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**HIGH COURT OF JAMMU AND KASHMIR
(Office of the Registrar General at Jammu)**

NOTIFICATION

No: 1069

Dated: 08.03.2016

In the meeting dated 14th day of February, 2016, the Hon'ble High Court laid down the following Guidelines for recording the ACRs of the Judicial Officers in the State of Jammu and Kashmir:

1. These shall apply to the members of the Jammu & Kashmir Civil Service (Judicial) and Jammu and Kashmir Higher Judicial Service.

2. Definitions:-

Unless the context otherwise requires:

- (i) "Chief Justice" means the Chief Justice of the High Court of Jammu & Kashmir.
- (ii) "Administrative Judge" means a Judge of the High Court of Jammu & Kashmir, in charge of the administration of a District or Districts.
- (iii) "Service" means the Jammu & Kashmir State Judicial Service.
- (iv) "Member of the Service" means persons holding the following posts including those who are on deputation or on other duty:-
 - (a) Principal District & Sessions Judge
 - (b) Additional District & Sessions Judge/Additional District Judge/Additional Sessions Judge
 - (c) Chief Judicial Magistrate/civil Judge Senior Division/Subordinate Judge/ Judge Small Causes/ Special Mobile Magistrate
 - (d) Civil Judge Junior Division / Munsiff / Judicial Magistrate Ist Class /Additional Mobile Magistrate
- (v) "District Unit Head" means the Principal District Judge heading the judicial administration of a District.
- (vi) "District Judge" means those Members of Service in the cadre of the District Judge (Super time Scale), the District Judge (Selection Grade) and the District Judge (Entry Level).

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- (vii) "Form" means a form appended to these guidelines.
- (viii) "Annual"/"Year" means the period of twelve months commencing from "the 1st day of January and ending by the 31st day of December" of each calendar year.

3. Confidential Record

- (i) Annual Confidential Record (ACR) shall be prepared in Form-B in respect of every District Judge and in Form-C in respect of other members of the Service.
- (ii) The period for the purpose of recording Annual Confidential Record shall be the year commencing from 1st day of January and ending by the 31st day of December;

Provided that in respect of a probationer, Confidential Record shall be prepared for every period of four months of service till he/she is confirmed or his/her probation is declared on its satisfactory completion.

Provided further that in respect of member of the Service, who has worked for more than three months in more than one District in any year, separate Confidential Record for each such period shall be recorded.

- (iii) Notwithstanding anything provided hereinabove at (i), a Special Confidential Record (SCR) shall be recorded by the Administrative Judge or District Unit Head whenever called for by the High Court, in order to assess the suitability of any Member of the Service for confirmation or promotion.

4. Furnishing of particulars by the Member:-

- (i) Every Member of Service in the cadre of District Judge including those who are on deputation to other departments or on other duty shall submit particulars in Form-A to the High Court before 28th/29th February of every year covering information upto the 31st December of the preceding year.
- (ii) Every Member of the Service other than the District Judge including those who are on deputation to other departments or on other duty shall submit a statement in Form-'A' so as to reach the District Unit Head concerned before 15th February of every year covering information up to the 31st December of the preceding year;

5. Preparation and transmission of records in respect of Members of the Service other than District Judges:-

- (i) (a) The Annual Confidential Record of every Member of Service including those who are on deputation to other departments or on other duty, shall be prepared by the District Unit Head concerned in Form-'C'. The Annual Confidential Record, in Form-C alongwith particulars received in Form-'A' shall be submitted to the High Court before the end of February of every year.
- (b) The record shall thereafter be placed before the Administrative Judge who shall record his opinion.
- (c) In case the Administrative Judge, who ceases to be a Judge of the High Court, has not recorded his opinion before his relinquishment, his successor or the Judge nominated by the Chief Justice shall record his opinion on the confidential record.
- (d) If any adverse remarks are recorded by the District Unit Head and not dissented from by the Administrative Judge or if any adverse remarks are recorded by the Administrative Judge, then the Confidential Record shall be placed before the Chief Justice who shall record his remarks.
- (ii) (a) If a member of Service has worked for more than three months in more than one District in a "year", all the District Unit Heads concerned shall prepare and submit a Confidential Record in respect of such member for the respective period in the same manner as provided hereinabove at (i).
- (b) When a Member of Service is transferred within three months, from one District to another, the District Unit Head of the District to which the member is transferred and working as on 31st December of the "Year" shall prepare the Confidential Record of the Member for the "Year" after obtaining required particulars for respective period from the District Unit Heads of the Districts from which he was transferred.
- (iii) (a) Where a District Unit Head retires during a year, he shall, before relinquishing his Office, prepare and submit Confidential Records in respect of such Members of Service who have worked under his control for more than three months in that year in the same manner as provided hereinabove at (i).

- (b) Where a Member of Service retires during the year, the District Unit Head under whom he has worked for more than three months, in that year, shall prepare and submit a Confidential Record in respect of that member of service covering such period in the same manner as provided hereinabove at (i).

6. Preparation of records in respect of District Judges including those on deputation or on other duty:-

- (i) In respect of a District Judge, the Administrative Judge shall record the Confidential Record in the same manner and within the same time as provided hereinabove at 5, in Form-'B'.
- (ii) The Annual Confidential Record (ACR) in respect of District Judges who are on deputation to other Departments shall be prepared by the Administrative Judge of the District in which they have been posted on deputation and are working or by any other Judge nominated for the purpose by the Chief Justice, in Form-'B', in the same manner and within the same time as provided hereinabove at 5.
- (iii) Where an Administrative Judge of a District ceases to be a Judge of the High Court during the "Year", he shall before relinquishing his office prepare the Annual Confidential Record (ACR) in respect of District Judges or any Member of Service who are on deputation to other departments, who have worked in that District for more than three months in that year, in the same manner as provided hereinabove at 5.

Provided that in case the Administrative Judge, who ceased to be a Judge of the High Court, has not prepared the confidential records before his relinquishment, his successor or the Judge nominated for the purpose by the Chief Justice shall prepare the confidential record.

- (iv) The Annual Confidential Record (ACR) prepared by the Administrative Judge or any other Judge nominated by the Chief Justice, under this rule, shall be placed before the Chief Justice, who shall record his remarks.

7. Preparation of records in respect of District Judges and other Members of Service on deputation to the High Court:-

The Annual Confidential Record (ACR) in respect of any Member of Service who is on deputation to the High


Court shall be prepared by the Chief Justice or any other Judge nominated for the purpose by the Chief Justice, in Form-'B'.

If the Annual Confidential Record (ACR) of any Member of Service who is on deputation to the High Court, prepared by a Judge nominated by the Chief Justice, contains adverse remarks, then the Confidential Record shall be placed before the Chief Justice who shall record his remarks.

8. Communication of entries in Annual Confidential Record:-

- (i) All entries in Annual Confidential Record (ACR) or Special Confidential Record (SCR), whether "Outstanding", "Very Good", "Good", "Average", "Fair" or "Poor", shall be communicated, by the Registrar General of High Court or by any other Officer authorized in this behalf by the Chief Justice, to the Member of the Service concerned within three months from the date on which the Annual Confidential Record or the Special Confidential Record is completed as the case may be, under due acknowledgement from the Member of Service concerned
- (ii) The factum of communication of entries in Annual Confidential Record (ACR) or Special Confidential Record (SCR) shall be recorded in the Confidential Record.

9. Representation against adverse remarks:-

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- (i) Every Member of the Service, to whom the entries in Annual Confidential Record (ACR) or Special Confidential Record (SCR) are communicated, shall within six weeks from the date of receipt of that communication by him/her, submit his/her representation, if any, against the entries he considers adverse, to the High Court and the same shall be placed immediately thereafter before the Administrative Judge or the Judge nominated by the Chief Justice or the Chief Justice, who had made or approved the adverse remarks, as the case may be, who may pass such orders as he deems fit on consideration of such representation. The orders, passed by the Administrative Judge or the Judge nominated by the Chief Justice, on such representation shall be placed before the Chief Justice for final orders.
 - (ii) The decision taken on such representation shall be communicated to the Member of the Service concerned.

- (iii) No further representation on the decision of the High Court shall be entertained.

10. Punishments:-

The pendency of any disciplinary proceedings shall not be recorded in the Annual Confidential Record in respect of any Member of the Service. However, a copy of the final order in all disciplinary proceedings where a penalty is imposed shall be included in the Annual Confidential Record and necessary entry therefor shall be made by the Registrar General of the High Court.

11. Register to watch the disposal of the Record:-

A register in Form-D shall be maintained by the Registrar General of the High Court and the entries made thereon shall have authentication of the Joint Registrar concerned.

12. Power to issue clarifications:-

Whenever the Registry entertains a doubt in any individual case as to the Authority competent to record the ACR/SCR in respect of any Member of Service under circumstances not covered in the above guidelines, then, the Chief Justice would decide the same and the decision of the Chief Justice shall be final.

The Chief Justice shall have the power to issue clarifications for the purpose of effective implementation of these guidelines.

By Order


(M. K. Hanjura)
Registrar General

No. 41207-40/Gs

Dated: 08.03.2016

Copy to the:-

1. Principal Secretary to Hon'ble the Chief Justice, High Court of J&K,
2. Secretary to Hon'ble Mr. Justice _____,
.....for information of His Lordship.
3. Registrar Vigilance, High Court of J&K, Jammu, for information.
4. Registrar Judicial, High Court of J&K, Jammu/Srinagar, for information, with the direction to circulate the same amongst the Judicial Officers working in the Registry and also to ensure that the same is uploaded on the High Court Website.
5. All the Principal District & Sessions Judges of the State of Jammu and Kashmir for information and necessary action.
6. The General Manager, Ranbir Government Press, J&K, Jammu, with the request to publish the same in the next edition of Government Gazette.
7. Order file.


Registrar General

APPENDIX

FORM-A

**DETAILS FURNISHED BY THE
JUDICIAL OFFICER FOR PREPARATION
OF CONFIDENTIAL RECORD FOR THE
YEAR _____**

1. (a) Name :
(b) Designation :

2. Posts held during the year _____

From	To	Unit Head
(a)	(a)	
(b)	(b)	
(c)	(c)	

3. (a) Number of Working days
in the Year :

- (b) Number of days during,
which worked :

- (c) Number of days not :
worked due to C.L./E.L/ :
Commuted leave or on other :
duties.

4. Monthly work Turn-out record :

 Date :

FORM-B

**JUDICIAL OFFICER'S CONFIDENTIAL RECORD FOR THE YEAR
PERIOD : _____**

Name of the OfficerDesignationPost Held

**Note: To be indicated against each item as Excellent/
Very Good/Good/Average/Fair/Poor.**

		To be recorded by the Hon'ble Administrative Judge of the Unit 1	To be recorded by the Hon'ble Chief Justice 2
1	Quality of Judgment/ Order (to be assessed on the basis of Judgment/ Orders (5) selected at random by the Unit Head of Hon'ble Administrative Judge in the case of District Judge a) Language b) Narration c) Clarity in thought d) Reasoning e) Conclusion (copies of Judgment and orders to be enclosed)		
2	Knowledge of Law and Procedure :		
3	Promptitude in disposal of cases : a) Current b) Old		
4	a) Industry b) Aptitude for hard / heavy work c) Readiness to take up Responsibility.		

5	Supervision and Control: a) On Subordinate Judges b) On office Staff		
6	Attitude towards a) Superiors b) Subordinates c) Colleagues		
7	Conduct and Dignity: a) Inside Court b) Outside Court		
8	Outlook towards: a) Members of the Bar b) Public		
9	Reputation as to a) Honesty b) Integrity c) Impartiality		
10	Overall view		
11	Special remarks, if any:		
		Signature and Date	Signature and Date



FORM-C

**JUDICIAL OFFICER'S CONFIDENTIAL RECORD FOR THE YEAR
PERIOD:**

Name of the OfficerDesignationPost Held

Note: To be indicated against each item as Excellent/Very Good/Good/Average
/Fair/Poor

		To be recorded by the District Unit Head 1	To be recorded by the Hon'ble Administrative Judge of the District / Metropolitan Area 2	To be recorded by the Hon'ble Chief Justice (In case of Adverse Remarks made by the Hon'ble Administrative Judge) 3
1	Quality of Judgment/ Order (to be assessed on the basis of Judgments/ Orders (3) selected at random by the Unit Head or Hon'ble Administrative Judge in the case of District Judge a) Language b) Narration c) Clarity in thought d) Reasoning e) Conclusion (copies of Judgments and orders to be enclosed)			
2	Knowledge of Law and Procedure			
3	Promptitude in disposal of cases a) Current b) Old			

4	a) Industry b) Aptitude for hard / heavy work c) Readiness to take up Responsibility.			
5	Supervision and control: a) On Subordinate Judges b) On office Staff			
6	Attitude towards a) Superiors b) Subordinate Colleagues			
7	Conduct and Dignity: a) Inside Court b) Outside Court			
8	Outlook towards: a) Members of the Bar b) Public			
9	Reputation as to a) Honesty b) Integrity c) Impartiality			
10	Overall view			
11	Special remarks, if any:			
		Signature and Date	Signature and Date	Signature and Date

Form – D

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|----|--|---|-----------|
| | Name of the Officer | : | |
| | First Appointed as | : | on |
| | Promoted as | : | on |
| 1 | Serial Number | : | |
| 2 | Designation | : | |
| 3 | Place of Posting | : | |
| 4 | Due date of the report | : | |
| 5 | The date on which the report was received | : | |
| 6 | The date on which the report was signed by the Administrative Judge | : | |
| 7 | The date on which the report was signed by the Chief Justice as per Rule | : | |
| 8 | Details of adverse remarks, if any, recorded | : | |
| 9 | The date of communication of adverse remarks | : | |
| 10 | The date of receipt of representation against the adverse remarks recorded | : | |
| 11 | The date of disposal of representation against the adverse remarks | : | |
| 12 | Details of decision taken on the representation | : | |
| 13 | The date of communication of decision on the representation | : | |

NOTE: The name of every member of the service appointed should be entered in the register, immediately after his appointment reserving sufficient number of pages having due regard to the number of year of service between the date of appointment and superannuation.