

APPLICATION FOR SELF ASSESSMENT

Case Id : A00012212021 | Old Case Id : 4105

Employee Id : 1969

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	ASHUTOSH-II							
3.	Designation	Chief Judicial Magistrate							
4.	Date of Joining Service / Length of Service	06/09/2013 (7 Years 7 Months and 4 Days)							
5.	Place of Posting	Bhadohi Posting Details During Self Assessment Period 1. Bhadohi at Gyanpur-Civil Judge (Senior Div.) 2. Bareilly-Addl. Civil Judge (Sr.Div.)/ACJM.							
6.	Any other charge held during the financial year	Incharge of Secretary District Legal Service Authority, Bhadohi - From 01-04-2020 to 24-04-2020 Incharge of Adalat Amin - From 01-04-2020 to 24-04-2020							
7.	Year wise break up of cases	Year Wise Break Up of cases in the Court of Civil Judge (Senior Division), Bhadohi & Chief Judicial Magistrate, Bhadohi	Attachment Available						
8.	Courts held during the financial year	Civil Judge (Senior Division), Bhadohi at Gyanpur- (From 01-04-2020 to 24-04-2020) & Chief Judicial Magistrate, Bhadohi at Gyanpur- (From 25-04-2020 to 31-03-2021)	Attachment Available						
9.	In how many cases have you framed the issues	NIL							
10.	In how many cases have you framed the charge	21							
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	N/A							
13.	Inspections	Quarterly and Annual Inspection made by the officer in the year 2020-21	Attachment Available						
14.	Remarks if any	NIL							
15.	Details of the works by the officer	Details of Work done of the officer in Year 2020-21	Attachment Available						
16.	Performance in Lok Adalat	<table style="margin-left: auto; margin-right: auto;"> <tr> <td>Lok Adalats</td> <td>Date</td> <td>Disposals</td> </tr> <tr> <td>Micro Lok</td> <td>18-10-</td> <td>55 Petty Cases Disposed</td> </tr> </table>	Lok Adalats	Date	Disposals	Micro Lok	18-10-	55 Petty Cases Disposed	
Lok Adalats	Date	Disposals							
Micro Lok	18-10-	55 Petty Cases Disposed							

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Adalat	2020	
National Lok Adalat	12-12-2020	101 Petty Cases Disposed
Quarterly Lok Adalat	21-03-2020	53 Petty Cases Disposed

SELF ASSESSMENT FORM PART II

1. Brief description of duties

1. Civil Judge (Senior Division), Bhadohi at Gyanpur- (From 01-04-2020 to 24-04-2020)
2. Incharge of Seretary, D.L.S.A, Bhadohi at Gyanpur- (From 01-04-2020 to 24-04-2020)
3. Incharge of Adalat Amin- (From 01-04-2020 to 24-04-2020)
4. Chief Judicial Magistrate, Bhadohi at Gyanpur- (From 25-04-2020 to 31-03-2021)

2. Norms set and achieved in respect of disposal of cases.

Target		Achievements	
For the Period of Civil Judge (Senior Division), Bhadohi at Gyanpur (From 01-04-2020 to 24-04-2020)	Due to Nationwide Lockdown no Target Has been Fixed	For the Period of Civil Judge (Senior Division), Bhadohi at Gyanpur (From 01-04-2020 to 24-04-2020)	Due to Nationwide Lockdown no Target Has been Achieved
For the Period of Chief Judicial Magistrate, Bhadohi at Gyanpur (From 25-04-2020 to 31-03-2021)	1200 Units	For the Period of Chief Judicial Magistrate, Bhadohi at Gyanpur (From 25-04-2020 to 31-03-2021)	1455.65 Units

2A. Steps taken to dispose of old matters which are more than 5 years old.

Target		Achievements	
In the panadamic of COVID-19 after starting of regular work in the court, all possible efforts were being made for the disposal of old cases on priority according to action plan by monitering each and every cases by Fixing very short dates.			

2A(i). Pendency of such matters at the commencement of the year.

Attachment Available

	Target	Achievements	
	To dispose off 10 Cases per month after starting regular work in the court	62 cases	
2A(ii).	Number of such matters disposed of during the year.		
	Target	Achievements	
	62 Cases		
2B.	Steps taken to dispose of old matters which are more than 10 years old.		
	Target	Achievements	
	In the panadamic of COVID-19 after starting of regular work in the court, all possible efforts were being made for the disposal of old cases on priority according to action plan by monitering each and every cases by Fixing very short dates.		
2B(i).	Pendency of such matters at the commencement of the year.		Attachment Available
	Target	Achievements	
	To dispose off 10 Cases per month after starting regular work in the court	01 case	
2B(ii).	Number of such matters disposed of during the year.		
	Target	Achievements	
	01 Case		
2C.	Steps taken to dispose of cases of persons with more than 65 years of age.		
	Target	Achievements	
	In the panadamic of COVID-19 after starting of regular work in the court, all possible efforts were being made for the disposal of old cases on priority according to action plan by monitering each and every cases by Fixing very short dates.		
2C(i).	Pendency of such matters at the commencement of the year.		Attachment Available
	Target	Achievements	
	To dispose off 10 Cases per month after starting regular work in the court	08 Cases	
2C(ii).	Number of such matters disposed of during the year.		
	Target	Achievements	
	08 Cases		
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
	Due to Nationwide lockdown, spread of COVID-19 virus and non-comencement of regular work in the court and lack of interest in the disposal of the cases by the advocates and parties, the targets/objectives referred to at S. No. 02 not completed.	
4.	Academic and professional achievements during the year, including degree(s) obtained and/or books/articles published.	
	Target	Achievements
	NIL	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
	1. Online Workshop on Expeditious Disposal of the cases pertaining to Section 138 of N.I. Act conducted by th J.T.R.I. on 13.12.2020 2. Online III Round Cluster Training Programme on 04.10.2020	
6.	Whether visited Judicial Academy as Faculty Member. If so, give details about the nature of lecture(s) given/topic(s) discussed.	
	Target	Achievements
	NIL	NIL

Applying Date

Date : 10/04/2021

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?	Yes
01 (c).	If he is cool minded and does not lose temper in court.	Yes
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?	No
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
01 (e)(ii).	Avoidance of unnecessary adjournments:	Yes

01 (e)(iii).	Disposal of old cases(Give number and year of old cases decided):	Total 04 Old cases have been disposed off by the Officer.
01 (e)(iv).	Progress and disposal of execution cases:	NIL (no execution case was pending in the court)
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?	N.A.
01 (e)(vii).	Performance with regard to decision of Motor Accident Claims related to death / injury	N.A.
01 (f).	Whether Judgment on facts and on law are on the whole sound, well-reasoned and expressed in good language?:	Yes
	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.	Good
01 (g).	Whether disposal of work is adequate.(Give percentage and reasons for short disposal, if any)	Disposal of work is adequate. Total 1455.65 units have been achieved by the Officer.
	Note:- The following factors should also be indicated in filling up this column:	
01 (g)(i).	Number of cases decided after actual full contest;	14
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.	N.A.
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:	Good
01 (i).	Relations with members of the Bar(mention incidents, if any):	Cordial
01 (j).	Behavior in relation to brother Officers(mention incidents, if any):	Amicable
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?	Yes
01 (l).	His punctuality and regularity in sitting on the dais in court during court hours?	He is Punctual
01 (m).	Whether amenable to the advice of the District Judge and other superior officers?	"EXPUNGED" <i>Aswin</i> <u>29/9/2022</u>
01 (n).	Behaviour towards women(respect and sensitivity exhibited towards them)	Respectful and Sensitive
2.	Over all assessment of the merit of the officer(Outstanding, Very Good, Good, Average, Poor)	"GOOD" <i>Aswin</i> <u>29/9/2022</u>
3.	State of Health, with remarks, if any?	Good
4.	Other remarks, if any:	A complaint case No. 3/2021 under Human Rights Act was filed by

Sri Anwar Ahmad & Sri Abdul Kalam, Class IV employee (Sweepers) in the Human Rights Court (Court of A.D.J.-1st, Bhadohi), against Sri Abhinav Yadav, Civil Judge (Sr.Div.), Bhadohi, Sushri Neha Rani, Stenographer, Bhadohi and Sri Sunil Yadav, S.I./Chauki Incharge PS Gyanpur Bhadohi on account of being aggrieved by the mistreatment meted out against them in an enquiry . The inquiry was ordered by me on the complaint filed by Sushri Neha Rani, Stenographer against unknown person .

The complaint No.03/2021 filed by the sweepers was lateron withdrawn by them and was filed in the Court of C.J.M. Since the aforesaid complaint was filed against a Judicial Officer and Court Staff, I, being the Head of the Office, orally directed Sri Ashutosh-II, the then Chief Judicial Magistrate, Bhadohi on 18.03.2021 to submit a written report in the aforesaid case along with the copy of the complaint. Even I discussed this matter with him in my chamber and asked him to submit a report before me by mentioning that the complaint has been filed in his Court and to attach the copy of the complaint along with his report.

The matter was discussed in a cordial atmosphere but during the discussion, I felt that he was reluctant. Therefore, I admonished him and asked to submit the report but no report was submitted by him till 4:45 pm on 20.03.2021. Consequently, on 20.03.2021, I issued a D.O. No. 09/2021 and sought his explanation in this regard. Thereafter, on the same day, he submitted a written report at 05:15 pm. In the said report he has mentioned that he is submitting the report in compliance of my oral directions given to him on 18.03.2021 yet the records were not submitted by him. In fact, this report was submitted by him to create a documentary evidence in his defence as the copy of the complaint was not attached with his report dated 20.03.2021. Anticipating his reluctance, I again issued a written requisition on 22.03.2021 directing him to submit the case file of aforesaid complaint case and the said records were send only after the written requisition was sent.

Thereafter, he has submitted his reply on 22.03.2021 in compliance of D.O. No. 09/2021. In this D.O., a mere explanation was sought from him for not sending the records, but in his reply, he has labelled false allegations against the District Judge rather giving his explanation. The language of his reply depicts that it has been written in a derogatory language & to stigmatize the District Judge.

Again a D.O. No. 11/2021 dated 22.03.2021 was issued directing him to submit his explanation regarding the discrepancies found in the case file of said complaint case. In this D.O., it was mentioned that if he is unaware of the discrepancies, he can submit his explanation after seeking reply from the concerned clerk. He submitted his reply on 12.04.2021. In this reply, again he has not submitted any proper explanation but has submitted those facts which are totally unconnected to the query made in D.O. letter No. 11/2021. In spite of giving explanation about the discrepancies in the complaint filed, as was sought vide D.O. letter no.11/21, he has mentioned his reply given by him in response to the D.O. letter no. 09/21. Even his further explanation is contradictory. On one hand, he has stated that the complaint was presented to him after it was registered in computer section. On the other hand, he has stated that the said complaint was presented by independent parties before his court and it was not received from any other court. Again he has stated in the last paragraph, that an order was passed by the Court of A.D.J. -1st to present the complaint in the Court of competent jurisdiction, that's why he has registered it in his Court. In this D.O. letter 22/21 he was asked that under what circumstances the original complaint and the file of the complaint was received in his court, as no such order was

passed by the court of A.D.J. -1st. for returning the file of the entire complaint case. In his reply, he has not answered this query, but has simply stated that it is a clerical mistake and the complaint cannot be rejected on such mistakes. It is also pertinent to mention here that this particular legal aspect was not asked in the D.O. letter no. 22/21 and it was also mentioned that if he is unaware of the fact, he may seek an explanation from his clerk. It will be worth to mention here that his clerk too, in his reply dated 08-04-21 has not mentioned about the discrepancies. Hence, there was no occasion for the concerned officer to justify the irregularities/illegality in the procedure adopted to transfer the complaint and he could have given a simple reply regarding the facts which were present in the records.

On the basis of above mentioned facts I came to the conclusion that he is not amenable to the advice of the District Judge.

Copy of all the relevant documents pertaining to this matter are annexed herewith for kind perusal of the Hon'ble Court.

5. Name of the District Judge: Anil Kumar-X (UP6522)
16.11.2021

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

Rajan Roy(HON'BLE JUDGE)

I have already decided the officer's representation against the adverse remarks by the district Judge. The said order shall form part of this ACR.

Overall assessment	Good
Integrity	Certified

Vide order dated 15.07.2022 of Hon'ble Mr. Justice Rajan Roy, the col. no. 1(m) expunged & over all assessment of the merit graded as 'good'.

Anil
29/9/2022
Registrar General