	Date of handing over to official concerned	Date of production of record	Date of preparation of copy	Date of return of record given in column number 8 of register no. 31	Date of return given in Register Form No. 84
1	2	3	4	5	6	7

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Appendix-4

QUESTIONNAIRE FOR INSPECTION OF AMINS

1. Who is the Officer in charge Amins and since when?
2. Has the Officer in charge inspected the work of Amins?
3. How many posts of Amins in I Grade and II Grade are sanctioned for the district and who are the Amins working on these posts and since then? (Proforma II).
4. Are the Amins qualified and satisfy the condition laid down in rule 522 General Rules, (Civil)?
5. Have the Amins furnished security? If so, of what amount and whether it is sufficient? (Rule 541 G.R. Civil).
6. Are there any others officials in the judgeship who have received training of Amins? Give their names and year of training.
7. Have circles of Amins been divided into beats and dates fixed for each beat? (Give details) [Rule 527, General Rules (Civil)].
8. Have Amins been supplied the necessary instruments for their work (Rule 523, General Rules, Civil).
9. (a) Are the Amins substituting their weekly programme to the Officer in charge Amins and to all the courts of whose writs they execute? [Rule 531, General Rules Civil].
(b) Are the Amins planning their tour in accordance with rule 527 (c). General Rules (Civil) and fix sufficient work every day.
10. How many parwanas are pending with the Amins unexecuted on the date of inspection (Give details beatwise three oldest parwanas of each beat in proforma II-A with reason?)
11. How many parwanas were received by the Amins for execution during the year under inspection and how many of them were returned unexecuted (Give list of unexecuted Parwanas in Proforma No. III).
12. In how many cases the Amin sought extension for execution of the Parwanas during the year under inspection)
13. What is the percentage of parwanas returned unexecuted during the year under inspection? (Give comparative figures in Proforma IV for the current year and the corresponding previous year).
14. Give the number of writs returned unexecuted according to the following classification during the year under inspection:
 - (i) For shortage of time or late receipt.
 - (ii) Sudden increase in work.

- (iii) Due to absence of the decree holder or his representative or due to unwillingness of the decree holder to get the writ executed.
- (iv) Due to nature of work and labour involved.
- (v) Due to stay orders from the courts issuing the writ or from the appellate courts.
- (vi) For want of Police help.
- (vii) Incomplete particulars in the writ.
- (viii) For want of self addressed P.C. of D.H.
- (ix) For want of requisite material.
- (x) On account of unjustified and lame excuses.

15. Whether the Amins have sufficient work to do? If not are their services being utilized in the office some where else?
16. Are the Amins over-loaded with work and the work is being evenly distributed? Is any additional help required? [Rule 524, General Rules (Civil)].
17. Are the Amins taking proper interest in executing survey commissions and execute the same in accordance with the instructions contained in rule 533, General Rule (Civil)?
18. Are the Amins submitting monthly statements with proper certificate of the work done as required by rule 535, General Rules (Civil). Is that statement being submitted to the District Judges after scrutiny by the Officer in charge by the 10th of the next month [Rule 536, General Rules (Civil)]?
19. Whether the Amins are maintaining registers in Form no. 107, 108, 109 and 110 properly and make entries in the cash register immediately [Rules 335 and 407, General Rules (Civil)].
20. How many movable properties are lying attached for more than a year? (Give details in proforma V).
21. In how many cases, he released movable properties on the spot during the year under inspection?
22. Whether the Amin is issuing payment orders in Form No. 111 in case of sale of immovable property? [Rule 334, General Rules (Civil)].
23. Whether the Amin is issuing receipts for cash payment received by him [Rule 333, General Rules (Civil)].
24. Whether the Amin is paying the cash amounts received by him into the Treasury through pass book Form no. 112 the same day or latest the next day and sending the extracts of the pass book to the courts concerned? [Rules 337 and 338 General Rules (Civil)].
25. Whether the Amins are submitting weekly return in Form no. 113 and 114 to the courts concerned and the same are being checked by the Munsarim of the courts concerned? [Rules 339 and 340 General Rules, (Civil)].

26. Whether poundage money is being realised on all the sales conducted by the Amin? [Rules 369, 371 and 373, General Rules (Civil)].
27. Is fee for Amin being realized in accordance with rules 375, 376, 377 and 378 General Rules (Civil) read with notification no. 99/VIIIb-135 dated 23.3.1959 and correction slip no. 27 dated 9.6.1962?
28. Has the Amin given priority to some writs over the others received earlier with permission or without permission of the Officer in charge? Was there any justification for giving such priority?
29. Does the Amin exercise his discretion properly in accepting bids in public auctions?
30. Does the Amin take interest and pain in his work? Is he methodical and systematic?
31. What is the opinion of Presiding Officers of various courts about the quality of his work and conduct? (It may be obtained, confidentially from various officers)
32. Whether guard file for inspection notes is being maintained?
33. Whether any observations or instructions at the last inspection have remained unattended? If so, furnish reasons therefor.

PROFORMA FOR INSPECTION OF AMINS

PROFORMA – I

Name of Officer	Quarter ending	Date of inspection	Date of submission to District Judge
1	2	3	4

PROFORMA – II

Name of circle	Name of Amin	Grade I or II	Date from which he was posted in the circle	Date from which working as Amin	Date of confirmation	Remarks
1	2	3	4	5	6	7

PROFORMA - II A

Name of Amin	Name of Beat	No. of pending parwanas	Date of 3 oldest of each beat	Reason for delay If first date of return expired
1	2	3	4	5

PROFORMA – III

Sl.No .	Circl e Beat	Name of Court	No. of writ with description	Date of receipt	Date fixed for return	Date fixed for execution	Date of return	Extended date if extension sought for	Reasons for returning unexecuted	Remarks
1	2	3	4	5	6	7	8	9	10	11

PROFORMA – IV

Period	Number of Parwanas received	Parwanas executed	Percentage
1	2	3	4
1.1.77 to 31.12.77			
1.1.78 to 31.12.78			

PROFORMA – V

Sl. No. of Reg. No. 109	Date of attachment	Name of Beat	Suit No. and court	Execution case no.	Name of parties
1	2	3	4	5	6

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Appendix-5

QUESTIONNAIRE FOR THE INSPECTION OF ADMINISTRATIVE OFFICE

1. When was the office last inspected and by whom? Has the compliance report been submitted? If so, when?
2. What is the distribution of work between the Sadar Munsarim, IInd. Clerk (Administrative Clerk and the Assistant Miscellaneous Clerk. (Give their duties separately).
3. Is the dak from the Post Office being received in locked bag and being opened in presence of the Presiding Officer or the Sadar Munsarim ?
4. Whether any observations or instructions at the last inspection have remained unattended? If so, furnish reasons therefor.
5. Has guard file for inspection notes of the office been maintained?
6. On what date or dates the administrative office was inspected by the Sadar Munsarim?
7. Whether the statements and returns required to be submitted monthly, quarterly and annually by various courts and offices are being received in time? If not, give list giving the names of courts and offices and the dates of receipt showing the delay.
8. Whether the statements and returns, monthly, quarterly and annual are being submitted to the Hon'ble High Court, Accountant General, U.P., and the Government etc. in time on the required dates and if not, give details of the delayed statements and reasons.
9. Are quarterly inspection notes being recorded by Presiding Officers of various courts being submitted in time after compliance and are they properly kept in Guard Files.
10. Have orders been passed on the Quarterly Inspection Notes received from various courts, communicated and compliance received? If not, why? Has any register for receipt of quarterly inspection notes from various courts giving dates of receipt, communication of orders and receipt of compliance been maintained?
11. How many Inspection Notes (by Inspector of Offices, Inspector of Stamps) concerning the entire judgship are pending compliance and are they entered in a proper register?
12. from which courts compliance of above mentioned Inspection Notes have not been received and for how long?
13. How many audit reports and objections concerning Nazarat are still pending undisposed and for how long?
14. Are registers for inward and outward correspondence being maintained in Form Nos. 62 and 63 and cross references being noted? [Rules 431 and 432 General Rules (Civil)) Part I].
15. In register of pending files maintained in the prescribed amended form and entries made up to date? (Rule 444(2) General Rules (Civil) Part 1 read with Correction Slip No. 36 Notification No. 56/VIII (b)-I, dated March 10, 1964).

16. (a) Is the register of pending files placed before the District Judge or the Officer Incharge, Administrative Office once a week? [Rule 444(2) General Rules (Civil) Part I].
 (b) Is a list of all returns and reports hung near the seat of the Munsarim and in the Chamber of the Presiding Officer and is corrected up to date. Rule 444 (a) General Rules (Civil) Part I.
17. Is a Despatch Book in Form No. 66 for local dak being properly maintained? [Rule 445 General Rules (Civil) Part I].
18. Are letters properly classified and filed opened under proper heads and letters properly arranged and marked? (Rules 429, 430, 433 and 434 General Rules (Civil) Part I).
19. Are the closed files kept in bundles and pending files kept in correspondence press? (Rules 437 and 438 General Rules (Civil) Part I).
20. Have file indices been properly maintained about the files entered? [Rule 439 General Rules (Civil) Part I].
21. (a) Is register for G.Ls., C.Ls. and G.Os. maintained in Form no. 62 and kept in separate Guard Files? [Rule 441 of the General Rules (Civil) Part I].
 (b) Are copies of important C.Ls. G.Ls. and G.Os. being issued to other courts and are all other C.Ls., G.Ls. and G.Os. circulated to all the Courts?
22. Are separate files being maintained for correspondence originating from a Circular? [Rule 443 General Rules (Civil) Part I].
23. Is the weeding of the administrative correspondence up to date? When was the last weeding done? (Rule 449 General Rules (Civil) Part I).
24. (a) Whether a register in Form no. 24 of all the requisitions received from the Hon'ble High Court is being maintained properly ?
 (b) How many requisitions received from the Hon'ble High Court have remained uncomplied and for how long? To which courts these were sent a when? Have any reminders been sent?
25. (a) How many preliminary and final enquiries for loss of records are pending and with whom and for what period ?
 (b) How many disciplinary enquiries are pending against the officials and class IV employees and since when?
 (c) In how many enquiries charges are to be framed? When orders for framing of charges were passed in those cases?
26. Have annual entries for the last year been given to the entire staff?
27. (a) How many persons are to be retired during the next six months and in how many such cases preparation of pension papers has been taken up?
 (b) How many pension cases are pending incomplete due to the fault of Accounts Clerks and how many due to the fault of the retired official?
 (c) How many pension cases are pending in the Accountant General's Office for finalization and how many cases are under objection?

- (d) In how many cases 3/4th gratuity and provisional pension has been sanctioned out of those whose pension cases have not been finalized?
- (e) In how many cases of retired employees payment of General Provident Fund has not been sanctioned and why?
28. (a) Are General Provident Fund Deductions of all the employees being entered in the relevant registers in proper columns every month and the interest being added every year ?
- (b) Are General Provident Fund Account Slips being issued to the employees regularly every year?
- (c) Is C.D.S. Account being maintained properly and payment being made?
29. Have all the loans and advances granted during the last one year's period from General Provident Fund been entered in the relevant columns of the register and are monthly deductions being made regularly?
30. (a) Is leave account of Gazetted Officers drawing pay up to Rs. 1,000/- being kept correctly and properly?
- (b) Are the Service Books of the officials of the judgeship re-attested every five years and are the leave accounts and other entries in the Service Books complete?
- (c) Have the entries of encashment leave been made in the Service Book of those who have taken encashment leave during the last one year?
31. Is the pay of the officials and class IV employees being disbursed on the first of every month and if not, why?
31. (a) Whether the condition of electrical wiring and installation in the court buildings is safe and satisfactory?
32. Is Establishment Order Book maintained? [Rule 346 G.R. Civil Pt. I].
33. (a) Is separate register for bills of Amins and his peons being maintained?
- (b) How many Travelling Allowance Bills are pending for checking and disposal on the date of inspection and for how long and why?
- (c) Are Establishment Bills being prepared at the end of the third week and sent to the Treasury by 24th of the month? If not, Why? [Rules 345 and 354 General Rules (Civil) Part I].
- (d) Is any arrears of pay allowances of any official and class IV employee for any period not drawn? If so, why? (Give details).
- (e) Are applications for leave being put up before the District Judge for orders promptly and orders passed communicated to the employees concerned promptly?

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Appendix-6

QUESTIONNAIRE FOR THE INSPECTION OF LIBRARY

1. Who is the Officer-in-charge Library and since when?
2. Whether the Officer-in-charge Library inspected the Library quarterly and inspection notes have been complied with? (Prepare statement in Proforma-1).
3. Who is the Librarian and since when?
4. Is the Library room in good order with sufficient space and furniture?
5. Are all the books entered in the catalogue as prescribed by rule 450, General Rules (Civil) read with Notification No. 10/VIIIb-272 dated 13.1.1964 and properly classified in accordance with rule 451, General Rules (Civil)?
6. Has the Librarian stamped, seal of the Court as required and affixed 'Government Property' labels on each book? [Rule 453, General Rules (Civil)].
7. Has a certificate as to condition of books in the Library been sent to the Registrar, High Court, every year. If so, quote the date (Rule 453(3) General Rules (Civil)).
8. Has there been any loss of any book from the Library in the current year? If so, has the loss been reported and what action taken? (Rule 453 (4 and 6) and 456, General Rules (Civil)).
9. Do lawyers including Government Advocates and penal lawyers use the Library? If so, is there sufficient space to accommodate, lawyers to sit there and read law books and journals? [Rule 452 and 454, General Rules (Civil)].
10. Have books been supplied to courts individually? If so, has any entry been made showing books supplied to each court?
[Rule 457 General Rules (Civil)].
11. Whether books issued temporarily to an officer are returned before the close of the day? If not, given instances? [Rule 454, General Rules (Civil)].
12. Have books been issued to lawyers on slips, to be taken out of the Library? [Rule 454, General Rules (Civil)].
13. Has any book remained out side the Library for more then three months? If so, were quarterly lists of such books submitted to the District Judge as required by rule 455, General Rules (Civil)?
14. Are correction slips received in the Library regularly? If not, why? If no correction slips have been received. What steps have been taken to procure them?
15. (a) Have all corrections and amendments in various Acts from time to time promptly been incorporated in all copies of the relevant Acts and rules etc.? (C.L. No. 120/L-34 dated 13.12.1951, G.O. No. 7 dated 5.6.1894 and C.L. No. 13 dated 20.12.1902).
(b) Whether any register for correction slips and amendments received is maintained?
16. Whether all necessary books and enactments have been supplied to all the courts including diglot editions? (Rule 457, General Rules (Civil)).

17. What are immediate requirements of books and enactments etc. for various courts and the Central Library and what amount is required?
18. Whether there are sufficient number of English and Hindi dictionaries approved by the Hindi Department of U.P. Government or Central Government of Bhasha Vibhag and sufficient copies supplied to each Court?
19. Whether register for a journal is being maintained and whether all the journals are being received regularly?
20. Whether important Notifications, Acts and Bills are being placed before the Distt. Judge by the Librarian?
21. Whether journals, gazettes and extra-ordinary gazettes are being circulated?
22. Whether the price of the books lost or journals lost has been realised or any inquiry started?
23. Are there unbound books in the Library requiring binding? If so, what steps have been taken to get them bound? (C.L. No. 55-X dated 19.4.1952 and C.L. No. LB-12 dated August 1976).
24. Whether gazettes have been bound and maintained as required by rule 461 General Rules (Civil)? (Cl. No. 77/VIIIb-119 dated 11.9.1956).
25. Has the weeding of books taken place in the Library? If so, when? If not, are there any books in the Library which may require weeding in view of rule 465, General Rules (Civil) rules 462 to 464, General Rules (Civil) read with C.L. No. 5 dated 13.1.1959).
26. Whether the bills of books purchased and subscribed during the previous year have been paid and grant fully utilized?
27. Whether indents for stationery and non-saleable forms have been received from various courts in time and whether a consolidated indent has been submitted in time, State Form No. 173? [Rule 512, General Rules (Civil)].
28. Whether all the required stationary and forms have been received? If not, what are the items not received and if any reminder has been issued?
29. Whether the stationery being supplied is sufficient for the judgeship? If not, how much more is required?
30. Is the stock of paper and stationery in accordance with the entries in the Stationery Register on physical checking?
31. Whether guard file of inspection notes is being maintained?

PROFORMA – I

Name of Officer	Quarter ending	Date of Inspection	Date of submission to the District Judge after compliance
1	2	3	4

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Appendix-7

QUESTIONNAIRE FOR INSPECTION OF RECORD ROOM

1. Name of officer-in-charge, Record Room, date from which he is in charge.
2. Has the officer-in-charge, Record Room, inspected in every quarter and compliance made (Give details in proforma 1).
3. What is the strength of the Record Room staff? Is the staff over-worked? Is the distribution of work among the A.R.Ks. even? (Give details in proforma 1A).
4. Whether there are adequate arrangements for extinguishing fire? (Appendix 21, Central Rules (Civil), Part II). Whether fire-extinguishers are in working order? When those were last tested? Whether the condition of electrical wiring and installations in the record room is safe and satisfactory.
5.
 - (a) Whether records are kept in separate racks for each court ? [Rule 110 General Rules (Criminal) and rule 179, General Rules (Civil)].
 - (b) Whether different colours for Bastas of different courts have been assigned? If so, give details, rule 194 General Rules (Civil) last para.)
 - (c) How many Bastas require re-colouring, relabelling or replacement?
 - (d) Whether bundles have been properly labelled giving details of records? (Para 2 of rule 194, General Rules (Civil).
 - (e) Whether records in bundles have been kept in accordance with date of institution in the court of first instance and serial register no. and according to rule 192, General Rules (Civil)? [Rules 180 and 194, General Rules (Civil)].
6.
 - (a) Whether dates for consignment of records and registers from various courts to the Record Room have been fixed and whether records are being received within time ? Give details in Proforma II, (Rule 181, General Rules (Civil) and 108, General Rules (Criminal).
 - (b) Whether registers are also being consigned by various courts according to Rules within the time prescribed? If not, since when the registers have not been received and from which court?
 - (c) Whether records and registers are accompanied by list and invoice and lists are being properly stitched? Rules 182, 184 and 190 General Rules (Civil) and 109, General Rules (Criminal).
 - (d) How many Goshwaras are kept unbound? Give number of courts and the years for which Goshwaras have not been bound?
 - (e) Are sufficient number of decided records and registers being retained by the court concerned? if so, are reasons given in the accompanying list and requisitions sent? How many of these are retained on account of nonpreparation of decrees? (Para 3 of rule 181, General Rules (Civil). Each A.R.K. to give statement for 3 months preceding the date of inspection in Proforma II-A).

- (f) Whether certificate of consignment are being submitted by Munsarim of each court to the District Judge by 28th of every month? Name of the courts from which the certificate have not been received during the last one year (Para 2 of rule 181 G.R. (Civil).
7. (a) Whether monthly consignments have been examined and second punching done within one month from the date of receipt and certificate given? (Rules 187, 188, 189 and 191 of General Rules (Civil) and rule 111, General Rules (Criminal).
- (b) Whether there are any arrears for examination with any A.R.K. or Record keeper? If so, give details in proforma III).
- (c) How many defective (Badar) files were found during checking? Give details in proforma IV.
- (d) Whether the defective files are being corrected in accordance with paras 2 and 3 of rule 188, General Rules (Civil).
- (e) How many defective files are pending corrections in Record Room or various courts and for how much time? Give figures in proforma IV.
- (f) Whether examination of records is properly done in light of rules 142, 150, 153, 157, 159, 181 and 187 and G.Ls. and C.Ls. reproduced on pages 547-553 of the Circulars of the Hon'ble High Court? (Take out a few records from bundles of each A.R.K. and examine them in light of rules 187, 188 and 191 of General Rules (Civil).
- (g) Whether examined records have been restored to the bundles the same day or next day of examination? In case of arrears give details of records received last month in proforma V.
- (h) Whether records received back from Copying Department or appellate courts or other courts are restored as soon as they are received ?
- (i) Whether the files of miscellaneous cases and papers received, are being restored to the proper records? (Rule 193, General Rules (Civil) and 112, General Rules (Criminal).
8. (a) Whether all the records and registers required to be weeded upto the date of inspection, have been weeded? If in arrears, give details in proforma VI and VII.
- (b) Whether records have been weeded in accordance with rules 193 to 201, General Rules (Civil) and rules 177 to 184, of General Rules (Criminal) ? (Some weeded records and registers should be taken out checked for compliance of rules 199, 200 and 201 of General Rules (Civil).
9. (a) How many ordinary requisitions from courts for records have been complied with more than a week delay during the year under inspection? Give details of such requisitions in proforma VIII for the last three months.
- (b) How many urgent requisitions from courts and requisitions from Copying Department have been complied with after more than 24 hours during the year under inspection? (Give details of such requisitions in proforma VIII for the last three months).

- (c) In how many cases records had not been sent at all?
- (d) How many requisitions are pending for compliance with each A.R.K. and Record Keeper? (Give dates of the three eldest requisitions.)
- (e) Are entries of register Form No. 24 being properly made in accordance with rules 211, 212 and 214 General Rules (Civil) for civil records and in Form No. 5 in accordance with rule 130, General Rules (Criminal) for criminal records (check some continuous 25 entries from the registers).
10. (a) How many records have not been returned from various courts for more than a year and from how many courts? Has any action been taken by the Record Keeper and the A.R.K. concerned.
- (b) Have the quarterly lists been prepared and sent to the courts concerned and received back after verifications? (Give information in proforma IX).
11. Has monthly statement provided by para 2 of rule 210 General Rules (Civil) been submitted? if so, on what dates during the last one year ?
12. Whether the applications for inspection and search are satisfactory? (Give comparative figures in proforma X).
13. Whether guard file for inspection notes is being maintained.
14. Whether any observations or instructions at the last inspection have remained unattended to? If so, furnish reasons therefor.

PROFORMAS FOR INSPECTION OF RECORD ROOM

PROFORMA – I

Name of Officer	Quarter ending	Date of inspection	Date of submission to the District Judge
1	2	3	4

PROFORMA – IA

Sl.No.	Designation	Name	Date from which working	Courts & work allotted	Remarks
1	2	3	4	5	6

PROFORMA - II

Name of A.R.K.

Name of Court	Nature of cases	Due date for consignment	Date of actual consignment				Remarks
			Jan.	Feb.	Mar.	etc.	
1	2	3	4	5	6	7	8

PROFORMA - IIA

Name of Courts.....

No. of decided records for consignment	No. of records consigned	No. of records detained		No. of registers not consigned with reasons
		On account of non-preparation of decree	For other reasons	
January				
February				
March				

PROFORMA - III**STATEMENT OF ARREARS OF EXAMINATION**

Name of Court	Name of month of Basta	Nature of the records	Date of receipt	No. of files received	No. of files examined within time	No. of files remained unexamined	Reasons for arrears of examinations
1	2	3	4	5	6	7	8

PROFORMA-IV**STATEMENT OF BADAR FILES**

Name of Court	Nature of the cases	No. of files received and examined	No. of defective files	Date on which files sent to the court concerned for removing defects	No. of files received with date of receipt
1	2	3	4	5	6

PROFORMA V

Name of Court	Nature of the cases	No. of files lying un-restored to the bundles	Date of examination	Remark
1	2	3	4	5

PROFORMA - VI
STATEMENT OF WEEDING

Name of Court	Nature of cases	Name of nathis	How far due	How far done	How much in arrears	Remarks
1	2	3	4	5	6	7

PROFORMA -VII
STATEMENT OF BOOKS AND REGISTERS

Name of court	Description of register or book	Period upto which such register or registers received in record room	How far due	How far done	How much in arrears	Remarks
1	2	3	4	5	6	7

PROFORMA VIII

Sl. No. of A.R.K. Register	Sl. No. of R.K. Register	Date of receipt of requisitions in Record Room	Date by which record required	Date of compliance	Remarks
1	2	3	4	5	6

PROFORMA – IX

Name of A.R.K.	Date due in first quarter ending March	Date of sending quarterly list with name of Court	Date of return of quarterly list by the Court concerned
1	2	3	4

PROFORMA –X

From.....to.....
From.....to.....

No. Amount No. Amount

Inspection applications
Search applications

Note: Give figures for Civil and Criminal separately.

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Appendix-8

QUESTIONNAIRE FOR INSPECTION OF CIVIL COURTS BY DISTRICT JUDGE

1. Give the name(s) of the Presiding Officer who worked since the last inspection with duration.
2. Whether the quarterly inspection by the Presiding Officer and the last inspection by the District Judge have been complied with and submitted? (Give details in Proforma I).
3. Are the inspections of the P.O. practical and effective?
4. Whether the staff is adequate or under-manned and whether the distribution of work is even and proper? Give the names of the members of the staff with posts and duration.
5. Whether the accommodation is sufficient and in good condition?
6. Whether furniture supplied is sufficient and in good condition?
7. What is the territorial jurisdiction, pecuniary jurisdiction and other jurisdiction being exercised by the Presiding Officer?
8. Is the weekly cause list being posted on each Saturday and are all the cases for a particular day and adjourned cases within the same week entered therein in proper columns? [Rule 16 G.R. Civil Part I].
9. (a) What is the pending file of all types of cases on the first day of the month of the inspection and the corresponding day last year? Give details in proforma II and also give reasons for increase or decrease.
(b) Give the number and date of institution of ten oldest cases of each type in the remarks column of proforma II.
(c) Give an yearwise break-up of pending files of Regular Suits, Appeals, Revisions, Execution cases as well as miscellaneous cases shown in Proforma II in comparative form for both the dates?
10. (a) How many contested cases have been decided by the Officers during the last one year?
(b) Give the yearwise break-up of all the contested cases decided of all types.
(c) How many cases were decided ex parte or in default and what is the percentage of these cases to the contested cases?
(d) How many cases were decided otherwise?
11. (a) Is the Presiding Officer's diary and the Reader's diary properly maintained? Are the dates to which cases are adjourned, the purpose for which fixed and the work done on that day, entered in the diary? [Rules 401 and 18-A, G.R. (Civil)].

- (b) Are the cases fixed for particular days in the diary of the Presiding Officer in such a manner as to facilitate hearing of all the cases fixed on that day and disposal of old cases?
- (c) Are cases taken strictly in accordance with priority rule and are also entered in the diary in that manner?
- (d) Does the Presiding Officer fix and does sufficient work on each day?
- (e) Are cases taken up day to day or are unnecessarily adjourned.
- (f) Are the witnesses present on a particular day examined before adjournment?
- (g) Are arguments heard promptly and judgments pronounced within 30 days of the first hearing of arguments?
- (h) Are cases adjourned for sufficient reasons .by passing detailed order?
- (i) Are decrees prepared in time and in accordance with rule 98 G.Rs. (Civil).
- (j) How many cases are adjourned in a week on the personal ground of the counsel, for no time and on account of no objection by the opposite party?

NOTE: For answers to the above questions, a complete statement of the work fixed and done date-wise for full one week (Monday to Saturday) two weeks before the notice of inspection should be got prepared in proforma III and a statement in proforma IV in respect of all the contested decided cases in the month preceding the month in which instruction of inspection has been given).

- (k) Whether decrees are being prepared in light of instructions contained in C.Ls. reproduced on pages 391, 393 to 395 of Circular letters and Order 20 rule 21 C.P.C. and rule 98, G.R. (Civil)?

12. Are the parties and witnesses being examined in suits before framing issues? (Give a statement in Proforma V for the same week in note above).
13. Whether notices of appointment of guardian are issued to minors also when the age of the minor is more than 12 years?
14. (a) Whether Commissioners submit reports within the time allowed. If not, how much time is taken generally and whether extensions are sought?
- (b) How many old cases are lying undisposed on account of non-submission of report by the Commissioner for more than three months and for how long? What action has been taken against Commissioner?
- (c) Whether Amins are submitting survey reports within time or are seeking extension?

EXECUTION

15. What is the number of execution cases pending over six months?

16. What is the total number of execution cases disposed of and the number of in fructuous application? What is the proportion of in fructuous applications to the total of cases disposed of during one year preceding the date of inspection?
17. Are the orders in the Hindi order sheet of the execution cases dated by the Presiding Officer himself (Rule 163, General Rules (Civil).
18. Whether proper dates for service of proclamation and sale are fixed?
19. Are the writs of attachment and sale promptly issued to the Amin within three days of the order and properly entered in register Form No. 106?
20. Are the execution cases not allowed to hang on for taking steps for more than a week?
21. (a) How many suits have been stayed by the court under section 10 C.P.C.? Give details in the given proforma.
 (b) Whether full particulars of the connected case with name of the court and copy of pleadings of that case were given by the parties?
 (c) Has the fact of stay communicated to the court in which the connected proceedings is pending?
 (d) Has any attempt been made to know the stage and the result of the connected proceeding?
22. How many suits, execution cases and miscellaneous cases have been stayed by the appellate courts or the records have been sent to them? Give a list in the prescribed proforma VI. Have any inquiries been made during the last three months. ?
23. Whether the proceedings by which trial court matters are stayed or in which records are called for, are disposed of expeditiously to enable the courts to proceed with pending matters?
24. Are the decided records consigned on the dates fixed? If not, what is the arrear?
25. Have the monthly, quarterly and annual statements have been submitted on the dates fixed? If not, with how much delay and why?
26. Whether the number of inspections and search applications is satisfactory? Give comparative statement in prescribed proforma VII.
27. Whether all the reports of Inspector of Stamps have been complied with and disposed of? If any reports are pending, for what period and why?
28. How many requisitions from other court including Hon'ble High Court and the Copying Department are pending on the date of inspection and for how many days?
29. Have all the amendments in the General Rules (Civil) and G.R. (Criminal) been incorporated and are those books upto-date.?
30. Has the Munsarim carried out the half-yearly inspection during the last year? Are the inspections practical and effective? Have the defects pointed out by the Munsarim been removed?

31. Is the P.O. satisfied with the handwriting and work of various officials of his court and office?
32. Are the books supplied to the court sufficiently in good condition and entered in a register ?
33. Are non-saleable forms indented in time, supplied and used?
34. Examine some records of each category and examine the files detailed in statements III and IV from the point of view of compliance of the following provisions of law and rules and other matters mentioned hereinafter:
 - (i) Order 1 rule 8 C.P.C.
 - (ii) Compliance of
 - (a) Order 3 rule 2.
 - (b) Order 3 rules 3, 4 and 5.
 - (c) Order X rules 1 to 4.
 - (d) Order XIV- rules 1 to 5.
 - (iii) Service of processes by substituted service.
 - (iv) Rules 2, 3, 4, 6, 10, 11, 14, 15, 16, 17, 18 (for checking efficiency of the Munsarim).
 - (v) Order 7 rules 3, 7, 14, 15, 16, 17, 19, 20, 23 and Order 8 rules 11 and 12.
 - (vi) Order 13 rules 4, 5, 6, 7 and 8.
 - (vii) Summoning witnesses under order 16 C.P.C.
 - (a) Promptness and delay in issue of processes.
 - (b) Contents of issue of summons to produce documents,.
 - (c) Mode of service.
 - (viii) Appointment of guardians of minors or lunatics, as plaintiffs or defendants.
 - (ix) Attachment orders and temporary injunctions or stay orders.
 - (a) Compliance of, promptness and delay in putting applications for orders.
 - (b) Promptness and delay in issuing processes.
- (2) Examine some oldest execution cases and some cases more than a year old for:
 - (a) Checking compliance of orders passed, issue of processes, i.e., notices, precepts, seal warrants, etc. with particular reference to compliance of rules 166, 167, 169, 172, 173 of General Rules Civil and compliance of G.D. No. 3020/19-0-20 dated 4th September, 1920 and G.L. No. 10/VIIIh-19 dated 12.9.1951 as well as compliance of orders of the Hon'ble High Court contained in various C.Ls. and G.Ls. reproduced on pages 273 to 275 of circular letters of the Hon'ble High Court.

(b) Checking of execution and return of parwanas of attachment and sale by Amins extension of time, ground for return of unexecuted parwanas and reports of the process servers etc.

- (3) Checking of compliance of rules 31, 35, 37, 41, 42, 44, 45, 51, 52, 56 to 61, 142 to 156, 150 and 155 to 159, General Rules (Civil) in the above files or some of them.

35. When carrying out inspection, District Judges would particularly see:-

- (a) Whether the P.O. is business like and intelligent in handling the cases.
- (b) Whether he exercises efficient supervision on the day-to-day working of his officials.
- (c) The manner of framing issues.
- (d) Whether interests of minors and persons of un-sound mind are properly looked after?

PROFORMA FOR INSPECTION OF CIVIL COURTS

PROFORMA – I

Name of Officer	Quarter ending	Date of inspection	Date of submission to District Judge
1	2	3	4

PROFORMA – II

Sl.No.	Name of Case	Pending on 78	Pending on 77	No. and dates often oldest cases	Remarks
1	2	3	4	5	6

PROFORMA – III

No. of Case	Names of Parties	Nature of cases	Purpose	Work done	Remarks
1	2	3	4	5	6

PROFORMA – IV

No. of Cases	Name of parties	Nature of suit	Date of dates on which evidence was recorded	Date of hearing of arguments	Date fixed for Judgment	Actual date of delivery of Judgment	Date of preparation of decree	Date of signing of decree by P.O.	Date of certification of decree of Judgment to the L.C.	Remarks
1	2	3	4	5	6	7	8	9	10	11

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Appendix-9

CIVIL

QUESTIONNAIRE FOR INSPECTION OF CIVIL COURTS BY PRESIDING OFFICERS

1. Whether the quarterly inspection by the Presiding Officer and the last inspection by the District Judge have been complied with and submitted? Give details in Proforma I.
 - (a) Have guard files for inspection notes of the P.O., D.J., and the Hon'ble High Court been maintained and all the inspection notes properly posted?
 - (b) Has the Munsarim carried out the half-yearly inspection during the last year? Are the inspections practical and effective? Have the defects pointed out by the Munsarim been removed?
 - (c) Whether all the reports of Inspector of Stamps have been complied with and disposed of? If any reports are pending, for what period and why?
2. Whether the staff is adequate or under-manned and whether the distribution of work is even and proper? Give the names of the members of the staff with posts and duration.
3.
 - (a) What is the pending file of all types of cases on the first day of the month of the inspection and the corresponding day last year ? Give in proforma II and also give reason for increase or decrease.
 - (b) Give the number and date of institution of ten oldest cases of each type in the remarks column of proforma II.
 - (c) Give yearwise break-up of pending files of regular suits, appeals, revisions, execution cases as well as miscellaneous cases showing in proforma II in comparative form for both the dates.
4. How many old cases are lying undisposed on account of non-submission of report by the Commissioners and Amins for more than three months and for how long? What action has been taken against the Commissioner and the Amin?
5. Whether books of account are produced at the time of presentation of plaint and copies verified by the Munsarim in suits on the basis of account books? (0.7 r. 17 C.P.C.)
6. Whether endorsement as required by 0.13 rule 4 C.P.C. is duly made?
7. Are the original documents which are the basis of the suit, kept in sealed cover with the Munsarim? (Rule 159(3) G.R. Civil).
8. How many suits have been stayed u/s 10 or 151 C.P.C. ?
9. Are processes returned from Nazarat after service within the time fixed?

10. How many suits, execution cases and miscellaneous cases have been stayed by the appellate courts or the records have been sent to them? Give a list in the prescribed proforma III. Have any inquiries been made during the last three months?
11. Are the decided records consigned on the dates fixed? If not, what is the arrear?
12. Have the monthly, quarterly and annual statements been submitted on the dates fixed? If not, with how much delay, give reasons for delay.
13. Whether the number of inspection and search applications is satisfactory? Give comparative statement in prescribed proforma IV?
14. Have all the defective files received from the record room for correction been returned back after correction? If not, how many, and for what period are pending?
15. Whether repayment applications are being disposed of within 3 days or at the most within 7 days? (Give details of all pending applications of more than one week).
16. How many requisitions from other courts including Hon'ble High Court and Copying Department are pending on the date of inspection and for how many days?
17. Have all the amendments in the General Rules (Civil) and G.R. (Criminal) been incorporated and are these books upto-date?
18. Whether intimation of the order of release of attached property has been communicated to the Amin concerned in all cases.
19. Examine over two years old execution and miscellaneous cases to satisfy yourself, whether they have been promptly put up for your orders by the clerk concerned.

EXECUTION

20. (a) What is the number of execution cases pending over six months ?
- (b) Are orders and processes being prepared in strict rotation? (Rule 162 G.R. Civil)?
- (c) Are decrees transferred from other courts for execution duly entered in the relevant register ? Whether such decrees are returned to the transferring court at the end of one year if no applications are made? (Rule 164 G.R. Civil).
- (d) Are sale certificates properly issued and copies thereof sent to the sub-registrars without delay? (Verify entries in the register and note cases of a delay of more than 15 days from confirmation of sale).
- (d) Whether sale certificates are issued without delay?
- (f) Whether applications for execution are entered in register form no. 68 immediately after receipt? [Rules 162, 164, 167 G.R.Civil)].
- (h) Are the writs of attachment and sale promptly issued to the Amin within three days of the order and properly entered in register form no. 106?
21. Whether compliance of orders regarding issue of processes, parwanas has been prompt? (Examine 5 cases of each type).

22. Whether returns and statements have been submitted at due time and correspondence promptly attended to. Give details of matters pending since long ?

PROFORMA – I

Name of Officer	Quarter ending	Date of inspection	Date of submission to District Judge
1	2	3	4

PROFORMA – II

Sl. No.	Nature of case	Pending on	Pending on	No. and date of ten old cases	Remarks
1	2	3	4	5	6

PROFORMA – III

Details of the cases	Court under whose orders the case is lying stayed	No. of cases and the date of the order of stay	Whether an enquiry was made if so, give dates of inquiries during the last one year.
1	2	3	4

PROFORMA – IV

From To From To
Number Amount Number Amount
Inspection applications
Search applications

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Appendix-10

POINTS FOR SURPRISE INSPECTION BY PRESIDING OFFICER OF CIVIL COURTS

1. Are all the notices provided by rules 17, 19, 63, 201 and 639 G.R. Civil duly posted?
2. Is the weekly cause-list being posted on each Saturday and space is provided for entering adjourned cases etc. and are adjourned cases being entered?
3. The diary maintained by the Reader and in the office be checked and it should be specified if the diaries are being properly maintained as required by rules and various C.Ls?
4. Whether refund applications are being disposed of within 3 days at Head Quarter and within one week at outlying courts?
5. Whether applications are being put up the same day for orders?
6. Whether Amins and Commissioners submit reports in time?
7. Check up delays in compliance of inspection notes recorded by D.J., P.O., Inspector of Stamps and Inspector of Offices.
8. Checkup the Memorandum Books of Dates maintained in the office and the Reader's Diary to see if the entries are complete.
9. Check up the cancellation, punching and noting of stamps [Rules 384 and 385 G.R. (Civil)].
10. Checkup the entries of applications received as well as value of stamps etc., in Siaha Register.
11. Whether records are being properly prepared in compliance with the provision of rules 17, 31, 35, 41, 42, 45, 50 to 61, 142 to 146, 150 to 159 General Rules (Civil).
12. Whether execution files are being put up without delay?
13. Whether preparation of decrees and formal orders are upto-date and in proper form?
14. Whether Munsarim's reports on plaint and Memorandum of appeal are prompt and correct?
15. Checkup whether all the registers, specially in Form Nos. 3, 67, 73, 74 and 108 are upto-date and entries are being properly made.
16. Whether summons, notices and processes are being issued in time, i.e., within 3 days of the orders passed?
17. Whether requisitions from the Copying Department are complied with the same day?
18. Whether requisition received from High Court and other courts are complied within 3 days in urgent matters and within a week in ordinary matters?
19. Whether separate Guard Files for G.Os. and C.Ls. are being maintained and if the index is upto-date?

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Appendix-11

CIVIL

QUESTIONNAIRE FOR INSPECTION BY MUNSARIM

1. Whether stamps are being cancelled, punched and endorsed and entries made in the Siaha Register Form No. 103 [Rules 384 and 408 G.R. Civil].
2. Whether the number of stamps and their values are noted on the documents bearing stamps? [Rule 385 G.R. (Civil)]?
3. Whether rules 31, 35, 37, 41, 42, 44, 45, 51, 52, 56 to 61, 142 to 146, 150, 155 to 159 and 518 General Rules (Civil) are followed and complied with? Examine some pending and decided files to check the above compliance.
4. Are the papers on presentation properly examined by the receiving official and endorsement of presentation made?
5. Are processes returned from Nazarat after service within the time fixed?
6. Are prayers in the complaints and cause of action as well as details of properties properly entered in Register No. 3?
7. Are memorandum of books properly maintained by the suits clerk? Misc. Clerk and the execution clerk? (Rule 404 G.R. (Civil).
8. Are the decisions of suits entered in register form no. 67 immediately and in correct columns?
9. Are orders and processes being prepared in execution cases in strict rotation? (Rule 162 G.R. (Civil).
10. Are decrees transferred from other courts for execution duly entered in the relevant register? Whether such decrees are returned to the transferring courts at the end of one year if no applications are made? (Rule 164 G.R. (Civil)
11. Are sale certificates promptly issued and copies thereof sent to the sub-registrars without delay? (Verify entries in the register and note cases of a delay of more than 15 days from confirmation of sale).
12. Whether sale certificates are issued without delay?
13. Whether applications for execution are entered in Register Form No. 68 immediately after receipt? (Rules 162, 164, 167, G.R. (Civil).
14. Are the result of execution cases properly and promptly entered in the relevant register form no. 69?
15. Are the writs of attachment and sale promptly issued to the Amin within three days of the order and properly entered in register form no. 106?
16. Whether all the reports of Inspector of Stamps, Inspector of Offices have been complied with and disposed of? If any reports are pending for what period and why?

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Appendix-12

INSPECTION OF CRIMINAL COURTS OF MAGISTRATES QUESTIONNAIRE FOR INSPECTION BY DISTRICT AND SESSIONS JUDGE

1. Give the names of the Presiding Officers who worked since the last inspection with duration.
2. Whether the quarterly inspection by the Presiding Officer and the last inspection by the District Judge, have been complied with and submitted? Give details in proforma I.
3. Whether the staff is adequate or under-manned and whether the distribution of work is even and proper? Give the names of the members of the staff, posts and duration.
4. Whether the accommodation is sufficient for the court as well as the office?
5. Whether furniture supplied is sufficient and in good condition.
6. What is the territorial jurisdiction and other jurisdiction being exercised by the Presiding Officer?
7. Whether the Presiding Officer exercises summary powers?
8. (a) What is the pending file of all types of cases on the first day of the month of the inspection and the corresponding day last year ? Give in Proforma II and also give reasons for increase or decrease.
(b) Give the number and date of institution of ten oldest cases of each type in the remarks column of Proforma II.
(c) Give yearwise break-up of pending files of each type of cases shown in Proforma II and comparative form for both the dates :-
(d) Give the total number of Special Act cases, e.g., D.I.R. M.V. Act, Excise Act, Arms Act, Gambling Act etc., in two columns more than 6 months old and more than a year old.
9. (a) How many contested cases have been decided by the Officers during the last one year?
(b) Give the year-wise break-up of all the contested cases decided of all types.
10. What are the institutions, disposals and pendency of the year under inspection as well as for the previous year? (Special Act cases only).
11. What are the institutions, disposals and pendency of the cases for the one year period covered by the inspection (details shown in Proforma II).
12. Are endorsement of admission and denial obtained from the accused or his counsel on the documents filed and relied upon by the Prosecution? (Sec.294 Cr.P.C.).
13. (a) Are surrender and bail applications disposed of the same day and orders communicated to the Superintendent of Jail immediately ? Give details for one week (to be specified) in Proforma IV.

- (b) Are verifications of status of sureties by advocates accepted? If so, upto what amount?
 - (c) Whether the bail bonds are being accepted the very day they are furnished? State three cases within the month of inspection when this was not done and why?
 - (d) Whether release orders are being dispatched to the jail authorities the same day. State three cases of the quarter in which this was not done and why?
 - (e) Whether during the quarter under review bails were granted by the Magistrate in any case exclusively triable by the Court of Session?, if so, particulars be given?
14. Are the F.I.Rs. received, initialled and dated by the P.O. and entered in the register?
 15. Are the statements of the complainants being recorded the same day under section 200 Cr.P.C.? (Submit statement in Proforma IV A)
 16. (a) Examine the Fine Register and state :-
Is register of fine correctly maintained and the amounts entered by the Presiding Officer in his own hand and initialled? Rules 71, 79 and 82 G.R. (Criminal)?
 - (b) Are receipts of fine immediately issued and signatures of the person, obtained on the counterfoil? (Rule 79 G.R. (Criminal)?
 - (c) Is the realization of fine communicated to the Superintendent, Jail immediately? (Rule 77 G.R. (Criminal).
 - (d) Are the amounts of fine received sent to the treasury immediately or to the Nazarat the same day? [Rule 76 G.R. (Criminal)].
 - (e) What is the total amount of fine pending recovery on the date of inspection and what are the 5 oldest items?
 - (f) What steps have been taken for the recovery of the out standing fine?
 - (g) How much fine and how many items have been stayed from the appellate courts? (Give a list)?
 - (h) (How much amount is fit to be written off being irrecoverable? What efforts have been made for its recovery?
 - (i) Is the Fly-leaf to check receipt book being completed and the fine receipt book sent to the Treasury for checking every month? (Rule 80 G.R. (Criminal).
 - (j) Are refund vouchers prepared promptly?[Rule 81 G.R. (Criminal)].
 - (k) Is proper certificate being appended at the end of each month after due verification of fine, to the pending items of fine?
 17. (a) Is the Presiding Officers' diary properly maintained? Are the dates to which cases are adjourned, the purpose for which fixed, the work done on that day, entered in the diary? (Rule 5-B G.R.(Criminal).

- (b) Are the cases fixed for particular days in the diary of the Presiding Officer in such a manner as to facilitate hearing of all the cases fixed on that day and disposal of old cases ?
- (c) Are cases taken strictly in accordance with priority rule and are also entered in the diary in that manner?
- (d) Does the Presiding Officer fix and does sufficient work on each day?
- (e) Are cases taken up day to day or unnecessarily adjourned?
- (f) Are the witnesses present on a particular day examined before adjournment?
- (g) How many cases are adjourned in a week on the personal ground of the counsel, for no time and on account of no objection by the opposite party?
- (h) Are judgments delivered promptly within 14 days from the close of arguments? Are arguments heard soon after the close of the evidence? (Give statement in proforma III for last two months before the inspection).
- (i) Have adjournments been frequently granted? Are they granted on sufficient grounds and reasons for adjournments are noted in the order sheet?
- (j) How many witnesses are summoned by the court every day on average? How many of them are examined and discharged and how many are ordered to come again?
- (k) Whether cases had to be adjourned for non-receipt of process within time. State three cases in which necessary steps were taken by the Presiding Officer?
- (l) Whether cases had to be adjourned for non-attendance of accused. State three cases and the steps taken by the Presiding Officer to ensure attendance?
- (m) Whether cases had to be adjourned for non-attendance of prosecution witnesses. State three cases in which this delay took place, its frequency and the steps taken to ensure attendance.
- (n) Whether cases were adjourned for want of time or otherwise despite availability of the prosecution witnesses, without examining them. State three cases setting out the reasons for not examining such witnesses?
- (o) Whether cases were frequently adjourned on any other ground or grounds, if so, what are the justifications?

NOTE: For answers to the above questions a complete statement of work fixed and done (date wise for full one week (Monday to Saturday) two weeks before the notice of inspection should be got prepared in proforma V. One more statement in Proforma III be also got prepared for all contested cases of the month previous to the month in which notice of inspection is given.

18. Is proper use being made of the provisions of sections 203, 239 and 227 of the Cr.P.C? How many cases under these provisions disposed of during the last one year preceding the inspection?

19. How many cases have been compounded during the last one year?
20. In how many cases benefit of sections 3 and 4 of the U.P. First Offenders Probation Act has been given during the year under inspection?
21. Out of the contested cases, how many cases ended in acquittal and how many in conviction and their percentage during the last one year?
22. How many cases have been tried summarily during the last one year?
23. Has register of requisition of records in Form No. 5 as amended been maintained (Rule 130 G.R. (Criminal)).
24. Whether free copies are issued to the accused in cases of convictions immediately? If not, is rule 146 G.R. (Criminal) complied with?
25. In how many cases compensation and costs have been awarded during the last one year and what amounts?
26. How many cases are stayed under orders of the appellate court? (Give details in a proforma statement VI). Whether any enquiries were made and when was the last reminder sent?
27. Whether the number of Inspection and Search applications is satisfactory? Give the comparative figures in Proforma VII.
28. Whether monthly, quarterly, annual statements have been submitted in time? If not, how much delay? Give a detailed list of those statements submitted late in proforma VIII.
29. Examination of Criminal files (2 oldest of each category as given below).
 - (I) Police challani cases:
 - (a) Inquiry cases
 - (b) Warrant trials
 - (c) Summons trials
 - (d) Summary trials
 - (II) Complaint cases:
 - (a) Inquiry cases
 - (b) Warrant trials
 - (c) Summons trials
 - (d) Summary trials

NOTE: These files have to be checked especially on the point of compliance of orders passed by the court, on the point of issue of summons, notices and warrants to the accused and witnesses, noting down of their presence or absence in the Hindi order sheet, issue of notices to sureties, execution of personal bonds, existence of bail and personal bonds on the record and preparation of record with reference to rules 22, 23, 26, 27, 29 and 61 of General Rules (Criminal).

30. PERIODICAL RETURNS:

- (a) Whether a list of periodical returns, yearly, six-monthly, quarterly and monthly and so on is maintained in the court, and is the same upto-date?

31. When examining records as in 29 the following points would also be noted.

- (a) Whether remands are being properly given.
 (b) With whom the remand papers are kept?
 (c) Whether appropriate and correct charges are framed?
 (d) Whether appropriate sentences are passed?

32. Get a statement of consignment of records during the last three months prepared in proforma IX and comment about the arrears.

PROFORMA-I

Name of Officer	Quarter ending	Date of inspection	Date of submission to District Judge
1	2	3	4

PROFORMA – II

Sl. No.	Nature of cases	Pending	Pending	Number and dates of 10 old cases
1	2	3	4	5
(I)	Police challani cases : (a) Inquiry cases (b) Warrant trials (c) Summons trials (d) Summary trials (e) Petty Cases			
(II)	Complaint cases : (a) Inquiry cases (b) Warrant trials (c) Summons trials (d) Summary trials (e) Petty Cases			

PROFORMA – III

No. of Cases	Name of parties	Naure of offence or section and Act	Date or dates on which evidence was recorded	Date of hearing of arguments	Date fixed for judgment	Actual date of delivery of judgments	Remarks
1	2	3	4	5	6	7	8

PROFORMA – IV**DETAILS OF DISPOSAL OF BAIL APPLICATIONS DURING.....**

Particulars of cases	Section of offences	Date of application	Date of disposal	Date of communication to the Superintendent of Jail
1	2	3	4	5

PROFORMA – V

No. of cases	Name of parties	Section & Act or nature of offence	Purpose	Work done	Remarks
1	2	3	4	5	6

PROFORMA – VI

Details of the case	Court under whose order the case is lying stayed	Date of stay order and particulars of the case in which the stay order was passed	Whether any enquiry was made? If so, give date of enquiries made during the last one year
1	2	3	4

PROFORMA – VII

From To From To

Inspection applications	applications	Search	Number	Amount	Number	Amount
1			2	3	4	5

PROFORMA – VIII

Details of statement	Due date	Date on which submitted
1	2	3

PROFORMA – IX

Month	No. of files decided	No. of files consigned	No. of Badar files received	No. of files returned after removing defect	No. of files not returned after removing defects with reasons
			Date of receipt	Date of return	
1	2	3	4	5	6

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Appendix-13

QUESTIONNAIRE FOR THE INSPECTION OF CRIMINAL COURTS BY CHIEF JUDICIAL MAGISTRATE

1. Is weekly cause list being prepared and posted in accordance with rule 5 G.R. (Criminal)?
2.
 - (a) Is the Presiding Officer's diary properly maintained? Are the dates to which cases are adjourned, the purpose for which fixed and the work done on that day, entered in the diary? (Rule 5-B G.R. (Criminal).
 - (b) Are the cases fixed for particular days in the diary of the Presiding Officer in such a manner as to facilitate hearing of all the cases fixed on that day and disposal of old cases?
 - (c) Are cases given priority strictly in accordance with priority rule and are also entered in the diary in that manner?
 - (d) Are cases taken up day to day or are unnecessarily adjourned?
 - (e) Are cases adjourned for sufficient reasons by passing detailed orders?
 - (f) How many cases are adjourned in a week on the personal ground of the counsel, for no time and on account of no objection by the opposite party despite availability of prosecution witnesses and without examining them?
 - (g) Whether cases had to be adjourned for non-receipt of processes within time. State three cases in which consequential steps were taken by the Presiding Officer.
 - (h) Whether cases had to be adjourned for non-attendance of accused ? State three cases and the steps taken by the Presiding Officer to ensure attendance.
 - (i) Whether cases had to be adjourned for non-attendance of the prosecution witnesses. State three cases in which it resulted in delay, its frequency and the steps taken to avoid it.
 - (j) Are arguments heard promptly after the close of evidence and judgments pronounced within 14 days of the first hearing of arguments?
 - (k) How many witnesses are summoned by the court every day on an average? How many of them are examined and discharged and how many are ordered to come again?
 - (l) Whether the Presiding Officer fix and does sufficient work on each day?
 - (m) Are endorsements of admission and denial obtained from the accused or his counsel on the documents filed and relied upon the prosecution? (Sec. 294 Cr.P.C.)
 - (n) Are the indices of prosecution, defence and material exhibits prepared separately and exhibits mark noted and initialed by the Presiding Officer (Rules 23 and 27 G.R. Criminal).

(For answers to the above questions, a complete statement of the work fixed and done and decided cases for full one week (Monday to Saturday) two weeks before the notice of inspection should be got prepared in Proforma I and II giving reasons for adjournments in the remarks column. Cases fixed for attendance and orders need not be mentioned in the statement).

(2) (a) Examine oldest criminal files (two of each category as given below) from the files shown in statements Form No. I and II.

(I) Police challani cases:

- (a) Warrant trials
- (b) Summons trials
- (c) Summary trials

(II) Complaint cases:

- (a) Warrant trials
- (b) Summons trials
- (c) Summary trials

NOTE: These files have to be checked especially on the point of compliance of orders passed by the Court, on the point of issue of summons, notices and warrants to the accused and the witnesses, noting down of their presence or absence in the Hindi order sheet, issue of notices to sureties, existence of personal bonds on the record and preparation of record with reference to rules 22, 23, 26, 27, 29 and 61 of General Rules (Criminal).

3. (a) Are surrender and bail applications disposed of the same day and orders communicated to the Superintendent of Jail immediately? Give details for one week to be specified in Proforma III.
(b) Whether the bail bonds are being accepted the very day they are furnished. State three cases within the month of inspection when this was not done and why?
(c) Whether personal bonds are being received from Jail and filed in court? (Check some files and mention result).
4. Are the statements of the complainants being recorded the same day under section 200 Cr.P.C.
5. Is proper use being made of the provisions of Sections 203, 239 and 227 of the Cr.P.C.? How many cases under these provisions were disposed of during the last one year or six months preceding the inspection? (Examine one or two files of each type and state the result.)
6. How many cases have been compounded during the last one year/six months?
7. In how many cases benefit of sections 3 and 4 of the First Offenders Probation Act has been given during the year under inspection? (Check one or two files and state the result).

8. In how many cases amicus curie have been appointed for defending the poor accused during one year under inspection? (Check one or two files to see if proper discretion has been exercised).
9. Out of the contested cases how many cases ended in acquittal and how many in convictions and their percentage during the last one year? (Give separate figures for I.P.C. and Spl. Act cases).
10. How many cases have been tried summarily during the last one year (Give separate figure for I.P.C. and Spl. Act cases).
11. In how many cases compensation and costs have been awarded during the last one year and what amount? (Examine one or two cases and state if proper discretion has been exercised).
12. Whether the Reader maintains the Diary in the prescribed form? Rules 5-A G.R. (Criminal).
13. How many cases are stayed under orders of the appellate court? (Give details in a proforma statement IV. (Checkup files lying stayed for more than a year and comment).
14. Whether the number of inspection and search applications is satisfactory? Give the comparative figures in proforma V.
15. Whether free copies are issued to the accused in cases of convictions immediately? If not, is rule 146 G.R. (Criminal) complied with?
16. Whether copies on applications are promptly issued and entered in register in Form No. 87 (Rules 145, 147 and 154 G.R. (Criminal).
17. Has register of requisition of records in Form no. 5 as amended been maintained? [Rule 130 G.R. (Criminal)].
18. Whether decided records are consigned to R.R. twice a week as prescribed? If not, how many times a month? How much is the arrears of consignment and of what period?
19. Whether the first information reports are being received, initialed and dated by the Magistrate on the day of presentation and entered in the register of the first information report the same day? Instances of undue delay may be specified.
20. Is register of compliance of orders of the Hon'ble High Court in form no. 3A and of the appellate courts in form 3-B, properly maintained and compliance reported?
21. Are register of criminal miscellaneous cases in form Nos. 11, 12 and 12A being maintained and proper entries made?
22. Statement of Badar files in form given below be prepared and commented upon:-
 1. Month
 2. Total number of files consigned.
 3. Total number of Badar files received/date of receipt.
 4. No. of files returned after removing Badars with date.

5. No. of files still not returned.

23. (a) Is register of fine correctly maintained and the amounts entered by the Presiding Officer in his own hand and initialed ?[Rules 71, 79 and 80 G.R.(Criminal)].
- (b) Are receipts of fine immediately issued and signatures of the person obtained on the counterfoil? [Rule 79 G.R. (Criminal)].
- (c) Is the realization of fine communicated to the Superintendent, Jail immediately (Rule 77 G.R. (Criminal)).
- (d) Are the. Amounts of fine received sent to the Treasury immediately or to the Nazarat the same day. [Rule 76 G.R. (Criminal)].
- (e) What is the total amount of fine pending recovery on the date of inspection and what are the 5 oldest items.
- (f) What steps have been taken for the recovery of the out standing fine?
- (g) How much amount is fit to be written off being irrecoverable? What efforts have been made for its recovery?
- (h) Is the Fly leaf to cheque book receipt book being completed and the fine receipt book sent to the Treasury for checking every month? [Rule 80 G.R. (Criminal)].
- (i) Are refund-vouchers prepared promptly? [Rule 81 G.R. (Criminal)].

PROFORMA - I

No. of cases	Name of parties	Nature of, Sec. of, offence	Purpose	Work done	Remarks
1	2	3	4	5	6

NOTE: In this statement Number of PWS or DWS including the complaint should be mentioned in columns 4 and 5 both for each case and in col. 5 pages of evidence or total words recorded in each case should also be mentioned. In col. 5 time taken during argument may roughly be mentioned.

PROFORMA – II

No. of cases	Name of parties	Nature of case or section of offence	Date or dates on which		Dates fixed for Judgement	Actual date of delivery of judgement
			Evidence was recorded	Arguments heard		
1	2	3	4	5	6	7

PROFORMA - III

DETAILS OF DISPOSAL OF BAIL APPLICATIONS DURING.....

Particulars of cases	Sec. of offence	Date of application	Date of disposal	Date of communication to the Superintendent of Jail	Remarks
1	2	3	4	5	6

PROFORMA – IV

Details of the cases	Court under whose orders the case is lying stayed	No. of the cases and the dates of the order of stay	Whether an inquiry made? If so, give dates of inquiries during the last one year
1	2	3	4

PROFORMA - V

Comparative statement of number of inspection and search applications

From.....To.....From.....To.....

No. Amount. No. Amount

Inspection applications
Search applications

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Appendix-14

QUESTIONNAIRE FOR THE INSPECTION OF CRIMINAL COURT BY PRESIDING OFFICER

1. Whether proper guard file is being maintained in the office for the inspection notes of the Presiding Officer, Chief Judicial Magistrate and the Sessions Judge?
2. (a) What is the pending file of all types of cases on the first day of the month of inspection and the corresponding day last year? Give in proforma I and also give reasons for increase or decrease.
(b) Give the number and date of institution of ten oldest cases of each type in the remarks column of proforma I.
(c) Give an year wise break up of pending files of each type of cases shown in proforma I in comparative form for both the dates?
(d) Give total number of Special Act cases e.g., D.I.R. M.V. Act, Excise Act, Arms Act, Gambling Act etc., in two columns more than 6 months old and more than a year old.
3. (a) How many contested cases have been decided by the officers during the last one year?
(b) Give the yearwise break up of all the contested cases decided of all types.
4. (a) Check the fine register in light of the following:-
Is the realization of fine communicated to the Superintendent, Jail immediately? [Rule 77 G.R. (Criminal)].
(b) Are the amounts of fine received sent to the Treasury immediately or to the Nazarat the same day. [Rule 76 G.R. (Criminal)].
(c) How much fine and how many items have been stayed from appellate courts? (Give a list with dates of stay orders).
(d) How much amount is fit to be written off being irrecoverable? What efforts have been made for its recovery?
(e) Is the Fly leaf to check receipt books being completed and the Fine Receipt Book sent to the Treasury for checking every month [Rule 80 G.R. (Criminal)].
(f) Are refund vouchers prepared promptly? [Rule 81G.R. (Criminal)].
5. Has register of requisition of records in form no. 5 as amended been maintained (Rule 130 G.R. (Criminal)).
6. Are all the witnesses summoned, examined and discharged, whether paid or not entered in register in form no. 18 ?
7. How many defective Badar files have been received for correction from the Record Room and how many have been returned after correction? How many are pending for correction and for what period? Give a statement.

8. Checking of consignment of records. A statement of consignment of records of three months should be got prepared in every quarter as below:-

- 1) Month.
- 2) Nature of case.
- 3) No. of cases decided.
- 4) No. of cases consigned.
- 5) Due date/actual date of consignment.
- 6) No. of files not consigned.
- 7) Reasons for not consigning.
- 8) Statement of Badar files in Form XI as below:-

- 1) Month
- 2) Nature
- 3) Total number of files consigned
- 4) Total number of Badar files received/date of receipt
- 5) No. of files returned after removing Badars with date
- 6) No. of files still not returned.

9. How many cases are stayed under orders of appellate court? (Give details in a proforma statement II. Whether any enquiries were made and when was the last reminder sent?)
10. Give information regarding under trials of your courts in proforma, a cause of delay in three oldest cases of more than six months be also given.
11. Are orders for issue of processes, i.e. summons, warrants, and notices being complied with the same day or within 3 days at the most (Examine 10 records and discuss in detail).
12. How many requisitions and of which courts are pending on the date of inspection and why?
13. How many applications for copies are pending and for how long?

NOTE: P.O. should check up some points covered by instructions for Surprise Inspections.

PROFORMA –A

STATEMENT UNDER-TRIALS

Over one year	Over six months	Over three months	Less than three months
On charge sheet			
Without charge sheet			

PROFORMA – I

Sl. No.	Name of cases	Pending on	Pending on	Number and dates of 10 oldest cases
<div>(i) Police challani cases</div> <div>(a) Inquiry cases</div> <div>(b) Warrant trials</div> <div>(c) Summons trials</div> <div>(d) Summary trials</div> <div>(e) Petty Cases</div> <div>(ii) Complaint cases</div> <div>(a) Inquiry cases</div> <div>(b) Warrant trials</div> <div>(c) Summons trials</div> <div>(d) Summary trials</div> <div>(e) Petty Cases</div>				

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Appendix-15

POINTS FOR SURPRISE INSPECTION BY PRESIDING OFFICERS OF CRIMINAL COURTS

1. Are all the notices required by rules to be posted have been posted properly?
2. To scrutinize if the refund vouchers are being prepared promptly and in time.
3. Is register of compliance of orders of the Hon'ble High Court in Form No. 3A and of appellate courts in Form No. 3B properly maintained and compliance reported?
4. Has register of requisition of records in Form No. 5 as amended been maintained and compliance made within time?
5. Are complete entries in register Form No. 9 made in various columns? (Check some entries).
6. Are register of criminal miscellaneous cases in Form Nos. 11, 12 and 12A being maintained and proper entries made?
7. Are all the witnesses summoned and whether paid or not are entered in the register form No. 18?
8. Whether registers of disposal in Form No.20 and 21 maintained and correct entries made in all the relevant columns (check some entries in both the registers from decided cases)?
9. Are the indices of prosecution, defence and material exhibits prepared separately and exhibit marks, noted and initialed by the P.O. (Rules 23 and 27 G.R. (Criminal)).
10. Whether in cases of conviction copies of judgment and order of conviction have been issued to the accused as required by law.
11. Whether papers are indexed on the date they are brought on the relevant record.
12. Are court fee stamps duly punched and cancelled and their number and value noted on the documents in compliance with rule 34 G.R. (Criminal)?
13. Whether the bails are being put up for
 - (a) Acceptance the very day they are furnished?
 - (b) Whether release orders are being dispatched to the Nazarat for onward communication to the jail authorities the same day when orders are passed?
 - (c) Whether personal bonds are received from Jail and filed in respective files?
 - (d) Check if the surety bonds, furnished by the sureties have been kept in the file concerned?

14. Checkup the compliance of orders of issue of processes, notices, warrants etc., to the accused and witnesses.
15. Checkup Shamlati, that is, pending papers with the clerk in the office as well as the Readers.
16. Checkup if records are being consigned twice a week.
17. Whether warrants for realization of pending fine are being issued?
18. Whether copies are being issued promptly and without delay and entered in register form no. 87 [Rules 145, 147 and 154 G.R. (Criminal)].
19. Is the weekly cause list being prepared and posted on Saturday and space is provided for adjourned cases and adjourned cases are also being entered?
20. Is register of processes in prescribed form being maintained? (Rule 11-A G.R. (Criminal)).
21. Whether guard files for G.Os. C.Ls. etc. are being separately maintained and the index is upto-date? [Rule 163 G.R. (Criminal)].

[Note: The rules of G.R. (Criminal) referred to in appendices no 12, 13, 14 having been amended by Notification no. 504/Vb-13 dt 5.11.1983 The amended rules have mentioned for the old rules in the said appendices-Ed.]

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