

From,

**Rajeev Bharti, H.J.S.,
Registrar General,
High Court of Judicature at
Allahabad.**

To,

**The Director,
Judicial Training & Research Institute, U.P.,
Vineet Khand, Gomti Nagar,
Lucknow.**

No. **363/Admin.(Services)/2023 Allahabad: Dated: May 26, 2023**

Subject: **Regarding proposal for One Day Online Sensitization Programme on
Disciplinary Proceedings for Judicial Officers.**

Sir,

With reference to your letter no. Spl. Trg. on DP for JOs 1/2023-703 dated 18.05.2023 on the above noted subject, I have been directed to inform you that the Hon'ble the Chief Justice has been pleased to nominate **all the Judicial Officers of Uttar Pradesh** for participation in One Day **Online** Sensitization Programme on Disciplinary Proceedings, scheduled to be held on **Sunday 04th June, 2023**.

I am, therefore, to request you to kindly take necessary actions accordingly.

Yours sincerely,

**sd/-
(Rajeev Bharti)
Registrar General**

No. **363(I)/Admin.(Services)/2023 Dated: Allahabad: May 26, 2023**

Copy forwarded for information and necessary action to:-

1. The Principal Secretary (Law) & L.R., Government of U.P., Lucknow.
2. All the District Judges/ Principal Judges, Family Courts of Uttar Pradesh with the request to kindly attend the captioned **online** training programme on 04th June, 2023 and also direct the Judicial Officers under their administrative control to attend the same.
3. All the Presiding Officers of Motor Accident Claims Tribunals of Uttar Pradesh (**Information Available on Hon'ble Court's website**).
4. All the Presiding Officers and Registrars of Land Acquisition, Rehabilitation and Resettlement Authorities (LARRAs) of Uttar Pradesh (**Information Available on Hon'ble Court's website**).
5. All the Presiding Officers of Commercial Courts of Uttar Pradesh (**Information Available on Hon'ble Court's website**).
6. All the Judicial Officers working in the Registry of High Court, Allahabad and Hon'ble Lucknow Bench, Lucknow (**Information Available on Hon'ble Court's website**).
7. All the other Judicial Officers working on deputation basis in Uttar Pradesh (**Information Available on Hon'ble Court's website**).

Encl.: Training Module

**sd/-
(Satish Kumar Pushkar)
Deputy Registrar (Services)
"For the Registrar General"**

Judicial Training & Research Institute, U.P., Lucknow



Training Module for the Enquiry Officers and Disciplinary Authorities

1. Departmental Inquiry/Disciplinary Proceedings: Introduction and broad Principles.

- The Constitutional Protections and Principles of Natural Justice
- Nature & Scope of disciplinary proceedings
- Application of Rule of Law in different stages of Enquiry.
- Concept of delegation of Power.
- Concept of standard of proof and Concept/Principles of Preponderance of probability.
- Various Laws for disciplinary proceedings/departmental enquiry
- Guidelines/Principles laid down by Hon'ble Courts.

2. Departmental Enquiry:

- Understanding the concept of Conduct & Misconduct under the rules provided for the Officials of different departments.
- Preliminary Enquiry: Nature & Scope.
- Preliminary Enquiry Reports: Appreciation of evidence.
- Final Non Judicial Enquiry: Nature & Scope
- The rules applicable for the Officials of different departments and CVC Guidelines.

3. Disciplinary proceedings: concept and Principles

- Power, Role and functions of Appointing Authority & Disciplinary authority.
- Role and functions of Enquiry Officer and Presenting Officer.
- Delinquent Employee and Role of Defence Assistant.
- Delegation of Power.
- Concept of Suspension and Subsistence allowance.
- Concept of Punishments/Penalties prescribed under the Rules.

4. The Disciplinary proceedings: Laws and Procedure

- Appointment of Enquiry Officer and Presenting Officer: Their Roles/duties.
- Framing of Charges: Contents of Charge (inclusions & exclusions), Procedural aspect and Service of Chargesheet.

- Procedure and conduct of disciplinary enquiry prescribed under the rules for Major and Minor penalty.
 - Does and Don't for the Enquiry Officer.
 - Judicial Pronouncements.
- 5. Preparation of Enquiry Report and appreciation of evidence:**
- Writing of Enquiry report
 - Findings and reasonings.
 - Do's and Don't
- 6. Judicious Discretion of Disciplinary Authority on enquiry report:**
- Providing copy of enquiry and opportunity of hearing/ representation.
 - Appreciation of Enquiry Report and reasoned/speaking orders by Disciplinary Authority.
- 7. Award of Penalty by Disciplinary Authority:**
- Quantum of punishment and discretionary domain of the decision-making authority/ Disciplinary authority
 - Major and Minor Penalty
 - Effect of Punishments
 - Law laid down by the Hon'ble Courts.
- 8. Consultation With UPSC or UPPSC:**
- Consultation when Required?
 - The procedure for forwarding the cases to UPSC
 - Effect of forwarding the case in a casual manner.
 - Time limit for forwarding the cases to UPSC or UPPSC?
- 9. Appeal and Power of Appellate Authority:**
- 10. Criminal Prosecution vis-a-vis Disciplinary Proceedings:**
- Effect of Acquittal by a criminal courts
 - The conceptual difference between departmental proceedings and criminal proceedings.
- 11. Post Retirement Proceedings:**
- Rules regarding Disciplinary Actions against retired employee
 - Legal sustainability of continuing the proceedings after the retirement of the delinquent employee.
 - Initiating proceedings after retirement
 - The conditions under which pension can be withheld or withdrawn.
- 12. Mock Disciplinary Enquiry: Case study.**