

**HIGH COURT OF MADHYA PRADESH JABALPUR**

**ORDER**

No. 244 Confdl./2020  
II-2-21/63

Dated 19 February, 2020

In supersession of earlier norms for promotion of Judicial Officers and grant of ACP (Assured Career Progression) Grade, issued vide High Court Order No. 1388/Confdl./2017 dated 06.12.2017 the High Court of Madhya Pradesh hereby prescribes following norms for promotion to the post of Civil Judge Class-I (Senior Division), Grant of ACP Grade, promotion of Civil Judges Class-I (Senior Division) to the post of Additional District Judge [District Judge (Entry Level)] and Grant of District Judge (Selection Grade), Principal District Judge (Super Time Scale) :-

**Part-A**

Promotion to the post of Civil Judge (Senior Division), Grant of ACP and promotion to the post of District Judge (Entry Level) under Rule 5(1)(a) of M.P. Higher Judicial Service (Recruitment and Conditions of Service) Rules, 2017:-

1. (i) The officer, as regards overall performance in the ACR has been graded at-least one "B" and two "C" during past 5 years and has not been graded even one "E" during that period; and
- (ii) Adverse remarks in the ACR shall be taken into consideration for assessing the performance for promotion and for grant of ACP.
- (iii) 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.

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2. That the work done in terms of average 6 units per day earned by the concerned Officer during past 5 years, on yearly basis, falls within "Good Category" as per the norms fixed in this respect by the High Court.

Provided, however, 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:-

- (i) 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
- (ii) If it is found that the Officer was engaged in Administrative responsibilities like Registrar-District Court or Secretary, DLSA 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)*.

3. (i) At the time of consideration of the cases of Judicial Officers for promotion, details of Judicial Officers in the consideration zone for promotion falling under the following categories should be specifically brought to the notice of the Administrative Committee:-

(a) In the matters, where the Competent Authority has taken decision in the file to initiate Departmental Enquiry but charges has not been served on such Officer;

(b) Judicial Officers under suspension;

(c) Judicial Officers in respect of whom a charge-sheet has been issued and the disciplinary proceedings are pending; and

d) Judicial Officers in respect of whom prosecution for a criminal charge is pending.

*sd*  


(ii) *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 promotion 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".

(iii) *Procedure by subsequent Administrative Committees.*- The same procedure outlined in clause 3(ii) above will be followed by the subsequent Administrative Committee convened till the disciplinary case/criminal prosecution against the Judicial Officers concerned is concluded.

4. In case of *ad hoc* promotion also:  
The "Sealed Cover Procedure" prescribed referred to above may also be followed at the time of consideration for *ad hoc* promotion.
5. 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. In case, an officer is undergoing punishment period as contemplated under Rule 10 of Madhya Pradesh Civil Services (Classification, Control and Appeal), Rules, 1966, he/she shall be treated as "Not fit for promotion" during such period, the punishment is in force.

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**Part-B**

Grant of District Judge (Selection Grade Scale) or Principal District Judge (Super Time Scale) under Rule 3(1)(b) & 3(1)(c) of MP HJS Rule, 2017 respectively.

1. (i) *No Member of Higher Judicial Service shall be granted benefit of:-*
    - (a) *District Judge (Selection Grade) unless he has completed 5 years continuous service as District Judge (Entry Level), and*
    - (b) *Principal District Judge (Super Time Scale) unless he has completed 3 years continuous service as District Judge (Selection Grade).*
  - (ii) The officer, as regards overall performance in the ACR has been graded at-least three "B" with no "E" during past 5 years; and
  - (iii) Adverse remarks in the ACR shall be taken into consideration for assessing the performance for grant of District Judge (Selection Grade) or Principal District Judge (Super Time Scale).
  - (iv) 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.
2. That the work done in terms of average 5.5 units per day earned by the concerned Officer during past 5 years, on yearly basis, falls within "Good Category" - including required Civil Disposal in cases of District Judges / Additional District Judges as per the norms fixed in this respect by the High Court.

Provided, however, 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 :-

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(i) 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

(ii) If it is found that the Officer was assigned with the work of Special Court under Prevention of Corruption Act or holding Special Courts for the CBI Cases 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).

3. (i) At the time of consideration of the cases of Judicial Officers for promotion, details of Judicial Officers in the consideration zone for promotion falling under the following categories should be specifically brought to the notice of the Administrative Committee:-

(a) In the matters, where the Competent Authority has taken decision in the file to initiate Departmental Enquiry but charges has not been served on such Officer;

(b) Judicial Officers under suspension;

(c) Judicial Officers in respect of whom a charge-sheet has been issued and the disciplinary proceedings are pending; and

(d) Judicial Officers in respect of whom prosecution for a criminal charge is pending.

(ii) *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 promotion 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".

(iii) *Procedure by subsequent Administrative Committees.-* The same procedure outlined in clause 3(ii) above will be followed by the subsequent Administrative Committee convened till the disciplinary case/criminal prosecution against the Judicial Officers concerned is concluded.

4. In case of *ad hoc* promotion also:  
The "Sealed Cover Procedure" prescribed referred to above may also be followed at the time of consideration for *ad hoc* promotion.
5. 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. In case, an officer is undergoing punishment period as contemplated under Rule 10 of Madhya Pradesh Civil Services (Classification, Control and Appeal), Rules, 1966, he/she shall be treated as "Not fit for promotion" during such period, the punishment is in force.

The quality of Judgments shall be examined on the basis of following norms:-

- |  |                         |
|--|-------------------------|
| (a) Marshalling and Appreciation of Evidence – | 10 Marks                |
| (b) Interpretation and application of Law –    | 10 Marks                |
| (c) Language of the Judgment –                 | 05 Marks                |
|  | <b>Total – 25 Marks</b> |

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7. Four Judgments (2 Civil, 2 Criminal) of each Judicial Officer under consideration will be examined by a Committee of Judges constituted by Hon'ble the Chief Justice.
8. The Judgments shall be graded as under on the basis of marks awarded by the Committee :
- |             |               |   |                         |
|-------------|---------------|---|-------------------------|
| Grade "A" - | Excellent     | - | 20 & above marks        |
| Grade "B" - | Very Good     | - | 15 to 19 marks          |
| Grade "C" - | Good          | - | 10 to 14 marks          |
| Grade "D" - | Average       | - | 7 to 9 marks            |
| Grade "E" - | Below average | - | Below 7 marks<br>(Poor) |

Provided an Officer who has secured Grade "E" or "D" as regards quality of Judgments shall generally be treated as "not fit" for grant of District Judge (Selection Grade) or Principal District Judge (Super Time Scale).


  
 19/2/2020  
**(RAJENDRA KUMAR VANI)**  
**REGISTRAR GENERAL**

Endt. No. 245 /Confdl./2020  
II-2-21/63

Dated 19 February, 2020

**Copy forwarded to:-**

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 Law Department.
2. The District & Sessions Judges of ....., for information, with a further direction to circulate the Norms amongst all the Judicial Officers of the District.
3. Principal Judge, Family Court, Balaghat / Betul / Bhind / Bhopal / Chhatarpur / Chhindwara / Damoh / Dewas / Dhar / Dindori / Guna / Gwalior / Harda / Narsinghpur / Indore / Jabalpur / Katni / Khandwa / Mandsaur / Mandla / Morena / Rajgarh / Ratlam / Rewa / Satna / Sagar / Sehore / Seoni / Shahdol / Shivpuri / Singrauli / Tikamgarh / Ujjain / Vidisha for information.

4. I Additional Principal Judge, Family Court, Bhopal / Indore / Jabalpur, for information.
5. II Additional Principal Judge, Family Court, Bhopal / Indore / Jabalpur, for information.
6. Additional Principal Judge, Family Court, Gwalior / Ujjain for information.
7. The In-charge Registrar, O/o Welfare Commissioner, Bhopal Gas Victims, Dr. Rajendra Prasad Bhawan, Opposite Old Vidhan Sabha, Bhopal, for information, with a further direction to circulate the Norms amongst all the Judicial Officers.
8. Shri Rajeev Apte, Registrar, M.P. State Consumer Dispute Redressal Commission, 76-Arera Hills, Bhopal,
9. Registrar M.P. Industrial Court, 518, New Moti Bangalow, MG Road, Indore- 452007 for information, with a further direction to circulate the Norms amongst all the Judicial Officers.
10. Shri Ram Narayan Choudhary, Chairman, M.P. State Transport Appellate Tribunal, Gwalior, for information.
11. Shri Sanjeev Sudhakar Kalgaonkar, Secretary General / Shri Vidhan Maheshwari, Additional Registrar, Supreme Court of India, New Delhi, for information
12. Shri Upendra Kumar Singh, Registrar, M.P. state Arbitration Tribunal, B-Wing, Ground Floor, Vindhyaachal Bhawan, Bhopal (M.P.)
13. Shri Padam Chandra Gupta, Legal Advisor, Economic Offence Bureau, Bhopal, "EOW Bhawan", 42, Arera Hills, Bhopal for information.
14. Shri Anand Kumar Tiwari, Registrar / Shri Dinesh Prasad Mishra, Controller Exam, Dharmashastra National Law University (DNLU), Jabalpur, Bharat Ratna Bhim Rao Ambedkar Institute of Telecom Training (B.R.B.R.A.I.T.T.), Ridge Road, Jabalpur – 482001, for information.





15. Shri Dharmindar Singh, Presiding Officer, Debts Recovery Tribunal-3, Apartment No. 318, Hotel Samrat, 3<sup>rd</sup> Floor Kautilya Marg, Chanakyapuri, New Delhi- 110021, for information.
16. Ku. Jasveer Kaur Sasan / Shri Madhusudan Mishra, Legal Advisor, Lokayukta Organisation, M.P. Lokayukta Bhawan, F- Block, Old Secretariat, BHOPAL – 462 001, for information.
17. Shri Ram Prasad Sonkar, Registrar, Real Estate Appellate Tribunal, Bhopal, 192, Zone-1, Maharana Pratap Nagar, Bhopal-462011, for information.
18. Shri Sudhir Singh Chouhan, Deputy Secretary, M.P. Human Rights Commission, Bhopal, Paryawas Bhawan, Khand-1, First Floor, Bhopal-462 011, for information.
19. Ku. Neeta Gupta, Registrar, National Law Institute University (NLIU), Kerwa Dam Road, Bhopal-462044, for information.
20. Shri Qamar Iqbal Khan, Presiding Officer, M.P. State Wakf Tribunal, B-114, Housing Board Colony, Kohefiza, Bhopal for information.
21. Shri Sushil Kumar (Jr.), Registrar / Shri Nimish Raja, Dy. Registrar, National Green Tribunal (NGT), Central Zone, Bench at Bhopal, State Information Commission, Building, 3<sup>rd</sup> Floor, Arera Hills, Bhopal-462011 for information.
22. District Judge (Inspection), High Court Premises, Jabalpur / District Judge (Inspection), J.E.-1, Judges Enclave, Residency Area, Indore – 452001 / District Judge (Inspection), 28/B, Race Course Road, Opposite Mela Ground, Gwalior (M.P.), for information.
23. The Principal Registrar, High Court of Madhya Pradesh, Bench at Indore, for information.
24. The Principal Registrar, High Court of Madhya Pradesh, Bench at Gwalior, New High Court Building, City Center, Gwalior for information.
25. Member Secretary, Madhya Pradesh State Legal Services Authority, 574, South Civil Lines, Jabalpur, for information, with a request to circulate the same amongst Judicial Officer working in MP SLSA.



26. Principal Registrar (Vigilance) / (Judicial) / (I.L.R. & Examination), High Court of M.p., Jabalpur for information.
27. Registrar (Exam & Labour Judiciary) / (District Establishment) / (Work & Infrastructure) / (I.L. & I.L.R.) / (Judicial-I) / (Judicial-II) / (Vigilance) / Registrar / Secretary High Court, Legal Service Committee / (Administration) / High Court of Madhya Pradesh, Jabalpur, for information.
28. Director / Additional Director, M.P. State Judicial Academy (MPSJA), First Floor, Abolished SAT Building, Jabalpur, for information, with a request to circulate the same amongst Judicial Officer working in M.P. State Judicial Academy.
29. Member Secretary, State Court Management System (SCMS), High Court of M.P., Jabalpur for information.
30. Chief System Analyst / Sr. Principal System Analyst (I.T.) / (S.A.) / (Network and Communication Technology), for information.
31. Registrar (E) / Account Officer / Budget Officer / Joint Registrar (Protocol) / Deputy Registrar (Judicial-I) / (Judicial-II), High Court of Madhya Pradesh, Jabalpur, for information.
32. Registrar-cum-PPS to Hon'ble the Chief Justice, High Court of Madhya Pradesh, Jabalpur, for placing the same before His Lordship's kind information.
33. Secretary to Hon'ble Shri Justice \_\_\_\_\_, High Court of Madhya Pradesh, Jabalpur, for placing the same before His Lordship's kind information.
34. Secretary to Hon'ble Shri Justice \_\_\_\_\_, High Court of Madhya Pradesh, Bench at Indore, Indore, for placing the same before His Lordship's kind information.
35. Secretary to Hon'ble Shri Justice \_\_\_\_\_, High Court of Madhya Pradesh, Bench at Gwalior, Gwalior, for placing the same before His Lordship's kind information.



36. Secretary to Registrar General, High Court of Madhya Pradesh, Jabalpur, for information.

**Note :-** Vide Registry Order No.Reg(IT)(SA)/2018/368, dated 01.03.2018, it has been directed to stop Printing / Photocopying / Cyclostyle of all general Administrative Orders like transfer, posting etc. and the same Orders / Circulars etc. are to be made available in the Official website of the High Court. Accordingly, in compliance of the same, all concerned is, hereby, informed to download a copy of the Order/ Circular and ensure necessary action, if any.



(RAJENDRA KUMAR VANI)  
REGISTRAR GENERAL