

SELF ASSESSMENT APPLICATION

Case ID : 4247	Employee No.:-5882
3 MONTHS COMPLETION	
Whether 3 Months are complete for remarks of DISTRICT JUDGE?	Yes

SELF ASSESSMENT FORM PART I

1.	Self Assessment Period	01/04/2020 - 31/03/2021	
2.	Name of the Officer	DR. RAKESH KUMAR NAIN	
3.	Designation	Addl. District & Sessions Judge	
4.	Date of Joining Service / Length of Service	11/08/1999 (21 Years 8 Months and 1 Days)	
5.	Place of Posting	Saharanpur Posting Details During Self Assessment Period Not Available	
6.	Any other charge held during the financial year	• Officer-In-Charge Administration, Court Compound Building and Library Outlying Courts, Deoband, Saharanpur.	
7.	Year wise break up of cases	Statement Attached (Annexure-1)	Attachment Available
8.	Courts held during the financial year	Statement Attached (Annexure-2)	Attachment Available
9.	In how many cases have you framed the issues	13 Cases	
10.	In how many cases have you framed the charge	57 Cases	
11.	Number of cases in which Judgment not delivered within 15 days of conclusions of argument	Nil	
12.	Percentage of appeals remanded by the officer	Nil	
13.	Inspections	Statement Attached (Annexure-3)	Attachment Available
14.	Remarks if any		
15.	Details of the works by the officer	Statement Attached (Annexure-4)	Attachment Available
16.	Performance in Lok Adalat	• 6 Cases decided in Lok Adalat.	

SELF ASSESSMENT FORM PART II

1.	Brief description of duties	• From 01.04.2020 to 31.03.2021 As Additional District & Sessions Judge Deoband, Saharanpur.	
2.	Norms set and achieved in respect of disposal of cases.		
	Target	Achievements	
	<ul style="list-style-type: none"> To Decide all old cases at priority. To make all endeavour to conclude the hearing of old cases expeditiously by fixing short dates and by avoiding unnecessary adjournments. To comply the direction of time limit set by Hon'ble Court in specific cases. To verify the status of stayed cases and proceed in the light of guideline of Hon'ble Supreme Court in Asian Resurfacing of Road Agency Pvt Ltd vs CBI. 	<ul style="list-style-type: none"> 22 Old S.T. decided. 06 Old Civil Cases decided. Total 28 Old Cases decided. 97 Witness examined. 275 Pages of Evidence Recorded. 	
2A.	Steps taken to dispose of old matters which are more than 5 years old.		
	Target	Achievements	
	<ul style="list-style-type: none"> To Decide all old cases at priority. To make all endeavour to conclude the hearing of old cases expeditiously by fixing short dates and by avoiding unnecessary adjournments. To comply the direction of time limit set by Hon'ble Court in specific cases. To verify the status of stayed cases and proceed in the light of guideline of Hon'ble Supreme Court in Asian Resurfacing of Road Agency Pvt Ltd vs CBI. 	<ul style="list-style-type: none"> 19 S.T. more than 5 years old decided. 01 Civil case more than 5 years old decided. Total 20 Cases more than 5 years old decided. 	
2A(i).	Pendency of such matters at the commencement of the year.		
	Target	Achievements	

	<ul style="list-style-type: none"> • To Decide all old cases at priority. • To make all endeavour to conclude the hearing of old cases expeditiously by fixing short dates and by avoiding unnecessary adjournments. • To comply the direction of time limit set by Hon'ble Court in specific cases. • To verify the status of stayed cases and proceed in the light of guideline of Hon'ble Supreme Court in Asian Resurfacing of Road Agency Pvt Ltd vs CBI. 	<ul style="list-style-type: none"> • 19 S.T. more than 5 years old decided. • 01 Civil case more than 5 years old decided. • Total 20 Cases more than 5 years old decided. 	
2A(i)	Number of such matters disposed of during the year.		
	Target	Achievements	
	<ul style="list-style-type: none"> • To Decide all old cases at priority. • To make all endeavour to conclude the hearing of old cases expeditiously by fixing short dates and by avoiding unnecessary adjournments. • To comply the direction of time limit set by Hon'ble Court in specific cases. • To verify the status of stayed cases and proceed in the light of guideline of Hon'ble Supreme Court in Asian Resurfacing of Road Agency Pvt Ltd vs CBI. 	<ul style="list-style-type: none"> • 19 S.T. more than 5 years old decided. • 01 Civil case more than 5 years old decided. • Total 20 Cases more than 5 years old decided. 	
2B.	Steps taken to dispose of old matters which are more than 10 years old.		
	Target	Achievements	
	<ul style="list-style-type: none"> • To fixed Short dates and avoid unnecessary adjournments, Issue Poces, Summon Witness and Verify the status of stayed cases. • To verify the status of stayed cases and proceed in the light of guideline of Hon'ble Supreme Court in Asian Resurfacing of Road Agency Pvt Ltd vs CBI. 	<ul style="list-style-type: none"> • 01 S.T. more than 10 years old decided. • 01 S.T. more than 20 years old decided. • 01 S.T. more than 30 years old decided. • 02 Civil cases more than 10 years old decided. • 02 Civil cases more than 20 years old decided. • 01 Civil case more than 40 years old decided. • Total 08 Cases more than 10 years old decided. 	
2B(i)	Pendency of such matters at the commencement of the year.		
	Target	Achievements	
	<ul style="list-style-type: none"> • To fixed Short dates and avoid unnecessary adjournments, Issue Poces, Summon Witness and Verify the status of stayed cases. • To verify the status of stayed cases and proceed in the light of guideline of Hon'ble Supreme Court in Asian Resurfacing of Road Agency Pvt Ltd vs CBI. 	<ul style="list-style-type: none"> • 01 S.T. more than 10 years old decided. • 01 S.T. more than 20 years old decided. • 01 S.T. more than 30 years old decided. • 02 Civil cases more than 10 years old decided. • 02 Civil cases more than 20 years old decided. • 01 Civil case more than 40 years old decided. • Total 08 Cases more than 10 years old decided. 	
2B(i)	Number of such matters disposed of during the year.		
	Target	Achievements	
	<ul style="list-style-type: none"> • To fixed Short dates and avoid unnecessary adjournments, Issue Poces, Summon Witness and Verify the status of stayed cases. • To verify the status of stayed cases and proceed in the light of guideline of Hon'ble Supreme Court in Asian Resurfacing of Road Agency Pvt Ltd vs CBI. 	<ul style="list-style-type: none"> • 01 S.T. more than 10 years old decided. • 01 S.T. more than 20 years old decided. • 01 S.T. more than 30 years old decided. • 02 Civil cases more than 10 years old decided. • 02 Civil cases more than 20 years old decided. • 01 Civil case more than 40 years old decided. • Total 08 Cases more than 10 years old decided. 	
2C.	Steps taken to dispose of cases of persons with more than 65 years of age.		
	Target	Achievements	
	<ul style="list-style-type: none"> • 17 Cases were Pending. • To Decide these cases at priority. • To ensures presence of witnesses and opposite parties in the matter. • To make all endeavour to conclude the hearing of these cases expeditiously by fixing short dates and by avoiding unnecessary adjournments. 	<ul style="list-style-type: none"> • 17 Cases decided. 	
2C(i)	Pendency of such matters at the commencement of the year.		
	Target	Achievements	
	<ul style="list-style-type: none"> • 17 Cases were Pending. • To Decide these cases at priority. • To ensures presence of witnesses and opposite parties in the matter. • To make all endeavour to conclude the hearing of these cases expeditiously by fixing short dates and by avoiding unnecessary adjournments. 	<ul style="list-style-type: none"> • 17 Cases decided. 	

2C(i) i).	Number of such matters disposed of during the year.	
	Target	Achievements
	<ul style="list-style-type: none"> • 17 Cases were Pending. • To Decide these cases at priority. • To ensures presence of witnesses and opposite parties in the matter. • To make all endeavour to conclude the hearing of these cases expeditiously by fixing short dates and by avoiding unnecessary adjournments. 	<ul style="list-style-type: none"> • 17 Cases decided.
3.	Please state briefly the shortfalls with reference to the targets / objectives referred to at S. No. 02 above. Please specify constraints, if any, in achieving the targets.	
	Target	Achievements
	<ul style="list-style-type: none"> • To Decide all old cases at priority. • To make all endeavour to conclude the hearing of old cases expeditiously by fixing short dates and by avoiding unnecessary adjournments. • To comply the direction of time limit set by Hon'ble Court in specific cases. • To verify the status of stayed cases and proceed in the light of guideline of Hon'ble Supreme Court in Asian Resurfacing of Road Agency Pvt Ltd vs CBI. 	<ul style="list-style-type: none"> • Delay in Service of Process. • Non Examination of Witnesses by Prosecution. • Frequent Strike by Bar.. • Absconding of Accused and Delay in Execution of Process by Agencies.
4.	Academic and professional achievements during the year, including degree(s) obtained and/or books/articles published.	
	Target	Achievements
	• No	• Nil
5.	Whether attended any workshop, course, programme, etc., organized by Judicial Academy and/or any other organization during the period in question? If so, give details.	
	Target	Achievements
	<ul style="list-style-type: none"> • Judicial Training by way of Workshop held on 01.11.2020 through video conferencing, in Deoband, (District Saharanpur) Cluster of Districts. 	<ul style="list-style-type: none"> • It refreshed the legal position of case laws. • It removed doubt in day to day judicial working.
6.	Whether visited Judicial Academy as Faculty Member. If so, give details about the nature of lecture(s) given/topic(s) discussed.	
	Target	Achievements
	• No.	• Nil

Judgment Attachments

Judgment Attachment	Uploading Date
C.A. No. 01 of 2020 H.A.V. Inter College and others vs Arjun Singh and others	12/04/2021
M.A.C No. 144 of 2018 Smt Sudesh and others vs Rajeev Yadav and others	12/04/2021
S.T. No.392 of 2016 State vs Sandeep and others	12/04/2021

Applying Date

Date	12/04/2021
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01-Remarks given by the District Judge regarding:

01 (a).	Integrity of the Officer- whether beyond doubt, doubtful or positively lacking	Beyond doubt
	Note- If the officer's integrity is doubtful or positively lacking, it may be so stated with all relevant fact, reason(s) & supporting material.	
01 (b).	If he is fair and impartial in dealing with the public and Bar?	Fair & Impartial
01 (c).	If he is cool minded and does not lose temper in court.	He is cool minded Officer and does not loose temper in the Court.
01 (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?	Nothing adverse has come to my knowledge.
1 (e).	CONTROL OVER THE FILES IN THE MATTER OF:	
01 (e)(i)(a).	Proper fixation of cause list:	Yes

01 (e)(i)(b).	Whether sufficient number of cases are fixed by him to keep him engaged during full court full court hours?	Yes. Sufficient number of cases have been fixed to keep engaged during full Court hours.
01 (e)(ii).	Avoidance of unnecessary adjournments:	Unnecessary adjournments have been avoided.
01 (e)(iii).	Disposal of old cases(Give number and year of old cases decided):	1978 -01 Case 1982 -01 Case 1992 - 01 Case 1995 -01 Case 2001 -01 Case 2003 - 01 Case 2004 - 01 Case 2005 - 01 Case
01 (e)(iv).	Progress and disposal of execution cases:	02 case of execution contested decided.
01 (e)(v).	Whether interim order, injunction being granted, refused or retained for sufficient reasons?	Yes
01 (e)(vi).	Are cases remanded on substantial grounds?	Nil
01 (e)(vii).	Performance with regard to decision of Motor Accident Claims related to death / injury	04 Cases decided as contested and 03 Cases decided as compromise.
01 (f).	Whether Judgment on facts and on law are on the whole sound, well-reasoned and expressed in good language?:	Judgments based 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:	
01 (f)(i).	Marshalling of facts;	Good
01 (f)(ii).	Appreciation of evidences;	Good
01 (f)(iii).	Application of law.	Proper
01 (g).	Whether disposal of work is adequate.(Give percentage and reasons for short disposal, if any)	Target 1200 Units Acheived 1689.84 Units Percentage 140.82%
	Note:- The following factors should also be indicated in filling up this column:	
01 (g)(i).	Number of cases decided after actual full contest;	Criminal Cases 81. : Civil Cases - 35
01 (g)(ii).	Number of cases decided wherein all witnesses of fact turned hostile and the case ended in acquittal.	Nil
01 (g)(iii).	Number of civil cases decided on compromises / alternate dispute resolution.	03 Cases decided as compromise.
01 (g)(iv).	Number of cases wherein after conclusion of arguments and reserving them for judgment, rehearing was ordered.	Nil
01 (h).	Control over the Office and Administrative capacity and tact:	Proper
01 (i).	Relations with members of the Bar(mention incidents, if any):	Effective
01 (j).	Behavior in relation to brother Officers(mention incidents, if any):	Cordial
01 (k).	Whether the officer has made regular inspections of his court and offices in his charge and whether such inspections were full and effective?	Cordial
01 (l).	His punctuality and regularity in sitting on the dais in court during court hours?	Yes. The inspections are full and effective.
01 (m).	Whether amenable to the advice of the District Judge and other superior officers?	Punctual & Regular
01 (n).	Behaviour towards women(respect and sensitivity exhibited towards them)	Yes
2.	Over all assessment of the merit of the officer(Outstanding, Very Good, Good, Average, Poor)	Good
3.	State of Health, with remarks, if any?	Good.
4.	Other remarks, if any:	na
5.	Name of the District Judge:	Sarvesh Kumar (UP5311) 29.06.2021

