

HIGH COURT OF MADHYA PRADESH, JABALPUR

Endt. No. 799 /Confdl./2023  
IV-12-40/2005

Jabalpur, Dated 08 September, 2023

In view of the direction of Hon'ble Supreme Court dated 19.05.2023 issued in W.P (Civil) No.643/2015 All India Judges Association & Ors Vs. Union of India, relating to revision of norms for grant of ACP grade, High Court of Madhya Pradesh, in supersession of earlier norms for promotion, wherever it relates to grant of ACP (Assured Career Progression) Grade, issued vide High Court Order No.244/Confdl./2020 dated 19.02.2020, hereby prescribes following revised norms for grant of Assured Career Progression (ACP) Grade to Civil Judge (Junior Division) and Civil Judge (Senior Division):-

**Norms for grant of Assured Career Progression Grade**

- (A) A Civil Judge (Junior Division) or a Civil Judge (Senior Division) shall be entitled to be considered for conferment of the First Assured Career Progression Grade on completion of five years of service as Civil Judge (Junior Division) or Civil Judge (Senior Division), as the case may be, if -
- he has not been promoted due to non-availability of promotional post;
  - the High Court finds him fit to be conferred with Assured Career Progression Grade;
  - the Officer, as regards overall performance in the ACR has been graded :

In case of Civil Judge (Junior Division)	Atleast three "C" during past 5 years and has not been graded "E" more than once during that period
In case of Civil Judge (Senior Division)	Atleast one "B" and two "C" during past 5 years <i>after being promoted as Civil Judge (Senior Division)</i> and has not been graded "E" even once during that period.

Provided further that where the probation period of Civil Judge (Junior Division) is extended, the grant of First Assured Career Progression Grade shall be deferred proportionately to commensurate with the extended probation period.

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- (d) In case of Civil Judge (Junior Division), the Officer shall not be denied the benefits of ACP unless the work done in terms of disposal by the concerned Officer is not consistently poor/un-satisfactory and that there is no conclusive adverse report as regards integrity and honesty.
- (e) That, in case of Civil Judge (Senior Division), if the work done in terms of average units per day earned by the concerned Officer for a continuous period of five years commencing from any year after he gets promoted as Civil Judge (Senior Division), on yearly basis, falls within "Good" category as per the norms fixed in this respect by the High Court, the Officer shall not be denied the benefits of ACP.
- (B) A Civil Judge (Junior Division) or a Civil Judge (Senior Division) shall be entitled to be considered for Second Assured Career Progression Grade on completion of ten years of service as Civil Judge (Junior Division) or as Civil Judge (Senior Division), as the case may be, if –
- (a) he has not been promoted;
- (b) the High Court finds him fit to be conferred with Second Assured Career Progression Grade;
- (c) the Officer, as regards overall performance in the ACR has been graded :

In case of Civil Judge (Junior Division)	Atleast one "B" and two "C" and has not been graded "E" even once during past 5 years after grant of First Assured Career Progression Grade.
In case of Civil Judge (Senior Division)	Atleast three "B" and has not been graded "D" twice during past 5 years after grant of First Assured Career Progression Grade.

- (d) That if the work done in terms of average units per day earned by the concerned Officer for a continuous period of five years commencing from any year after he/she gets the First Assured Career Progression Grade, on yearly basis, falls within "Good" category as per the norms fixed in this respect by the High Court, the Officer shall not be denied the benefits of ACP.

### GENERAL INSTRUCTIONS

- (1) The requirement as to grading in terms of average units per day can be relaxed by the Committee upon considering the explanation offered by the Officer concerned, in the following situations :-

- (a) If it is found that the average pendency of regular Civil/Criminal cases per month during the year was less than 350 cases in the relevant year;

or

- (b) If it is found that the Officer was holding exclusive Special Courts for the CBI cases or Negotiable Instruments Act, 1881 cases or Commercial Courts Act cases or Juvenile Justice Act cases or Domestic Violence Act cases or MP/MLA cases or Gram Nyayalaya or Economic Offence cases or VYAPAM cases or was engaged in Administrative responsibilities like Registrar-District Court or Secretary, DLSA/SLSA or on deputation or was discharging any other obligation of the nature so as to substantially reduce his average working hours per day.

Explanation regarding lesser disposal must be submitted by the Judicial Officer to the High Court in terms of the *Registry Memo No. D/3363, dated 16.06.2014 (copy enclosed)*.

- (2) Adverse remarks in the ACR shall be taken into consideration for assessing the performance for grant of ACP.
- (3) Any other remarks made with regard to behavior, conduct etc. may also be taken into consideration after affording an opportunity to the concerned Officer to offer his/her explanation about the same.
- (4) No Judicial Officer shall be entitled to get the benefit of First Assured Career Progression Grade or Second Assured Career Progression Grade, if –
- (a) his integrity is doubtful;
- (b) more than once warning or caution is issued against him;

Note:- Mere "advice" would not amount to "warning" or "caution";

- (c) in case, an Officer is undergoing punishment period as contemplated under Rule 10 of Madhya Pradesh Civil Services (Classification,

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Control and Appeal), Rules, 1966, he/she shall be treated as "Not fit for grant of ACP" during such period, the punishment is in force.

- (d) for any other reason the High Court finds him unfit to be conferred with First Assured Career Progression or Second Assured Career Progression.
- (5) (a) At the time of consideration of the cases of Judicial Officers for grant of First or Second Assured Career Progression Grade, details of Judicial Officers in the consideration zone falling under the following categories should be specifically brought to the notice of the Administrative Committee:-
- (i) In the matters, where the Competent Authority has taken decision in the file to initiate Departmental Enquiry;
  - (ii) Judicial Officers under suspension;
  - (iii) Judicial Officers in respect of whom a charge-sheet has been issued and the disciplinary proceedings are pending; and
  - (iv) Judicial Officers in respect of whom prosecution for a criminal charge is pending.
- (b) *Sealed cover procedure.*- The Administrative Committee shall assess the suitability of the Judicial Officers coming within the purview of the circumstances mentioned above along with other eligible candidate without taking into consideration the disciplinary case/criminal prosecution pending. The assessment of the Administrative Committee, will be kept in a sealed cover. The cover will be superscribed "Findings regarding suitability for grant of First/Second Assured Career Progression Grade to the grade/post of ..... in respect of Shri ..... (*name of the Judicial Officer*). Not to be opened till the termination of the disciplinary case/criminal prosecution against Shri .....". The proceedings of the Administrative Committee need only contain the note "The findings are contained in the attached sealed cover".
- (c) *Procedure by subsequent Administrative Committees.*- The same procedure outlined in clause (b) above will be followed by the

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subsequent Administrative Committee convened till the disciplinary case/criminal prosecution against the Judicial Officers concerned is concluded.

- (d) On conclusion of Departmental Enquiry or the criminal case, as the case may be, if delinquent is exonerated/acquitted, the sealed cover shall be opened and recommendation of Administrative Committee shall be acted upon from the date of entitlement.
- (6) Process of grant of ACP would normally be initiated 3 months in advance from the date on which the Judicial Officers would be completing 5/10 years of service and the financial benefits would be paid to the Judicial Officer within 6 months after the Judicial Officer steps into 6<sup>th</sup>/11<sup>th</sup> year of service. If for any reason, delay in grant of ACP goes beyond one year, one additional increment for every year shall be granted subject to adjustment while drawing the arrears on grant of ACP.

  
(RAMKUMAR CHOUBEY)  
REGISTRAR GENERAL

Endt. No. 800/Confdl./2023  
IV-12-40/2005

Jabalpur, Dated 08 September, 2023

1. Principal Secretary, Government of M.P., Law & Legislative Affairs Department, Bhopal for information, with a request to circulate the same amongst Judicial Officer working in your Department for information and necessary action.
2. Principal District & Sessions Judges, Alirajpur/ Anuppur/ Ashoknagar/ Balaghat/ Barwani/ Betul/ Bhind/ Bhopal/ Burhanpur/ Chhatarpur/ Chhindwara/ Damoh/ Datia/ Dewas/ Dhar/ Dindori/ Guna/ Gwalior/ Harda/ Indore/ Jabalpur/ Jhabua/ Katni/ Khandwa/ Mandla/ Mandleshwar/ Mandsaur/ Morena/ Narmadapuram/ Narsinghpur/ Neemuch/ Panna/ Raisen/ Rajgarh/ Ratlam/ Rewa/ Sagar/ Satna/ Sehore/ Seoni/ Shahdol/ Shajapur/ Sheopur/ Shivpuri/ Sidhi/ Singrauli/ Tikamgarh/ Ujjain/ Umaria/ Vidisha (M.P.), with a request to circulate the same amongst Judicial Officers working in your district for information and necessary action.


3. Principal Judge, Family Court, Alirajpur/ Anuppur/ Ashoknagar/ Balaghat/ Barwani/ Betul/ Bhind/ Bhopal/ Burhanpur/ Chhatarpur/ Chhindwara/ Damoh/ Datia/ Dewas/ Dhar/ Dindori/ Guna/ Gwalior/ Harda/ Indore/ Jabalpur/ Jhabua/ Katni/ Khandwa/ Mandla/ Mandleshwar/ Mandsaur/ Morena/ Narmadapuram/ Narsinghpur/ Neemuch/ Panna/ Raisen/ Rajgarh/ Ratlam/ Rewa/ Sagar/ Satna/ Sehore/ Seoni/ Shahdol/ Shajapur/ Sheopur/ Shivpuri/ Sidhi/ Singrauli/ Tikamgarh/ Ujjain/ Umaria/ Vidisha for information & necessary action.
4. The In-Charge Registrar, O/o Welfare Commissioner, Bhopal Gas Victims, Dr. Rajendra Prasad Bhawan, Opposite Old Vidhan Sabha, Bhopal, for information, with a request to circulate the same amongst Judicial Officers working in your institution for information and necessary action.
5. The Registrar, M.P. Industrial Court, 518, New Moti Bangalow, MG Road, Indore- 452007 for information, with a further direction to circulate the Transfer Guidelines – 2022 amongst all the Judicial Officers for information and necessary action.
6. Shri Vivek Saxena, Registrar, Supreme Court of India, New Delhi for information,
7. Shri Gajendra Singh, Chairman, M.P. State Transport Appellate Tribunal (S.T.A.T.), Moti Mahal, Gwalior for information.
8. Shri Umesh Kumar Shrivastava, Legal Advisor to His Excellency Hon'ble the Governor of M.P., Raj Bhawan, Bhopal - 462003, for information.
9. Shri Vijay Chandra, Registrar (Administration), National Judicial Academy, Bhadbhada Road, Suraj Nagar P.O., Bhopal – 462 044 for information.
10. Shri Tanveer Ahamed Khan, Presiding Officer, M.P. State Waqf Tribunal, B-114, Housing Board Colony, Kohefiza, Bhopal for information.
11. Shri Kamlesh Kumar Itawadia, Legal Advisor, Lokayukta Organisation, Office of Lokayukta Organisation, M.P. Lokayukta Bhawan, F- Block, Old Secretariat, Bhopal – 462 001, for information.
12. Shri Ashish Shrivastava (Sr.), Deputy Secretary, M.P. Human Rights Commission, Paryawas Bhawan, Khand-1, First Floor, Bhopal-462 011 for information.
13. Shri Rajesh Kumar Agarwal (Jr.), Registrar, National Green Tribunal (NGT), Central Zone, Bench at Bhopal, State Information Commission Bhawan, 3<sup>rd</sup> Floor, Arera Hills, Bhopal-462011, for information, with a request to circulate the same amongst Judicial Officers working in your institution for information.
14. Shri Arvind Kumar Goyal, Registrar, M.P. State Arbitration Tribunal, B-wing, Ground Floor, Vindhyachal Bhawan, Bhopal for information.

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15. Smt. Priti Singh, Principal Registrar, Central Administrative Tribunal (CAT), New Delhi for information.
16. Member Secretary, Madhya Pradesh State Legal Services Authority, 574, South Civil Lines, Jabalpur, with a request to circulate the same amongst Judicial Officer working in your institution for information and necessary action.
17. Principal Registrar (Vigilance) / (I.L.R. & Examination) / (Judicial), High Court of M.P., Jabalpur, for information.
18. The Principal Registrar, High Court of Madhya Pradesh, Bench at Indore / Gwalior, for information.
19. District Judge, (Inspection) Jabalpur Zone, High Court Premises Jabalpur/ District Judge, (Inspection) Indore Zone, J.E.-I, Judges Enclave, Residency area, Indore-452001 / District Judge, (Inspection) Gwalior Zone, 28/B, Race Course Road, Opposite Mela Ground, Gwalior, for information.
20. Registrar (I.L.)/ (Vigilance)/ (District Establishment)/ (Judicial-I)/ (Judicial-II)/ (Administration)/ (Exam)/ (Works & Infrastructure)/ (Information & Technology) /O.S.D. (Computer)/ O.S.D. (Exam)/ Registrar-cum-Secretary, High Court Legal Services Committee, High Court of Madhya Pradesh, Jabalpur, for information.
21. Member Secretary of State Court Management System, High Court of M.P., Jabalpur, for information and necessary action.
22. Director, M.P. State Judicial Academy (MPSJA), High Court of M.P., Jabalpur, for information, with a request to circulate the same amongst Judicial Officer working in your institution for information and necessary action.
23. Registrar (I.T.), High Court of Madhya Pradesh, Jabalpur, for sending copy of norms for grant of Assured Career Progression (ACP) Grade to Civil Judges by e-mail to the Hon'ble Judges, High Court of M.P., Jabalpur /Bench Indore/ Bench Gwalior for kind information of Hon'ble Judges.
24. Secretary to Registrar General, High Court of Madhya Pradesh, Jabalpur for information.

Note :- Vide the Registry Endorsement No. Reg.(I.T.)(S.A)/2018/368, dated 01/03/2018, all the concerned are informed to download the copy of this order.

  
 (RAMKUMAR CHOUBEY)  
 REGISTRAR GENERAL