

प्रेषक,

आशीष कुमार चौरसिया
अपर प्रधान न्यायाधीश,
परिवार न्यायालय, कोर्ट नं०-01,
कानपुर नगर।

(H.C.I.D. No-6360)

सेवा में,

श्रीमान उपनिबन्धक,
माननीय उच्च न्यायालय, इलाहाबाद।

द्वारा,

श्रीमान प्रधान न्यायाधीश,
परिवार न्यायालय,
कानपुर नगर।

विषय-वार्षिक गोपनीय प्रविष्टि वर्ष 2019-2020 के उन्नयन
(upgradation) के संबंध में प्रत्यावेदन।

महोदय,

ससम्मान निवेदन है कि अधोहस्ताक्षरी अतिरिक्त प्रधान न्यायाधीश, परिवार न्यायालय कानपुर नगर के पद पर कार्यरत है। अधोहस्ताक्षरी को 01 अप्रैल 2019 से 31 मार्च, 2020 तक के कार्यकाल के संबंध में वार्षिक गोपनीय प्रविष्टि सम्बन्धी जानकारी माननीय उच्च न्यायालय की साइट "ई-सर्विसेज" के माध्यम से प्राप्त हुई है।

श्रीमान जनपद न्यायाधीश, कानपुर नगर द्वारा अधोहस्ताक्षरी की वार्षिक गोपनीय प्रविष्टियों के संबंध में निम्नलिखित तथ्य निवेदन करने की याचना अधोहस्ताक्षरी कर रहा है:-

1. अधोहस्ताक्षरी द्वारा अपने स्वमूल्यांकन प्रलेख में भाग-2 के बिन्दु सं०-02 पर अपेक्षित कुल कार्य 1200 यूनिट दिये जाने की आवश्यकता थी, जबकि अधोहस्ताक्षरी द्वारा कुल 1884.43 यूनिट का कार्य किया गया है।

2. अधोहस्ताक्षरी द्वारा गुणदोष के आधार पर कुल 64 वाद निर्णीत किये गए हैं।

3. अधोहस्ताक्षरी की प्रशासनिक कार्यक्षमता, बार एसोसिएशन के सदस्यों से संबंध, महिलाओं के प्रति आदर एवं सेन्सिटिविटी तथा वरिष्ठ एवं कनिष्ठ अधिकारीगण के साथ संबंध इत्यादि अच्छे हैं। ऐसा अंकन रिमार्क में श्रीमान जनपद न्यायाधीश, महोदय द्वारा स्वयं किया गया है।

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4. इस संदर्भ में यह उल्लेखनीय होगा कि प्रार्थी दिनांक 01.04.2019 से 15.04.2019 तक विशेष न्यायिक मजिस्ट्रेट आगरा के पद पर रहा जिसमें आपराधिक मामले लम्बित थे। कोई निष्पादन वाद लम्बित नहीं था तथा दिनांक 16.04.2019 से 29.07.2019 तक मुख्य न्यायिक मजिस्ट्रेट ललितपुर के पद पर कार्य किया गया। इस न्यायालय में भी आपराधिक मामले लम्बित थे तथा कोई निष्पादन वाद लम्बित नहीं था। पुनः पदोन्नति उपरान्त दिनांक 30.07.2019 से दिनांक 21.08.2019 तक (लगभग 21 दिन) अपर जनपद न्यायाधीश/फास्ट ट्रैक कोर्ट (महिलाओं के विरुद्ध अपराध) कानपुर नगर से संबंधित न्यायालय में कार्य किया गया। पुनः प्रार्थी का स्थानान्तरण अपर जिला एवं सत्र न्यायाधीश कक्ष सं०-10 कानपुर नगर के पद पर हो गया तथा दिनांक 22.08.2019 से दिनांक 31.03.2020 तक इस न्यायालय में कार्य किया गया। इस न्यायालय में कुल 7 (सात) निष्पादन वाद लम्बित थे। जिसमें से 2 निष्पादन वाद माननीय उच्च न्यायालय से स्थगित थे तथा शेष 5 में से 01 निष्पादन वाद सं०-09/2019 मो० अशफाक बनाम विशाल कुमार को सुनवाई के पश्चात अंतिम रूप से निर्णीत करने हेतु दिनांक 17.03.2020 को दिनांक 24.03.2020 के लिए संरक्षित किया गया, किन्तु आदेश होने से पूर्व कोविड-19 के कारण अचानक न्यायालय दिनांक 23.03.2020 से अनिश्चित काल के लिए बंद कर दिया गया जिस कारण दिनांक 24.03.2020 को निष्पादन वाद पर अंतिम आदेश पारित करना संभव नहीं था। इस प्रकार उपरोक्त परिस्थितियों के कारण निष्पादन वाद निर्णीत नहीं हो पाया था।

5. श्रीमान जनपद न्यायाधीश महोदय द्वारा रिमार्क के कॉलम सं०-F (1), 2, व 3 में क्रमशः Marshalling of fact, Appriciation of evidence, Application of Law कॉलम में "Satisfactory" का अंकन किया गया है। जबकि स्वयं माननीय जनपद न्यायाधीश महोदय द्वारा प्रविष्टि 01 (F) जो निर्णय कॉलम से संबंधित है में यह उल्लेख किया है कि "Whether Judgment on facts and on law are on the whole sound, well reasoned and expressed in good language" इस कॉलम में "yes" लिखा गया है। इस प्रकार दोनों में विरोधाभास है। इसके अतिरिक्त अधोहस्ताक्षरी को किसी निर्णय के संदर्भ में कोई डी०ओ० कभी नहीं दिया गया है और न ही इस कॉलम में कोई उल्लेख है कि किस संलग्न निर्णयों में उक्त का अभाव है।

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6. प्रविष्टि सं०- 1 (e) (vii) में Performance with regard to decision of motor Accident Claims related to death/injury कॉलम में माननीय जनपद न्यायाधीश द्वारा यह अंकन किया गया है कि As per information given in the self assessment, the officer has not decided any claim petition hence no remark can be given in this column जब कि इस संदर्भ में मोटर दुर्घटना दावा प्राधिकरण (mact) विशेष न्यायालय का गठन होने पर स्वयं माननीय जनपद न्यायाधीश द्वारा दिनांक 26.08.2019 को उक्त से संबंधित समस्त वाद को विशेष न्यायालय में स्थानान्तरित करने का आदेश पारित किया गया जिसके क्रम में संबंधित समस्त वाद विशेष न्यायालय में स्थानान्तरित हो गया। इस कारण उक्त प्रकृति का मामला लंबित नहीं था, इसलिए उक्त प्रकृति का मामला निर्णीत नहीं किया जा सकता था।

7. प्रविष्टि सं०-01 (k) में Whether the officer has made regular inspection of his court and office in his charge and whether such inspection were full and effective ? में माननीय जनपद न्यायाधीश महोदय द्वारा यह अंकन किया गया है कि—The officer has made three regular quarterly inspections of his court and office but he has not made fourth quarterly inspection because of lock-down. he has not made any surprise inspection of his court and office during assessment year. he has made annual inspection of court and office of additional Court No. 03 (N.I.Act) Kanpur Nagar under my delegated power. Quarterly inspection made by him are satisfactory."जबकि स्वयं माननीय जनपद न्यायाधीश महोदय द्वारा प्रविष्टि सं०-01 (h) में control over the office and Administrative Capacity and fact को "good" माना गया है। इस पर कभी भी निरीक्षण के संदर्भ में कोई विशेष टिप्पणी या D.O. नहीं दिया गया है तथा Surprise inspection (औचक निरीक्षण) नहीं किया गया है, के बारे में यह कहना है कि दिनांक 20.03.2020 को औचक निरीक्षण किया गया था जो तात्कालिक न्यायालय अपर जिला एवं सत्र न्यायाधीश कक्ष सं०-10 के गार्ड फाईल में चस्पा है तथा Self Assesment में कोई औचक निरीक्षण का कॉलम नहीं था जिससे कि किसी कॉलम में औचक निरीक्षण किये जाने की सूचना दी जा सके। दिनांक 23.03.2020 को न्यायालय कोविड-19 के कारण

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अनिश्चित काल के लिए बंद हो गया जिस कारण उसकी प्रति नहीं प्रेषित नहीं की जा सकी थी।

8. प्रार्थी द्वारा 1200 यूनिट के सापेक्ष भिन्न-भिन्न चार न्यायालयों में कार्य करते हुए 1884.43 यूनिट कार्य किया गया तथा कई पुराने वादों को निर्णीत करते हुए अपर जिला एवं सत्र न्यायाधीश कक्ष सं०-10 में **दाण्डिक अपील सं०-136/1984 "most oldest case"** जो 35 वर्ष पुराने वाद को गुणदोष के आधार पर दिनांक 02.12.2019 को निर्णीत किया गया। माननीय जनपद न्यायाधीश महोदय द्वारा समग्र आंकलन के समय "Good" रिमार्क दिया गया है।

अतः श्रीमान जी से निवेदन है कि निष्पादन वाद मोटर दुर्घटना दावा प्राधिकरण व निरीक्षण से संबंधित समस्त कॉलम जिसमें "Satisfactory" का अंकन है, के संदर्भ में स्पष्टीकरण को विचार में लेते हुए समग्र आंकलन के समय अंकित "Good" रिमार्क को अधोहस्ताक्षरी के सम्पूर्ण कार्य, व्यवहार, आचरण तथा समग्र आंकलन को दृष्टिगत रखते हुए किसी उच्चतम श्रेणी में करने हेतु माननीय न्यायालय के समक्ष प्रस्तुत करने की कृपा करें।

प्रार्थी आपका सदैव आभारी रहेगा।

सादर।

दिनांक 14.09.2020

संलग्नक—
वार्षिक प्रविष्टि की प्रतिलिपि
(6 पृष्ठ)

भवदीय

Ashish

(आशीष कुमार चौरसिया)
अपर प्रधान न्यायाधीश,
परिवार न्यायालय, कोर्ट नं०-01,
कानपुर नगर।

APPLICATION FOR SELF ASSESSMENT

Case ID : 852	Employee No.:-6360
90 DAYS COMPLETION	
Whether 90 days are complete for remarks of DISTRICT JUDGE?	Yes

SELF ASSESSMENT FORM PART I			
1.	Self Assessment Financial Year	01 April 2019 - 31 March 2020	
2.	Self Assessment Period	01/04/2019 - 31/03/2020	
3.	Name of the Officer	ASHISH KUMAR CHAURASIA	
4.	Designation	Addl. District & Sessions Judge	
5.	Date of Joining Service / Length of Service	17/06/2006 (14 Years 0 Months and 16 Days)	
6.	Place of Posting	Kanpur Nagar	
7.	Any other charge held during the financial year	NO	
8.	Year wise break up of cases	Proforma Attached	Attachment Available
9.	Courts held during the financial year	Proforma Attached	Attachment Available
10.	In how many cases have you framed the issues	NIL	
11.	In how many cases have you framed the charge	168	
12.	Number of cases in which Judgment not delivered within 15 days of conclusions of argument	NIL	
13.	Percentage of appeals remanded by the officer	NIL	
14.	Inspections	Proforma Attached	Attachment Available
15.	Remarks if any	• NIL	
16.	Details of the works by the officer	Proforma Attached.	Attachment Available
17.	Performance in Lok Adalat	01 Case Disposed in Lok Adalat.	

SELF ASSESSMENT FORM PART II

1.	Brief description of duties	<p>1) Presided the Court of SPECIAL CJM, AGRA (01.04.2019 TO 15.04.2019)</p> <p>2) Presided the Court of CJM, LALITPUR (16.04.2019 TO 29.07.2019)</p> <p>3) Presided the Court of A.D.J./ F.T.C (Crime Against Women), KANPUR NAGAR (30.07.2019 TO 21.08.2019)</p> <p>4) Presiding the Court of ADD. DISTRICT & SESS. JUDGE, COURT NO- 10, KANPUR NAGAR (22.08.2019 TO 31.03.2020)</p>
2.	Norms set and achieved in respect of disposal of cases.	
	Target	Achievements
	Unit 1200 According 12 months	<p>A- (@100 Units/ month) in 12 months 1884.43 Units</p> <p>B- Criminal Appeal No. 136/1984 "Most Oldest case decided on merit date 02.12.2019"</p> <p>C- Made charge- 168</p> <p>D- Statement 313 Cr.P.C.- 42</p> <p>E- Witness Examine- 341</p> <p>F- Evidence Page- 952</p> <p>G- Disposal of old cases before 2000-04</p>
2A.	Steps taken to dispose of old matters which are more than 5 years old.	
	Target	Achievements
	5 Years Old cases pendency-108	<p>A- Fixation of cases, which are at the stage of Prosecution Evidence, 15 Days</p> <p>B- Recording of Evidence of Witnesses without giving adjournments.</p> <p>C- Prompt Disposal of Intervening applications.</p>
2A(i).	Pendency of such matters at the commencement of the year.	
	Target	Achievements
	5 Years Old cases Total Pendency-108	(Criminal Cases of all natures-67, Civil Cases of all nature-41)
2A(ii).	Number of such matters disposed of during the year.	
	Target	Achievements
	Total 5 Years Old cases Disposed-04	<p>(02 Criminal Cases, 11 Bail Application, 02 Civil Cases)</p> <p>Note: 412 Cases, which are transferred to other court are not included in this figure of decided cases)</p>
2B.	Steps taken to dispose of old matters which are more than 10 years old.	
	Target	Achievements

	Disposal of old cases	<p>A- Fixed of cases which are at the stage of prosecution Evidence, a week</p> <p>B- Recording of Evidence of witnesses without giving unnecessary adjournments.</p> <p>C- Prompt disposal of Intervening applications.</p> <p>D- Old cases take in priority bases and fixed short date like two or three dates in week.</p>	
2B(i).	Pendency of such matters at the commencement of the year.		Attachment Available
	Target	Achievements	
	10 Years old pendency-37	(Criminal Cases of all natures- 35, Civil cases of all nature-02)	
2B(ii).	Number of such matters disposed of during the year.		Attachment Available
	Target	Achievements	
	10 Years old Cases Disposed-05	04 Criminal Cases, 01 Civil Cases Note- 27 Criminal Cases which are transferred to other court are not included in this figure of decided cases.	
2C.	Steps taken to dispose of cases of persons with more than 65 years of age.		
	Target	Achievements	
	NIL	NIL	
2C(i).	Pendency of such matters at the commencement of the year.		
	Target	Achievements	
	NIL	NIL	
2C(ii).	Number of such matters disposed of during the year.		
	Target	Achievements	
	NIL	NIL	
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	
	Disposal of old and under trail cases on priority.	<p>1- Old Cases like before 2000 disposed speedy. *</p> <p>2- Original record absence and Doctor and Police Officer not present.</p> <p>3- Strike & Condolences calls by Advocate.</p>	
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	

		UBUNTU Training of CIS 3.1 at JTRI, Lucknow
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

Attachments	
Attachment	Uploading Date
Breakup from 01/04/2019 to 31/03/2020 (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1594451191.pdf)	11/07/2020
Quarterly Inspection of the Court/ Office (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1594451275.pdf)	11/07/2020
Details of the Works by the Officer from 0/04/2019 to 31/03/2020 (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1594451415.pdf)	11/07/2020
Courts held during the Financial year (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1594451460.pdf)	11/07/2020
Pendency of old matters which are more than 5 years old at the commencement of the year (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1594451568.pdf)	11/07/2020
More than 5 years old cases disposed of during the year (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1594451655.pdf)	11/07/2020
Pendency of old matters which are more than 10 years old at the commencement of the year. (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1594451741.pdf)	11/07/2020
Old matters which are more than 10 years old disposed of during the year. (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1594451828.pdf)	11/07/2020
Statement of Year wise cases decided as contested and non contested (criminal, civil) from 22.08.2019 to 31.03.2020 (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1594452084.pdf)	11/07/2020
Judgement, Criminal Appeal No- 136/1984 (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1594452199.pdf)	11/07/2020
Judgement, ST No- 513/2014 (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1594452222.pdf)	11/07/2020
Judgement, SCC Rev 68/2018 (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1594452249.pdf)	11/07/2020
*Red background attachments are uploaded in return of objection.	

Judgment Attachments	
Judgment Attachment	Uploading Date
Criminal Appeal No 136/1984 (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1593771961.pdf)	03/07/2020
SESSIONS TRAIL NO 513/2014 (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1593771989.pdf)	03/07/2020
SCC REVISION 68/2018 (https://dc.allahabadhighcourt.in/assets/documents/acr/acr1593772018.pdf)	03/07/2020

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
01 (c).	If he is cool minded and does not lose temper in court.	Yes, he is
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:	He has control over the cases in the matter of proper fixation of cause list.
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, he avoids unnecessary adjournments.
01 (e) (iii).	Disposal of old cases(Give number and year of cases decided):	<p>Warrant trial: one of the year 1998, one of the year 2002, one of the year 2011, one of the year 2012, one of the year 2013, five of the year 2014,</p> <p>Summon trial: One of the year 2014</p> <p>Cow Slaughtering Act: one of the year 2009</p> <p>one ST of the year 2010, one of the year 2012, one of the year 2014, one crl. appeal of the year 1984.</p> <p>One CA of the year 2013 and one probate case of the year 1998 have been decided.</p>
01 (e) (iv).	Progress and disposal of execution cases:	As per information given in the self assessment, the officer has not decided any execution case.
01 (e)(v).	Whether interim order, injunction being granted, refused or retained for sufficient reasons?	NIL
01 (e) (vi).	Are cases being remanded on substantial grounds?	NIL
01 (e) (vii).	Performance with regard to decision of Motor Accident Claims related to death / injury	As per information given in self assessment, the officer has not decided any claim petition, hence no remark can be given in this column.
01 (f).	Whether Judgment on facts and on law are on the whole sound, well-reasoned and expressed in good language?:	Yes
	Note:- Following factors should also be indicated in filling up this column:	
01 (f)(i).	Marshalling of facts;	Satisfactory
01 (f)(ii).	Appreciation of evidences;	Satisfactory
01 (f)(iii).	Application of law.	Satisfactory
01 (g).	Whether disposal of work is adequate.(Give percentage and reasons for short disposal, if any)	Disposal of work is adequate. The officer has achieved 1884.43 units as against 1200 target units.
	Note:- The following factors should also be indicated in filling up this column:	
01 (g)(i).	Number of cases decided after actual full contest;	64 Cases excluding criminal and civil misc.
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.	01 Case decided on compromises/alternate dispute resolution.
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):	Good
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?	The officer has made three regular quarterly inspections of his court and office but he has not made fourth quarterly inspection because of lock-down. He has not made any surprise inspection of his court and office during assessment year. He has made annual inspection of court and office of Additional Court No. 03(N.I. Act), Kanpur Nagar under my delegated power. Quarterly inspection made by him are satisfactory.
01 (l).	His punctuality and regularity in sitting on the dais in court during court hours?	He is punctual and regular in sitting on dais in Court during Court hours.
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)	Good
2.	Over all assessment of the merit of the officer(outstanding, very good, good, fair, poor)	Good
3.	State of Health, with remarks, if any?	Sound.
4.	Other remarks, if any:	.
5.	Name of the District Judge:	Ashok Kumar Singh-III

Applying Date

Date 03/07/2020