

No. DJ-R(ACR)/MND/2022-
OFFICE OF THE DISTRICT AND SESSIONS JUDGE, MANDI, CIVIL AND
SESSIONS DIVISION, MANDI, DISTRICT MANDI, HIMACHAL PRADESH.

Dated Mandi, the 12th December 2022.

To

1. The Principal Judge, Family Court, Mandi,
2. The Additional District and Sessions Judges
Sarkaghat, Sundernagar and Mandi.
3. The Presiding Officers Fast Track Court, AD&SJ, POCSO, Mandi,
4. The Senior Civil Judge-cum-CJM/ACJMs, of this Division.
5. The Civil Judge-cum-JMFCs of this Division.
6. The Mobile Traffic Magistrate, Mandi and Kullu at Mandi.


Subject:- Amended Guidelines and the new ACR Forms of Annual Confidential
Reports of Members of Himachal Pradesh Judicial Service.

Sir/Madam,

I am to enclose herewith a letter No. HHC/VIG/STAT/ACRs/1992- dated
8th December, 2022, as received from the Registry of Hon'ble High Court of Himachal
Pradesh, Shimla, on the subject cited above, alongwith a copy of amended Himachal
Pradesh Judicial Service (Annual Confidential Records) Guidelines, 2021 and new forms,
for recording the Annual Confidential Reports of Members of Himachal Pradesh Judicial
Service, with a request to use these forms henceforth, without altering size of the pages,
i.e on A4 size papers.


Please acknowledge receipt of the communication.


Yours sincerely,


District and Sessions Judge
Mandi, Civil and Sessions Division
Mandi, District Mandi, H.P.

Encls: As above.

Endst. No. DJ-R(ACR)/MND/2022-  Dated Mandi, the 12th December 2022.

 Copy forwarded to the Assistant Programmer of this office with a direction to
upload the same in the official website of this office.


District and Sessions Judge
Mandi, Civil and Sessions Division
Mandi, District Mandi, H.P.

**HIMACHAL PRADESH JUDICIAL SERVICE (ANNUAL
CONFIDENTIAL RECORDS) GUIDELINES, 2021**

1. These Guidelines may be called the Himachal Pradesh Judicial Service (Annual Confidential Records) Guidelines, 2021.
- (2) They shall come into force with effect from 1st April, 2022.
- (3) They shall apply to writing and maintenance of the Annual Confidential Reports of the Members of the Service in regular stream or on deputation in any government department etc.
2. **Definitions:-**In these Guidelines, unless the context otherwise requires:-
 - a) **'Accepting Authority'** means Accepting Authority as shown in the Schedule as Accepting Authority.
 - b) **'Administrative Judge'** means the Judge of the High Court nominated by the Chief Justice to supervise the work and conduct of the Judicial officers posted in Civil & Sessions Divisions, whether in regular stream or on deputation in any department of Government, Commission, Tribunal etc.
 - c) **'Chief Justice'** means the Chief Justice of the High Court.
 - d) **'Confidential Report'** means the Annual Confidential Report referred to in Clause 4 of these Guidelines.
 - e) **'Deputation'** means the Member of Service sent to Departments of Central Government/State Government, Registry of the **[Supreme Court]**¹ or High Court, State Judicial Academy, Legal Services Authority and any other Commission and Tribunal etc..
 - f) **'Form'** means the forms appended to these Guidelines.
 - g) **'High Court'** means the High Court of Himachal Pradesh.
 - h) **'Judge'** means the Judge of the High Court.
 - i) **'Member of the Service'** means any person appointed to the Judicial Service of the State, **[viz.]**² District Judges/Additional District Judges/**[Principal Judges/Additional Principal Judges Family Courts/**

¹ Inserted vide First Amendment, 2022.

² Amended vide First Amendment, 2022

Presiding Officers Fast Track Courts]³ and Senior Civil Judges/Civil Judges/[**Mobile Traffic Magistrates]**⁴, including Judicial Officers posted on deputation.

- j) '**Registrar General**' means the Registrar General of the High Court.
- k) '**Registrars**' mean the Registrars posted in the High Court.
- l) '**Reporting Authority**' means the Authority supervising the work, conduct and performance of the member of Judicial Service who has supervised at least for three months as shown in the Schedule as Reporting Authority.
- m) '**Reviewing Authority**' means Authority or Authorities as shown in the Schedule as Reviewing Authority.
- n) '**Schedule**' means a Schedule appended to these Guidelines.
- o) '**Service**' means Himachal Pradesh Judicial Service.
- p) '**State**' means the State of Himachal Pradesh.
- q) '**Year**' means the period of 12 months commencing from 1st day of April ending by 31st day of March of each financial year.

3. Maintenance and custody of Confidential Reports:- A Confidential Report shall be maintained in respect of every member of the service by the Vigilance Branch of the High Court.

4. Form of the Confidential Report:- The Annual Confidential Report shall be written by the Reporting Authority, Reviewing Authority and Accepting Authority, as per the prescribed Forms appended to these Guidelines. [**However, the ACR's of the Officers posted on deputation, will be recorded by the prescribed Authority, specified in the Schedule under Tables C, D, E, F and G, of these Guidelines, in the Forms prescribed by the borrowing Department.**]⁵

5. Preparation of Annual Confidential Reports:- (1) The Annual Confidential Report, assessing the performance, character, conduct and qualities

³ Inserted vide First Amendment, 2022

⁴ Ibid

⁵ Ibid

of every member of service, shall be written for each financial year by the Reporting Authority.

(2) Part-I and Part-II of the form shall be filled and submitted by the member of the service himself to the Reporting Authority.

(3) Part-III and Part-IV of the form shall be filled by the Registrar (Vigilance).

(4) Part-V of the Form in respect of **[Senior Civil Judges]⁶ /Civil Judges **[and Part-IV of the Form in respect of Mobile Traffic Magistrates]⁷**, shall be filled by the Reporting Authority, so far as column No.1 is concerned. The Reporting Authority shall assess the judicial ability of the Officer concerned by examining and assessing **[ten judgments, to be supplied by the concerned Judicial Officer for the period, as directed by the Reporting Authority. The Reporting Authority shall attach the list of judgments so examined with the ACR Form. Column No. II of Part-V of the Form and Part-VI in case of Senior Civil Judges/Civil Judges, will be filled by the Reviewing Authority. Column No. II of Part-IV of the Form and Part-V in case of Mobile Traffic Magistrates, will be filled by the Reviewing Authority. The Reporting/Reviewing/Accepting Authority, may in addition, also assess the Judicial Officer on random basis, from the judgments uploaded on the official website.]⁸****

(5) Duly filled Part I to Part-VI of the Form in case of **[Senior Civil Judges]⁹ / Civil Judges **[and Part-I to Part-V of the Form in case of Mobile Traffic Magistrates]¹⁰** shall be placed before the Accepting Authority and the remarks of the Accepting Authority shall be final.**

(6) **[Duly filled Part-I to Part-IV of the Forms, in case of District Judges/Additional District Judges, Principal Judge/ Additional Principal Judges, Family Courts and Presiding Officers of Fast Track Courts, shall be placed before the Reporting Authority for recording remarks in Part-V.**

⁶ Inserted vide First Amendment, 2022.

⁷ Ibid.

⁸ Amended vide First Amendment, 2022.

⁹ Inserted vide First Amendment, 2022.

¹⁰ Ibid.

The Reporting Authority shall assess the judicial ability of the Officer concerned, by examining and assessing seven contested judgments (4 civil and 3 criminal), submitted by the Judicial officer, for the period, as determined by the Reporting Authority. The Reporting/ Reviewing/ Accepting Authority, may in addition, also assess the Judicial Officer on random basis, from the judgments uploaded on the official website.]¹¹

(7) Duly filled Part-I to Part-V of the Form in case of District Judge/ Additional District Judge/[**Principal Judge/ Additional Principal Judge, Family Court/ Presiding Officer of Fast Track Court**]¹², shall be placed before the Reviewing/Accepting Authority and remarks of said Authority in Part-VI shall be final. Registrar (Vigilance) shall certify to this effect under his signature in this regard.

(8) The Judicial officers working on deputation shall fill the relevant columns of ACR format prescribed by the department and submit the same to the Reporting Authority/Controlling Authority of the department, who after recording remarks shall forward it to the Registrar (Vigilance) of the High Court for placing the same before Reviewing and Accepting Authority. [**However, the ACR of the Judicial Officer working in the Registry of the Supreme Court, when recorded by the Chief Justice of India, shall be final and not liable for further review by any other Authority.**]¹³

(9) The form of ACR of the Judicial Officer working in the Registry of the High Court shall be placed before the Chief Justice by the Registrar General for recording remarks, who shall be the Reporting, Reviewing as well as Accepting Authority also. [**The ACR's shall be final and not liable for further review by any other Authority. The ACR forms, duly recorded, shall be forwarded to the Registrar (Vigilance), for taking further action and for purposes of record.**]¹⁴

(10) The first Annual Confidential Report of the newly appointed Judicial Officers shall be recorded by the Director, State Judicial Academy, on receipt of

¹¹ Amended vide First Amendment, 2022.

¹² Inserted vide First Amendment, 2022.

¹³ Ibid.

¹⁴ Ibid.

report of District Judge, with regard to their field training. The Annual Confidential Report recorded by Director, State Judicial Academy shall be placed before the Chief Justice for consideration and approval.

(11) Reporting Authority, in case of transfer, will write the ACRs of the Member of service, before the relinquishment of charge of the office.

(12) The Reporting Authority, Reviewing Authority and the Accepting Authority, as the case may be, shall not write the ACR after retirement.

(13) In the event of retirement of Reporting Authority, the Reviewing Authority shall record and review the ACR.

(14) In the event of retirement of Reviewing Authority, the Accepting Authority shall review and accept the ACR.

(15) In the event of retirement of Accepting Authority, the remarks of the Reviewing Authority shall be final.

(16) In the event of retirement of Reviewing and Accepting Authority, the remarks of the Reporting Authority shall be final.

(17) In the event of retirement of both Reporting and Reviewing Authority, the Accepting Authority shall record, review and accept the ACR.

(18) In the event of retirement of Reporting, Reviewing and Accepting Authority, a certificate to said effect shall be kept in the Confidential Roll for non-availability of ACR of a particular period.

(19) Registrar (Vigilance) shall be the custodian of the ACRs relating to all the Judicial Officers. It shall be his duty to ensure that the ACRs of the Judicial Officers of the State are prepared, recorded and forwarded to him within the time schedule. It shall be the duty of the Registrar (Vigilance) to keep the same in safe custody. **[No other Registrar in the Registry or the Registrar General, except as provided hereinabove in Guideline no. 5(9), shall deal with the ACR's, which are to be dealt with by the Registrar (Vigilance).]**¹⁵ If the Registrar (Vigilance), in execution of these directions, faces any difficulty, he may bring the same to the notice of the Chief Justice. The Chief Justice accordingly may issue such directions, as he deems appropriate.

¹⁵ Inserted vide First Amendment, 2022.

[(20) For the purpose of conversion of Assessment of the Four Quarters, on Regular side and Old side, into marks and the Resultant Grading of these Four Quarters combined in respect of the Officers, other than the Presiding Officers Fast Track Courts and Mobile Traffic Magistrates, the following shall be the guiding factors, while preparing Part-IV of the ACR Form:

Regular Side Assessment

Remarks	Marks to be awarded
Outstanding	25
Very Good	20
Good	15
Adequate	10
Inadequate	5

Old Cases Side Assessment

Remarks	Marks
Excellent	25
Commendable	20
Satisfactory	15
Fair	10
Deficient	5

Resultant Grading for Four quarters

Marks	Assessment
Above 40 marks	Outstanding
Above 30 marks upto 40 marks	Very Good
Above 20 marks upto 30 marks	Good
Above 15 marks upto 20 marks	Average
Above 10 marks upto 15 marks	Below Average
Upto 10 marks	Poor

(21) For the Assessment of the works of the Presiding Officers Fast Track Courts, the following shall be the guiding factors, while preparing Part-IV of the ACR Form:

Regular Side Assessment

Remarks	Marks to be awarded
Outstanding	25
Very Good	20
Good	15
Adequate	10
Inadequate	5

Resultant Grading for Four quarters

Marks	Assessment
Above 20 marks	Outstanding
Above 15 marks upto 20 marks	Very Good
Above 12 marks upto 15 marks	Good
Above 8 marks upto 12 marks	Average
Above 5 marks below 8 marks	Below Average
Upto 5 marks	Poor

(22) (1) The Reporting Authority shall ensure that the net result of the entries recorded in the ACR Form in Part-V, under the head “Overall Grading”, correlates with the other entries recorded therein.

For example, if most of the entries are ‘Good’, then the net result cannot be ‘Very Good’ or ‘Outstanding’.

(2) An officer should be graded ‘Outstanding’, if exceptional qualities and performance have been noticed. Grounds for giving such a Grading should be clearly brought out.

(3) In cases of ‘doubtful integrity’, the Reporting Authority, before recording such remarks, should take steps to ascertain personally whether there is any reason to doubt or suspect the integrity of the concerned officer.

(4) In case the Reporting officer is not in a position to make a positive report about the integrity of the Officer, then he should leave the column blank and

submit a secret report in confidential cover along with the ACR, if he has reasons to doubt the integrity of the Officer, stating the reasons for his suspicion.

(5) The High Court will then take suitable steps to find out the correctness or otherwise of the secret report. Thereafter, the final entry regarding ‘Integrity’ shall be recorded in the relevant column of the ACR, by the Reviewing Authority.]¹⁶

6. Time Schedule for Preparation/Recording of ACR:-

(1) [It shall be incumbent upon the Judicial Officer to submit the ACR, in the prescribed format of ACR (Part-I & Part-II), to the Reporting Authority, by 15th April every year.]¹⁷

(2) The Reporting Authority, as far as possible, shall complete the process by end of May.

(3) The ACR, prepared/recorded by Reporting Authority, shall be made available to the Reviewing Authority by 15th June. The Reviewing Authority may record his remarks on the said report as early as possible, but before the end of June. Thereafter the ACR will be placed before the Accepting Authority for recording remarks, if any, and acceptance. The process of recording ACR may be finalized before the end of month of July of the concerned financial year.

7. Communication of the Confidential Reports:- The Confidential Report, complete in all respect, shall be communicated by the Registrar (Vigilance), on behalf of the High Court, to the concerned Judicial Officer, within 15 days after finalization of the same.

8. Representation:- A member of the service may represent to the High Court against remarks recorded in his ACR, as communicated to him, within 15 days from the date of receipt of the same.

Provided that the High Court may entertain the representation within one month of the expiry of the said period, if it is satisfied that there was sufficient cause with the Member for not submitting his/her representation in time.

¹⁶ Inserted vide First Amendment, 2022.

¹⁷ Amended vide First Amendment, 2022.

9. Consideration of representation:- The High Court will consider the representation made by member of service and pass order within two months from the date of receipt of the same.

10. General:-The High Court may in addition, issue such instructions, not inconsistent with these Guidelines, as it may consider necessary, with regard to the Confidential Reports.

11. Interpretation:- If any question arises as to interpretation of these Guidelines, the decision of the High Court shall be final.

12. Amendment:- The High Court may make any amendment in these Guidelines, as may be deemed necessary.

13. Power to relax:- Where the High Court is satisfied that operation of any particular provision of these Guidelines may cause undue hardship to any particular case or class, it may for the reasons to be recorded in writing, dispense with or relax particular guideline(s) to such extent, as may be deemed necessary.

14. Repeal/ Rescind and Saving:- (1) All Guidelines, instructions, resolutions, directions, Principles and Procedure and notifications etc., in vogue with regard to the preparation of ACRs, are hereby rescinded.

(2) Notwithstanding the same, anything done or any action taken under the above provisions referred in sub-clause (1), shall be deemed to have been validly done or taken under the corresponding provisions of these Guidelines.

Schedule¹⁸**Table-A**

Sr. No.	Officer	Reporting Authority	Reviewing Authority	Accepting Authority
1.	Registrar General, Registrar (Vigilance), (Judicial) and (Rule)	Chief Justice		
2.	Other Judicial Officers posted in Registry of High Court except mentioned at Sr. No.1.	Chief Justice		
3.	Central Project Coordinator	Registrar General	Chief Justice	

Table-B

Sr. No.	Officer	Reporting Authority	Reviewing Authority	Accepting Authority
1.	District Judges/Additional District & Sessions Judges including Judges of Family Courts/ PO Fast Track Courts	Administrative Judge of the Division	Full Court	
2.	Senior Civil Judges/ Civil Judges / Mobile Traffic Magistrates	District & Sessions Judge	Administrative Judge of the Division	Chief Justice

Table-C

Sr. No.	Officer	Reporting Authority	Reviewing Authority	Accepting Authority
1.	Director of State Judicial Academy	President of the Academy	Patron-in- Chief/Chief Justice	
2.	Joint Director of State Judicial Academy.	President of the Academy	Patron-in- Chief/ Chief Justice	
3.	Deputy Director of State Judicial Academy.	Director of the Academy	President of the Academy	Patron-in- Chief/ Chief Justice

Table-D

Sr. No.	Officer	Reporting Authority	Reviewing Authority	Accepting Authority
1.	Member Secretary, State Legal Service Authority	Executive Chairman	Patron-in- Chief / Chief Justice	
2.	Administrative Officer, State Legal Service Authority	Member Secretary	Executive Chairman	Patron-in- Chief/ Chief Justice
3.	Secretary, High Court Legal Service Committee	Chairman HP High Court Legal Services Committee	Chief Justice	
4.	Secretary, District Legal Service Authority	District & Sessions Judge-cum-Chairman District Authority	Executive Chairman	Patron-in- Chief/ Chief Justice

¹⁸ Tables A to F, amended vide First Amendment, 2022.

Table-E

Sr. No.	Officer	Reporting Authority	Reviewing Authority	Accepting Authority
1.	Principal Secretary-law-cum-LR to the Govt. of HP.	Chief Secretary	Administrative Judge of Shimla Division	Full Court
2.	Special Secretary Law.	Chief Secretary	Administrative Judge of Shimla Division	Full Court
3.	Additional Secretary Law.	Principal Secretary Law-cum-LR	Administrative Judge of Shimla Division	Chief Justice

Table-F

Sr. No.	Officer	Reporting Authority	Reviewing Authority	Accepting Authority
1.	Judicial Officer posted on deputation in Waqf Tribunal	Controlling Authority.	Administrative Judge of Kangra Division	Full Court
2.	Judicial Officer posted on deputation in Lokayukta office	Lokayukta/Controlling Authority	Administrative Judge of Shimla Division	Full Court
3.	Judicial Officer posted on deputation in Industrial Tribunal-cum-Labour Court	Controlling Authority	Administrative Judge of Shimla/ Kangra Division	Full Court
4.	Judicial Officer posted in Human Rights Commission	Controlling Authority	Administrative Judge of Shimla Division	Full Court

Table- G¹⁹

Sr. No.	Officer	Reporting Authority	Reviewing Authority	Accepting Authority
1.	Judicial Officer of the Cadre of District Judge, posted on deputation in Supreme Court of India.	Chief Justice of India		
		Any Other Controlling Authority	Full Court	
2.	Judicial Officer of the cadre of Sr. Civil Judges/Civil Judges, posted on deputation in Supreme Court of India.	Controlling Authority.	Chief Justice	
3.	Judicial Officer of the Cadre of District Judge, posted on deputation in any other Tribunal/Authority/Commission.	Controlling Authority	Full Court	
4.	Judicial Officer of the cadre of Sr. Civil Judges/ Civil Judges, posted on deputation in any other Tribunal/ Authority/ Commission.	Controlling Authority	Chief Justice	

¹⁹ Inserted vide First Amendment, 2022.