

APPLICATION FOR SELF ASSESSMENT

Case Id : A00039522022	Employee Id : 1646
3 MONTHS COMPLETION	
Whether 3 Months are complete for remarks of DISTRICT JUDGE?	No

SELF ASSESSMENT FORM PART I

1.	Self Assessment Period	01/04/2021 - 31/03/2022	
2.	Name of the Officer	SHIV KUMAR TIWARI	
3.	Designation	A.D.J. (FTC)	
4.	Date of Joining Service / Length of Service	07/05/2009 (12 Years 11 Months and 9 Days)	
5.	Place of Posting	Kannauj Posting Details During Self Assessment Period 1. Kannauj-Addl. District & Sessions Judge	
6.	Any other charge held during the financial year	1- Special Judge Gangster Act 2- Special Judge NDPS Act 3- Special Judge DDA Act 4- Incharge nazarat (Till 22.12.2021 and from 02.03.2022 onwards) 5- o/c Statement (Till 22.12.2021) 6- o/c Litigation (Till 22.12.2021)	
7.	Year wise break up of cases	Statement Attached	Attachment Available
8.	Courts held during the financial year	File Attached	Attachment Available
9.	In how many cases have you framed the issues	4 Cases	
10.	In how many cases have you framed the charge	22 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	File Attached	Attachment Available
14.	Remarks if any	No.	
15.	Details of the works by the officer	Work Done File Attached	Attachment Available
16.	Performance in Lok Adalat	<ul style="list-style-type: none"> 19 MACP cases were decided. 06 Civil Misc. case was decided. Total 25 Cases were decided in Lok Adalat.	

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Date: 2023.02.28 11:45:42 IST
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HIGH COURT OF JUDICATURE AT ALLAHABAD

SELF ASSESSMENT FORM PART II

1.	Brief description of duties	1- Special Judge Gangster Act 2- Special Judge NDPS Act 3- Special Judge DDA Act 4- Incharge nazarat (Till 22.12.2021 and from 02.03.2022 onwards) 5- o/c Statement (Till 22.12.2021) 6- o/c Litigation (Till 22.12.2021)	
2.	Norms set and achieved in respect of disposal of cases.		
	Target	Achievements	
	Norms set (In units) during the assesment year =1200 units Days Excluded (In the light of Hon'ble highcourt letter No. 11/TV 4/4/2019) dated 05/03/2019 during the assesment year = 590.40 units Actual units required = 609.60 Units	Total Units achieved during the assesment year =1757.26 units Percentage = 288.26 %	
2A.	Steps taken to dispose of old matters which are more than 5 years old.		Attachment Available
	Target	Achievements	
	1. All cases which are more than 5 years old age are being tried expeditiously. 2. Short dates are being fixed in such cases. 3. Each and every case among such cases are taken up in court and appropriate order passed. 4. Summons/Warrants were issued on each date in every case to make served on witness or accused, as case may be to SSP/SHO concerned.	1. All such cases have come in running status except stayed cases. 2. Some cases of this category were disposed off. 3. In some cases, evidence recorded and some case reached up to stage of final hearing. 4. In some cases absconding accused surrendered before court or arrested by police.	
2A(i).	Pendency of such matters at the commencement of the year.		Attachment Available
	Target	Achievements	
	50 Criminal cases and 50 civil cases were Pending. Total 100 Cases were Pending.	<ul style="list-style-type: none"> • 12 Criminal cases decided • 01 Civil cases decided Total 13 Cases decided.	
2A(ii).	Number of such matters disposed of during the year.		Attachment Available
	Target	Achievements	
	Target of 100 cases more than 5 year old.	<ul style="list-style-type: none"> • 12 Criminal cases decided 	

		<ul style="list-style-type: none"> • 01 Civil cases decided <p>Total 13 Cases decided.</p>	
2B.	Steps taken to dispose of old matters which are more than 10 years old.		
	Target	Achievements	
	<ul style="list-style-type: none"> • All cases which are more than 10 years old age are being tried expeditiously. • Short dates were being fixed in such cases. • Each and every case among such cases are taken up in court and appropriate order passed. • Summons/Warrants were issued on each date in every case to make served on witness or accused, as case may be to SSP/SHO concerned. • No unnecessary adjournments granted by me. 	<ul style="list-style-type: none"> • All such cases have come in running status except stayed cases. Some cases of this category were disposed off. In some cases, evidence recorded and some case reached up to stage of final hearing. In some cases absconding accused surrendered before court or arrested by police. 	
2B(i).	Pendency of such matters at the commencement of the year.		Attachment Available
	Target	Achievements	
	The target was to disposed of maximum number of old cases as per the directions of Hon'ble Court.	<ul style="list-style-type: none"> • 06 Criminal cases decided • 0 Civil cases decided <p>Total 06 Cases decided.</p>	
2B(ii).	Number of such matters disposed of during the year.		Attachment Available
	Target	Achievements	
	50 Criminal cases and 50 civil cases were Pending Total 100 Cases were Pending.	<ul style="list-style-type: none"> • 06 Criminal cases decided • 0 Civil cases decided <p>Total 06 Cases decided.</p>	
2C.	Steps taken to dispose of cases of persons with more than 65 years of age.		
	Target	Achievements	
	20 cases were pending.	4 Person Cases Decided	
2C(i).	Pendency of such matters at the commencement of the year.		Attachment Available
	Target	Achievements	
	20 Person	4 Person Cases Decided	
2C(ii).	Number of such matters disposed of during the year.		Attachment Available
	Target	Achievements	
	20 Person	4 Person 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	
50 Criminal cases and 50 civil cases were Pending Total 100 Cases were Pending.	<ul style="list-style-type: none"> • 19 Criminal cases decided • 26 Civil cases decided Total 45 Cases decided.	
4. Academic and professional achievements during the year, including degree(s) obtained and/or books/articles published.		
Target	Achievements	
No	No	
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	
Fourth Round of Clustor Judicial Training by way of Workshop Refreshers and Orientations Courses.	Fourth Round of Clustor Judicial Training by way of Workshop Refreshers and Orientations Courses.	
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	No	

Applying Date	
Date	16/04/2022

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, He is fair and impartial in dealing with public and bar.
01 (c).	If he is cool minded and does not lose temper in court.	Yes. He is cool minded
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?	He holds good private character.
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:	Unnecessary adjournments avoided
01 (e)(iii).	Disposal of old cases(Give number and year of old cases decided):	Officer has claimed disposal of 13 cases in more than five years old cases and disposal of 06 cases in more than ten years old cases .

		<p>statement annexed for showing such figure is not showing pendency of more than five years old cases and more than ten years old cases.</p> <p>But actually officer's claim is not matched with year- wise pendency statement (naksha) attached in which 08 cases of more than five years old cases and 01 case in more than ten years old cases is disposed.</p>
01 (e)(iv).	Progress and disposal of execution cases:	Not applicable
01 (e)(v).	Whether interim order, injunction being granted, refused or retained for sufficient reasons?	Not applicable
01 (e)(vi).	Are cases remanded on substantial grounds?	Not applicable
01 (e)(vii).	Performance with regard to decision of Motor Accident Claims related to death / injury	Good
01 (f).	Whether Judgment on facts and on law are on the whole sound, well-reasoned and expressed in good language?:	Judgments delivered by the officer are 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.	Good
01 (g).	Whether disposal of work is adequate.(Give percentage and reasons for short disposal, if any)	<p>Standard unit for out turn of work- 1200 units</p> <p>Excluding units of non-working days of leaves, holidays etc.- 590.40 units</p> <p>Target of out turn of work to be earned- 609.44 units</p> <p>Target earned - 54.50 units + 1702.66 units = 1757.26 units</p> <p>But due to below mention reason I would not prefer to give remark on the adequacy o out turn of work of officer.</p> <p>Work done claimed by the officer is 1757.26 units while calculating target of out turn to be achieved officers has subtracted 590.40 units for leave etc. from unit required he given for year and calculated target unit 609.44 units.</p> <p>But in summing up administrative work at para -11 of work done statement. officer has added (157X3.28)= 495.28 units for leaves etc. and units for administrative work jumped to 1408.18 units.</p> <p>But in the new unit system unit for leave etc. can not be added when target has been fixed by excluding units of leaves etc.</p> <p>officer has claimed incentive unit for disposal of one session trial (DDA/10 year old), one session trial (DDA/20 year old), one session trial (DDA/25 year old), one session trial / 20 year old ,one session trial / 10 year old and two session trial/5 years old.</p> <p>But the claim of officer is not supported by the year- wise pendency statement attached by him . Wherein in the category of SST(DDA) cases 02 cases of 2014 and 02 cases of 2015, 01 case of 2017, 01 case of 2019 are mention as uncontested disposal.</p> <p>In SST(DDA) category of year-wise pendency statement for the year 2022 - 39 cases have been shown as contested disposal but they are again being shown as pending on 31-03-2022.</p> <p>In the year-wise statement in category of MACP cases 20 cases are shown as contested disposal and 03 cases as disposal otherwise but in</p>

		work done statement officer has mentioned disposal of 20 cases on basis of compromise.
	Note:- The following factors should also be indicated in filling up this column:	
01 (g)(i).	Number of cases decided after actual full contest;	Given in the work done statement
01 (g)(ii).	Number of cases decided wherein all witnesses of fact turned hostile and the case ended in acquittal.	Hostile disposed not shown
01 (g)(iii).	Number of civil cases decided on compromises / alternate dispute resolution.	19 MACP and 06 civil Misc.
01 (g)(iv).	Number of cases wherein after conclusion of arguments and reserving them for judgment, rehearing was ordered.	None
01 (h).	Control over the Office and Administrative capacity and tact:	Good and effective control
01 (i).	Relations with members of the Bar(mention incidents, if any):	Good relation with Bar
01 (j).	Behavior in relation to brother Officers(mention incidents, if any):	Good
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?	Regularly inspected and inspections were full and effective
01 (l).	His punctuality and regularity in sitting on the dais in court during court hours?	Officer was regular and punctual in court
01 (m).	Whether amenable to the advice of the District Judge and other superior officers?	Yes
01 (n).	Behaviour towards women(respect and sensitivity exhibited towards them)	Respect full behaviour towards women
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?	Sound Health
4.	Other remarks, if any:	<p>1- Contrary to new unit system, officer has subtracted unit for the days of leaves , holidays etc. from standard units required for the year but on the other hand added units for leaves,holidays etc. in the administrative work and gave higher out turn of work than actual .</p> <p>2- Officer has claimed incentives for the disposal of 20,10,25 years old cases in SST(DDA)cases which is not supported by year-wise pendency statement.</p> <p>3- In SST(DDA)cases category of year-wise penndency 39 cases are shown as disposed of but there again been shown as pending on 31-03-2022.</p> <p>4- In the MACP category of year-wise pendency statementb 20 cases are shown as contested disposal and 03 cases as disposal otherwise but in work done statement officer has mentioned disposal of 20 cases on basis of compromise.</p> <p>5- Officer has attached statements for showing more than five /ten years old cases but these statements are not showing those cases which are more than five /ten years old cases.</p>

		6- Statements are not signed by the cleak who prepared and checked them. 7- Sending a correct statement is personal responsibility of officer. Officer has attached statement in a very careless manner . It is not correct approach.
5.	Name of the District Judge:	Virjendra Kumar Singh (JO Code- UP 6525) 30.06.2022

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

Mohd. Faiz Alam Khan(HON'BLE JUDGE)

Perused the remarks given by the District Judge, Kannauj.

The Officer, namely, Shri Shiv Kumar Tiwari remained posted as Special Judge Gangster Act, Special Judge N.D.P.S. Act, Special Judge D.D.A. Act, Kannauj, from 01.04.2021 to 31.03.2022. He was also Incharge Nazarat, Officer-in-charge Statement and Officer-in-charge Litigation during period under reporting. Total units achieved by him in the assessment year in question were 1757.26 against targeted 1200 units and after deduction of leaves and holidays, the target units required were 609.60. The Officer has disposed of 19 criminal cases and 26 civil cases. He is also stated to be fair and impartial in dealing with public and Members of Bar, cool minded and no incident has been reported to me with regard to him loosing temper in court. His relation with the Officers and Members of Bar were cordial and judgement passed by him also appears to be sound on facts and law and have been expressed in good language. He also appears to be punctual and regular in sitting on dais in court and no complaint has been made to me about his work, conduct and integrity. He is also amenable to the advice of the District Judge.

The District Judge in Column No.1(e)(iii) has stated that the Officer has claimed disposal of 13 cases in more than five years old cases category and 6 cases in more than ten years old category, which are not corroborated by the statement and in Column No.1(g) has stated that no remark could be given pertaining to the adequacy of out turn of work as the work done claimed by the Officer is 1757.26 units while calculating target of out turn, he has subtracted 590.40 units and also by adding administrative work, his work done has inflated to 1408.18 units while same is not permissible in the new unit scheme and the statement of the Officer is not supported by the year-wise pendency statement. The disposal of five years, ten years, 20 years, 25 years old case is not supported by the statements. It has also opined that 20 M.A.C.P contested cases are shown to have been decided and three cases as otherwise, but in work done statement, the Officer has mentioned disposal of 20 cases. Similar remarks have been made by the District Judge pertaining to Column No.4 and of Other Remarks, if any.

The Officer has preferred a representation, perusal of the which would reveal that the Officer has given the details of old cases decided by him and have also stated that he has claimed total work done as 1757.26 units against the targeted 1200 units and if leaves and other non working days are exempted/ subtracted from the total working days from 365 days then his working days would come to 185 days and exempted units become 590.4 and against 609.4 units he has achieved 1224.06 units. The Officer has also explained the exemption taken by him for administrative work and also that due to clerical error 39 cases were mentioned in the disposal column, which were required to be mentioned in the institution column and in this regard new statement has been filed/provided as Annexure No.2 to the representation. The Officer has also given the details pertaining to the claiming of out turn of disposing old cases.

Having gone through representation submitted by the Officer and the statements enclosed therewith, it is provided that the out turn of work done by the Officer pertaining to column 1(e)(iii) and 1(g) and in column no.4 pertaining to column No.4 Other Remarks, if any would be considered as adequate and the Officer appears to have achieved the target set-forth. He is also stated to be fair and impartial in dealing with public and Members of Bar, cool minded and no incident has been reported to me with regard to him loosing temper in court. His relation with the Officers and Members of Bar were cordial and judgement passed by him also appears to be sound on facts and law and have been expressed in good language. He also appears to be punctual and regular in sitting on dais in court and no complaint has been made to me about his work, conduct and integrity. He is also amenable to the advice of the District Judge.

His overall Assessment is assessed as 'Good'.

Integrity certified as beyond doubt.

Overall assessment	Good
Integrity	Certified

Vide order dated nil read with Court Remarks dated 28.02.2023 recorded by the then Administrative Judge, Kannauj for the year 2021-22, remarks occurring in col. nos. 1(e)(iii), 1(g) & 4 considered as adequate.

Amis
21/3/2023
Registrar General