

APPLICATION FOR SELF ASSESSMENT

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| Case Id : A00013632021 Old Case Id : 4247 | Employee Id : 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 | <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 6 Cases decided in Lok Adalat. |

| SELF ASSESSMENT FORM PART II | | |
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| 1. | Brief description of duties | <ul style="list-style-type: none"> 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 |

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| | <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(ii). | 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 |

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| | <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(ii). | 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 expensively 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 expensively by fixing short dates and by avoiding unnecessary adjournments. | <ul style="list-style-type: none"> 17 Cases decided. |
| 2C(ii). | Number of such matters disposed of during the year. | |
| | Target | Achievements |

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| | <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 |
| | <ul style="list-style-type: none"> • No | <ul style="list-style-type: none"> • 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 |
| | <ul style="list-style-type: none"> • No. | <ul style="list-style-type: none"> • Nil |

Applying Date

Date 12/04/2021

01-Remarks given by the District Judge regarding:

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| 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 |

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| 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 | Nil |

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| | ordered. | |
| 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) | "Outstanding" <i>Asmi</i> <u>12/5/2022</u> |
| 3. | State of Health, with remarks, if any? | <i>Asmi</i> <u>12/5/2022</u> Good. |
| 4. | Other remarks, if any: | na |
| 5. | Name of the District Judge: | Sarvesh Kumar (UP5311) 20.07.2021 |

Annual remarks recorded by the Administrative Judge/Reviewing and Accepting Authority

Suneet Kumar(HON'BLE JUDGE)

In view of the order dated 4 February 2022, passed on the representation of the Officer, over all assessment of the Officer is upgraded.

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| Overall assessment | Outstanding |
| Integrity | Certified |

The overall assessment of merit in col. no. 2 upgraded as "Outstanding" vide order dated 04.02.2022 r/w Court remarks dated 19.03.2022 of Hon'ble Mr. Justice Suneet Kumar, the then Administrative Judge, Saharanpur.

Asmi
12/5/2022
Registrar General