

No. C-188/Cf (A)/2008/Selection & Appointment: Dated: 21.01.2008

Subject: Promotion of judicial officers in Civil Judge (Junior Division) cadre to Civil Judge (Senior Division) Cadre

Rule 27 of the Uttar Pradesh Judicial Service Rules, 2001 dealing with promotion to the cadre of Civil Judge (Senior Division) reads as below:

- 27. Promotion.** —(1) *Promotion to the cadre of Civil Judge (Senior Division) shall be made by the Court from amongst the members of the service in the cadre of Civil Judge (Junior Division), keeping in view the existing vacancies in that cadre.*
- (2) *The Chief Justice of the Court shall appoint a selection committee of three honourable sitting Judges of the Court to consider the officers/Civil Judge (Junior Division) eligible for promotion as Civil Judge (Senior Division).*
- (3) *The promotion to the post of Civil Judge (Senior Division) shall be made by selection on the basis of seniority-cum-merit.*
- (4) *The field of eligibility for promotion shall be confined to four times the number of vacancies to be filled in by promotion.*
- (5) *The selection committee shall after examining the records of the officers included in the list referred to in sub-rule (4) prepare a list, who, in its opinion, are fit to be promoted in the cadre of Civil Judge (Senior Division). In assessing the merit of the candidates, the selection committee shall have due regard to his service record, ability, character and seniority. The list shall contain the names of officers twice the number of vacancies required to be filled by promotion from the members of the Civil Judge (Junior Division).*
- (6) *The selection committee shall forward the list prepared under sub-rule (4) of this rule to the chief Justice alongwith the names of officers who, directly in the opinion of the committee, has been passed over by promotion to the service.*
- (7) *The Court shall examine the recommendation of the selection committee and make a final selection for promotion and prepare a list in order of seniority of candidates, who are considered fit for promotion and the promotion shall be made in the vacancies strictly in accordance with the said list. The list shall remain operative till all the candidates are promoted and the list is exhausted.*

The Hon'ble Full Court in its meeting dated 18.5.1985 was pleased to prescribe that:

No officer of the Nyayik Sewa shall be appointed as Civil Judge/Chief Judicial Magistrate in any capacity unless he has been Munsif {now known as Civil Judge (Jr. Div.)} for five years and his work and conduct has been satisfactory in all respects.

In view of the above resolution the following officers come within the zone of consideration as on 31.3.2008 and 31.5.2008 respectively:

List 'A'

Officers in the zone of consideration as on 31.03.2008

Sl.	Name	Date of Joining as Civil Judge (Junior Division)
1	Sri Prahlad Singh	08.12.1986
2	Sri Ramesh Chandra-IV	18.06.1990
3	Sri Dhruva Raj	07.06.1990
4	Sri Abdul Hafiz	06.10.1990
5	Sri Budh Ram Bansal	22.03.1996
6	Sri Ram Swaroop Saroj	14.11.2002
7	Sri Rajesh Kumar Rai	01.10.2002

8	Sri Satya Prakash Dwivedi	28.05.2001
9	Sri Rama Kant Prasad	13.04.2001
10	Sri Rajesh Kumar-III	22.05.2001
11	Smt. Rashmi Nanda	25.05.2001
12	Sri Chandra Mani	30.05.2001

List 'B'

Officers falling in the zone of consideration during the period from 01.04.2008 to 31.05.2008 and provisionally permitted

Sl.	Name	Date of Joining as Civil Judge (Junior Division)
13	Sri Chandra Prakash Tiwari	27.05.2003
14	Sri Ahsan Ullah Khan	17.05.2003
15	Sri Sanjiv Kumar Singh	28.04.2003
16	Sri Harendra Bahadur Singh	01.05.2003
17	Sri Gyan Prakash Singh	17.05.2003
18	Sri Rajesh Bhardwaj	30.04.2003
19	Sri Arvind Kumar Misra	31.05.2003
20	Sri Akhilesh Kumar Pandey	24.05.2003
21	Sri Vijay Chandra Yadav	29.04.2003
22	Sri Chandra Shekhar	17.05.2003
23	Sri Ishtiaq Ali	28.04.2003

The Hon'ble Supreme Court of India in its judgment dated 04.1.2007 in Malik Mazhar Sultan and another versus U.P. Public Service Commission and ors (Civil Appeal No. 1867 of 2006 with connected appeals) has prescribed the methodology and criterion for carrying out the promotions to fill up the vacancies in the cadre of Civil Judge (Senior Division), which includes:

- (a) Annual Confidential reports of last five years;
- (b) Evaluation of judgments furnished, and
- (c) Performance of oral interview

On consideration of the matter in its entirety the Hon'ble Court has been pleased to direct that the officers in the zone of consideration as on 31.3.2008 as well the officers who have been provisionally permitted (detailed at serial no. 13 to 23 of the 'B' List at page 2 of this communication) be asked to furnish three judgments delivered by them during the last three months ending with 31.12.2007. Further, they be informed that oral Interview is scheduled to be held on 09.2.2008 from 11.00 a.m. before the Hon'ble Selection and Appointment Committee in the Allahabad High Court premises.

You are, therefore, requested to accordingly inform the officer(s) finding place in the above lists, if any of them is posted in the judgeship under your administrative control, specifically asking each of them to furnish three judgments (in four legible copies, each copy kept in separate covers with level/slip containing name, designation and present place of posting of the officer concerned, appropriately affixed on each cover) delivered by them during the last three months ending with 31.12.2007. The sets so received by you be immediately sent to Shri Mohan Ji Srivastava, Joint Registrar (Selection and Appointment), High Court of Judicature at Allahabad. Further, the concerned officers be informed that oral Interview is scheduled to be held on 09.02.2008 from 11.00 a.m. before the Hon'ble Selection and Appointment Committee in the High Court premises at Allahabad.