

HIGH COURT OF CHHATTISGARH: BILASPUR

NOTIFICATION

No. 738 /Confdl./2024
II-2-09/2024

Bilaspur, dated 19th July, 2024

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 Assured Career Progression (ACP) Scale, the High Court of Chhattisgarh, hereby prescribes following norms for grant of ACP Scale to Civil Judge Junior Division and Civil Judge Senior Division:-

General norms for grant of Assured Career Progression Scale

A Civil Judge Junior Division or a Civil Judge Senior Division shall be entitled to be considered for conferment of Assured Career Progression Scale if:-

- (a). He has not been promoted due to non-availability of promotional post;
- (b). The High Court finds him fit to be conferred with Assured Career Progression Scale.
- (c). There is no conclusive adverse report as regards integrity and honesty.

Norms for grant of ACP-I and ACP-II to Civil Judge Junior Division:-

- (A). A Civil Judge Junior Division on the basis of overall performance in the ACR has been graded:-

In case of ACP-I	Atleast three "C" during past 5 years and has not been graded "E" more than once during that period.
In case of ACP-II	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.

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

- (B). A Civil Judge Junior Division shall not be denied the benefits of ACP Scale unless the work done in terms of disposal by the concerned Officer is not consistently poor/un-satisfactory.
- (C). 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 Scale, 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.



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(2)

Norms for grant of ACP-I and ACP-II to Civil Judge Senior Division:-

(A). A Civil Judge Senior Division on the basis of overall performance in the ACR has been graded:-

In case of ACP-I	Atleast one "B" and two "C" during past 5 years after being promoted as <i>Civil Judge Senior Division</i> and has not been graded "E" even once during that period.
In case of ACP-II	Atleast three "B" and has not been graded "D" twice and has not been graded "E" even once during past 5 years after grant of First Assured Career Progression Grade.

(B). 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 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.

GENERAL INSTRUCTIONS

- (1) The requirement as to grading in terms of average units per day can be relaxed by the Sub-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 Economic Offence cases or was engaged in Administrative responsibilities like 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 Circular No. 4972/III-1-3/2002 dated 13.04.2022 (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 Scale or Second Assured Career Progression Scale, if
 - (a) more than once warning or caution is issued against him;
Note:- Mere "advice" would not amount to "warning" or "caution";

Per 19/7/22

Contd...3/-

(3)

- (b) in case, an Officer is undergoing punishment period as contemplated under Rule 10 of Chhattisgarh Civil Services (Classification, 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.
- (c) 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 Scale, details of Judicial Officers in the consideration zone falling under the following categories should be specifically brought to the notice of the Sub-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 Sub-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 Sub-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/Smt./Ku..... (*name of the Judicial Officer*). Not to be opened till the termination of the disciplinary case/criminal prosecution against Shri/Smt./Ku.....". The proceedings of the Sub-Committee need only contain the note "The findings are contained in the attached sealed cover".
- (c). *Procedure by subsequent Sub-Committees.*- The same procedure outlined in clause (b) above will be followed by the subsequent Sub-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 Sub-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 6th / 11th 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.

BY ORDER OF THE HIGH COURT


(BALRAM PRASAD VERMA)
REGISTRAR GENERAL

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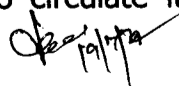
(4)

Endt. No. 739 /Confdl./2024
II-2-09/2024

Bilaspur, dated 19th July, 2024

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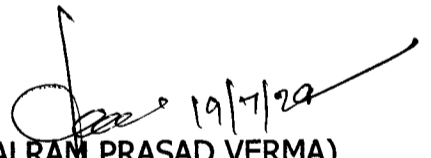
- (1) Joint Registrar-cum-Principal Private Secretary to Hon'ble the Chief Justice, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (2) Private Secretary to Hon'ble Shri Justice Goutam Bhaduri, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (3) Private Secretary to Hon'ble Shri Justice Sanjay K. Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (4) Private Secretary to Hon'ble Shri Justice Sanjay S. Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (5) Private Secretary to Hon'ble Shri Justice Parth Prateem Sahu, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (6) Private Secretary to Hon'ble Smt. Justice Rajani Dubey, High Court of Chhattisgarh, Bilaspur for information of her Ladyship.
- (7) Private Secretary to Hon'ble Shri Justice Narendra Kumar Vyas, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (8) Private Secretary to Hon'ble Shri Justice Naresh Kumar Chandravanshi, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (9) Private Secretary to Hon'ble Shri Justice Deepak Kumar Tiwari, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (10) Private Secretary to Hon'ble Shri Justice Sachin Singh Rajput, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (11) Private Secretary to Hon'ble Shri Justice Rakesh Mohan Pandey, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (12) Private Secretary to Hon'ble Shri Justice Radhakishan Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (13) Private Secretary to Hon'ble Shri Justice Sanjay Kumar Jaiswal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (14) Private Secretary to Hon'ble Shri Justice Ravindra Kumar Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (15) Private Secretary to Hon'ble Shri Justice Arvind Kumar Verma, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
- (16) Private Secretary to Registrar General, High Court of Chhattisgarh, Bilaspur for information.
- (17) All Registrars, High Court of Chhattisgarh, Bilaspur for information.
- (18) Director, Chhattisgarh State Judicial Academy, High Court of Chhattisgarh, Bilaspur for information.
- (19) Principal Secretary, Government of Chhattisgarh, Law & Legislative Affairs Department, Mahanadi Bhawan (Capital Complex), Mantralaya, Nawa Raipur Atal Nagar, Raipur for information.
- (20) District & Sessions Judge, Balod/ Baloda-Bazar/ Balrampur at Ramanujganj/ Bemetera/ Bastar at Jagdalpur/ Bilaspur/ Dakshin Bastar at Dantewara/ Dhamtari / Durg / Janjgir-Champa/ Jashpur at Jashpurnagar/ Kabirdham at Kawardha/ Kondagaon/ Koriya (Baikunthpur)/Korba/ Mahasamund/ Mungeli/ Raigarh/ Raipur/ Rajnandgaon/ Surguja at Ambikapur/ Surajpur/ Uttar Bastar (Kanker) for information with a request to circulate it amongst the Judicial Officers under your jurisdiction.



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(5)

- (21) All Joint Registrars, High Court of Chhattisgarh, Bilaspur for information.
- (22) Additional Registrar (Judicial/D.E./Admn./Copying/Confidential/Civil & Supreme Court Section/Works/Criminal), High Court of Chhattisgarh, Bilaspur for information.
- (23) Judge, Commercial Court (District Judge Level), 2nd Floor, Niti Bhawan, Opposite C.G.P.S.C. Building, Sector-19, Nawa Raipur Atal Nagar, Chhattisgarh-492002 for information
- (24) Member Secretary, Chhattisgarh State Legal Services Authority, Old High Court Building, Bilaspur for information.
- (25) Secretary, High Court Legal Services Committee, High Court of Chhattisgarh, Bilaspur for information.
- (26) Officer on Special Duty, High Court of Chhattisgarh, Bilaspur for information.
- (27) Budget Officer, High Court of Chhattisgarh, Bilaspur for information.
- (28) Accounts Officer, High Court of Chhattisgarh, Bilaspur for information.
- (29) Deputy Registrar (S.C.M.S. Cell & S.W./D.E./Protocol/Criminal/O/o R.G./Works/T.A. & Medical/Supreme Court Section/Establishment/Lawazima), High Court of Chhattisgarh, Bilaspur for information.
- (30) In-charge, NIC High Court Computer Cell, High Court of Chhattisgarh, Bilaspur with a direction to upload this order in the official web-site of this High Court.
- (31) Accountant General, Zero Point, Baloda-Bazar Road, Raipur for information.
- (32) Registrar, C.G. State Consumer Disputes Redressal Commission, Behind New Bus Stand (Old Bus Depot No.1) Pandri, Raipur.
- (33) Registrar, Arbitration Tribunal, Shaheed Veer Narayan Singh Bhawan, Nagar Ghadi Chowk, Raipur for information.
- (34) Registrar, Chhattisgarh State Industrial Court, D-3, Wallfort City, Bhatagaon, Ring Road No.-01, Raipur (C.G.) for information.
- (35) Deputy Controller, Government Regional Press, Khairagarh Road, Rajnandgaon, Chhattisgarh with a request to publish it in the forthcoming issue of Chhattisgarh Gazette.


(BALRAM PRASAD VERMA)
REGISTRAR GENERAL