



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ - ೧೫೮ Volume - 158	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ೧೨, ಜನವರಿ, ೨೦೨೩(ಪುಷ್ಯ, ೨೨, ಶಕವರ್ಷ, ೧೯೪೪) BENGALURU, THURSDAY, 12, JANUARY, 2023(PUSHYA, 22, SHAKAVARSHA, 1944)	ಸಂಚಿಕೆ ೧೦ Issue 10
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ಭಾಗ ೪ಎ

ರಾಜ್ಯದ ವಿಧೇಯಕಗಳ ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ರಾಜ್ಯದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಆಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರದ ಮತ್ತು ರಾಜ್ಯದ ಶಾಸನಗಳ ಮೇಲೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ರಾಜ್ಯಾಂಗದ ಮೇಲೆ ರಾಜ್ಯಪಾಲರು ಮಾಡಿದ ನಿಯಮಗಳು ಹಾಗೂ ಕರ್ನಾಟಕ ಉಚ್ಚ ನ್ಯಾಯಾಲಯವು ಮಾಡಿದ ನಿಯಮಗಳು

GOVERNMENT OF KARNATAKA

No. Law-LAC/182/2020

Karnataka Government Secretariat,
Vidhana Soudha,
Bengaluru, dated: 05.01.2023.

NOTIFICATION

Whereas the draft of the Karnataka Judicial Service (Annual Confidential Record) Rules, 2022, which the Government of Karnataka in consultation with the High Court of Karnataka proposes to make in exercise of the powers conferred by section 3 read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) was published as required by sub-section (1) of section 3 of The Karnataka State Civil Services Act, 1978 in Notification No. Law-LAC/182/2020 dated: 05.11.2022, in part IVA (Volume 157) of the Karnataka Gazette dated: 14.11.2022 inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of its publication in the Official Gazette.

And whereas, the said Gazette was made available to public on 14.11.2022.

And whereas the objections and suggestions received in this behalf have been considered by the Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 read with section 8 of The Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title, commencement and application.- (1) These rules may be called the Karnataka Judicial Service (Annual Confidential Record) Rules, 2022.

(೨೨೫೮)

(2) They shall come into force from the date of their final publication in the official Gazette.

(3) They shall apply to all the members of the Karnataka Judicial Service.

2. Definitions.- In these rules, unless the context otherwise requires,-

- (a) "Administrative Judge" means a Judge of the High Court of Karnataka, who has been placed incharge of the administration of a District or Districts or Metropolitan Area of Bengaluru;
- (b) "Chief Justice" means the Chief Justice of the High Court of Karnataka;
- (c) "District Judge" means the Principal District and Sessions Judge inclusive of District Judge (Super Time Scale) heading the District Administration of the District or Principal City Civil and Sessions Judge or Chief Judge, Court of Small Causes, Bengaluru City;
- (d) "Form" means a form appended to these rules;
- (e) "High Court" means the High Court of Karnataka;
- (f) "Member of the Karnataka Judicial Service" means a member of the Judicial Service of the State of Karnataka consisting of persons holding the posts of Principal District Judges, Additional District Judge, Senior Civil Judge and other Civil Judge posts inferior to the posts of Principal District Judges, including those who are posted to work as Magistrates or appointed to any other equivalent post on deputation or on other duty;
- (g) "Principal District Judge or Unit Head" means the Principal District and Sessions Judge inclusive of District Judge (Super Time Scale) heading the District Administration of the District or Principal City Civil and Sessions Judge or Chief Judge, Court of Small Causes, Bengaluru City and includes judges holding equivalent post nominated by the Chief Justice as head of the unit in respect of judicial officers on deputation posts; and
- (h) "Year" means the period of twelve months commencing from the 1st of January.

3. Annual confidential record.- (1) In respect of every member of the Judicial Service an Annual Confidential Record shall be recorded in Part-B.

(2) The period for the purpose of recording Annual Confidential Record shall be the year ending 31st December:

Provided that;-

- (i) In respect of a probationer, until he is confirmed, or satisfactory completion of probation is declared, a Confidential Record shall be prepared for every period of four months of service; and

- (ii) In respect of a member of Judicial Service, who has worked for more than three months in more than one District in any year, a record for each such period shall be prepared.

(3) Notwithstanding anything contained in sub-rule (1), a special record shall be prepared by the Administrative Judge or Principal District Judge whenever called for by the High Court, in order to assess the suitability of a member of Judicial Service either for confirmation or promotion or Screening.

4. Preparation and transmission of records in respect of members of judicial service other than district and sessions judges.- (1) Every member of the Judicial Service other than Principal District and Sessions Judge or Additional District and Sessions Judge or Principal City Civil Judge or Additional City Civil Judge or Chief Judge, Court of Small Causes or Principal or Additional Judge's of Family Courts or Presiding Officers of Labour Courts and Industrial Tribunals shall submit his particulars in Part-A of the Annual Confidential Record provided to him every year on Judge's portal or manually in between 1st January to 15th January and to reach the Principal District and Sessions Judge or Unit Head before the 15th January of succeeding year covering information upto 31st December of the year concerned.

(2) Part-A of the Annual Confidential Record shall be auto generated on the Judges portal and shall be accessible by the concerned Judicial Officer, Hon'ble the Chief Justice, Administrative Judge, Registrar General and Registrar (Vigilance) and concerned Principal District Judge (in case of the said Authority being Recording Authority) and such other Judges or Officers as may be authorized or ordered by the Chief Justice.

(3) The Principal District Judge or Unit Head as the case may be shall call for five selected judgments from the Judicial Officer or by picking five Judgments at his discretion and intimate the concerned Judicial Officer who is under his administrative superintendence and control to forward the same on or before 31st January of every year.

(4) The Principal District and Sessions Judge or Unit Head shall record the Annual Confidential Record of the Judicial Officer in column (2) of Part-B under his administrative superintendence and control and forward the same to the High Court along with Part-A and copies of five judgments delivered by the Officer on or before 15th February of every year.

(5) The Annual Confidential Record received from the Principal District and Sessions Judge or Unit Head shall be placed before Administrative Judge of concerned Unit who shall assess the performance of the Judicial Officers by noting the remarks against each item as indicated therein namely by assigning the following grades, namely:-

- (a) Excellent
- (b) Very Good
- (c) Good
- (d) Satisfactory
- (e) Unsatisfactory

(6) The Administrative Judge shall record the Annual Confidential Record in column (3) of Part-B of the concerned Officer under his administrative superintendence and control as far as possible within the III Quarter of every year.

(7) The Annual Confidential Record prepared by the Administrative Judge or any Judge under this rule shall be placed before the Chief Justice for recording of his remarks.

(8) The Annual Confidential Record in respect of such Officers, who are on deputation, shall be recorded by the Judge nominated for the purpose by the Chief Justice in the same manner and within the same time as specified in this rule.

(9) In case of such Principal District and Sessions Judge or Unit Head ceases to hold office, shall record the Annual Confidential Record of the concerned Officers, who have worked under his administrative superintendence and control within thirty days of relinquishment of the office.

(10) In case of Principal District and Sessions Judge or Unit Head, who cease to be a Judge, has not prepared the confidential record before his relinquishment, his successor or the Judge nominated for the purpose by the Chief Justice shall prepare the Annual Confidential Record.

5. Record in respect of Principal District and Sessions Judge / Additional District and Sessions Judge / Principal City Civil Judge / Additional City Civil and Sessions Judge / Chief Judge, Court of Small Causes / Principal / Additional Judge's of Family Courts / Presiding officers of Labour Courts and Industrial Tribunals and Members of the Service on Deputation or on other duty.- Record in respect of District and Sessions Judge of the Judicial Service includes equivalent Judges on Deputation or on other Duty,-

(1) Every member of the Judicial Service specified above shall submit his particulars in Part-A of the Annual Confidential Record provided to him every year on Judge's portal or manually so as to reach the High Court of Karnataka, Bengaluru, on or before the 15th February of succeeding year covering information upto 31st December of the year concerned.

(2) Part-A of the Annual Confidential Record shall be auto generated on the Judges portal and shall be accessible by the concerned Judicial Officer, the Chief Justice, Administrative Judge and such other person authorised by the Chief Justice.

(3) The registry shall place Part-A of the Annual Confidential Record before the Administrative Judge on or before 1st March, for selection of five random judgments

for being examined for the purpose of assessing the performance and on obtaining orders with regard to five selected judgments, same shall be intimated to the concerned for being forwarded to the High Court on or before 31st March of the year and entire records shall be placed by the registry before the Administrative Judge on or before 15th April of the year.

(4) The Administrative Judge shall record the Annual Confidential Record of the concerned as the Head of the Unit, who is under his administrative superintendence and control by assessing the performance and assigning the following grades, namely:-

- (a) Excellent
- (b) Very Good
- (c) Good
- (d) Satisfactory
- (e) Unsatisfactory

(5) The Administrative Judge shall record the Annual Confidential Record in Part-B of the concerned officer under his administrative superintendence and control as far as possible within the IIIrd Quarter of every year.

(6) The Annual Confidential Record prepared by the Administrative Judge or any Judge under this rule shall be placed before Hon'ble the Chief Justice for recording of his remarks.

(7) The Annual Confidential Record in respect of such officers, who are on deputation, shall be recorded by the Judge nominated for the purpose by the Chief Justice in the same manner and within the same time as specified in this rule.

(8) In case of Administrative Judge, who ceases to be a Judge, has not prepared the confidential record before his relinquishment, his successor or the Judge nominated for the purpose by the Chief Justice shall prepare the Annual Confidential Record.

6. Communication of remarks recorded.- (1) The Annual Confidential Record of each year duly accepted and confirmed by the concerned Recording Authority shall be communicated to every Judicial Officer either by uploading them on Judicial Officers' Portal or manually, by the Registrar General, High Court of Karnataka.

(2) The fact of communication of accepted and confirmed record shall be recorded in the Annual Confidential Record.

7. Representation against adverse remarks.- (1) Every member of the Judicial service to whom adverse remarks are communicated, shall within eight weeks from the date of receipt of such communication, submit his representation, if any, against said remarks to the High Court and said representation shall be placed before the Committee constituted for the said purpose by the chief justice within

sixty days from the date of receipt of representation for a decision being taken thereon.

(2) The decision taken on such representation by the Committee shall be communicated to the Officer concerned within thirty days from the date of such decision.

(3) The decision of the Committee shall be final and binding and no further application for reconsideration or review of the decision of the Committee shall be entertained.

8. Registrar General to Monitor receipt of Annual Confidential Record, Representations and decision taken thereon.- Register in Part-C shall be maintained by the Registrar General and shall take all reasonable steps to monitor timely receipt of Annual Confidential Records, representations against adverse or advisory remarks received and communication of the decision to the concerned Judicial Officer on the said representations by the Committee.

9. Power to supplement the rules.- The High Court or the Chief Justice shall have the power to lay down guidelines or issue instructions for the purpose of effective implementation of these Rules.

**By Order and in the name of the
Governor of Karnataka,**

**(R.VIJAYAKUMARI)
Under Secretary to Government (Admn-1)
Law Department**

**JUDICIAL OFFICERS ANNUAL CONFIDENTIAL
RECORD FOR THE YEAR _____**

(See sub-rule (1) of rule 4)

(Part-A to be filled up by The Judicial Officer Concerned
(Self appraisal))

PHOTO

Part- A

JUDGE CODE:

1. Judicial officer:

(a) Name of the Officer (In Capital Letters)	
(b) Email ID & Mobile Number	
(c) Designation	
(d) Date of Birth	
(e) Date of entry into Service	
(f) District (i) Home Town (ii) Place/s of Practice	
2. Educational Qualification:	
3. Probation Completed/Extended:	
4. Marital Status:	
5. Whether Spouse or any other close relative is a Judicial officer? If Yes, the details thereof.	
6. Whether any close relatives are in legal practice? If yes, the details thereof.	
7. Post held as Judicial Officer during the year	
From To	Unit Head
(a)	(a)
(b)	(b)
(c)	(c)

8. Post held on OOD during the year: a) work done report during the year	
9. Date of Last Promotion:	
10. Special Features of Duties, if any (like POCSO Court, Special or Designated Court)	
11. Whether attended any workshop, course programme, training etc. organized by High Court of Karnataka, Competent Authority/KJA/NJA/ and other High Courts etc. during the period under assessment. If so, give details.	
12. Whether visited Judicial Academy as Faculty or Resource Person. If so, give details.	
13. Academic and Professional Achievements during the year, including degrees obtained/ books/articles published	
14. (a) No. of Working days in the year:	
(b) No. of days during which worked:	
(c) No. of days not worked due to C.L. E.L./Commutated Leave On other Duties	
(d) State reason/s if any for long Earned Leave/Commutated Leave obtained.	
(e) Warning/Penalty/Caution (if any), issued by the High Court: if yes, details thereof	

15. Monthly work turned out (i) January to December of the relevant assessment year Annexure 1 to 12 (To be filled and enclosed) (ii) Disposal of Old Cases during the year under assessment, to be filled in Annexure 13 and enclosed			
16. Compliance of Inspection Notes: (a) Date of last Inspection			
(b) Whether earlier Inspection Note is pending for compliance -Yes/No			
(c) Number of extension sought for compliance of Inspection Note			
(d) Reasons, if any, for non compliance			
(e) Shall be applicable to the Judicial Officers holding administration			
17. ADR Mechanism:			
Sl. No.	Details	Referred	Settled
1	Mediation		
2	Lok Adalath		
3	Arbitration		
4	Conciliation		

Date:

signature of the
Judicial Officer

ANNEXURE – 1 to 12 to Part-A**MONTH :** _____

Name of the Officer..... Designation..... Post Held.....

No. of the Case	Case Civil/Criminal/Misc	Type of Case	Date of Institution	Date of Disposal	Other information if any

JUDICIAL OFFICER'S ANNUAL CONFIDENTIAL REPORT FOR THE YEAR _____
(See sub-rule (1) of rule 3)

Part – B

(To be recorded by Superior Judicial Officers)

Name of the Officer _____ Designation _____ Post held _____

Note : - 1) To be indicated against each items as Excellent / Very Good / Good / Satisfactory / Unsatisfactory

2) To assign reasons in case of adverse remarks being recorded against any of the items noted herein below:-

	To be recorded by Unit Head or Hon'ble Administrative Judge where the Officer is a District Judge	To be recorded by the Hon'ble Administrative Judge of the Unit	To be recorded by Hon'ble the Chief Justice
(1)	(2)	(3)	(4)
1. Quality of Judgment / Order (To be assessed on the basis of Judgments/ Orders (5) selected at random by the Unit Head or Hon'ble Administrative Judge in the case of District Judge. (a) Language ... (b) Narration ... (c) Clarity in thought ... (d) Reasoning ... (e) Conclusion ... (Copies of Judgments and Orders to be enclosed)			
2. Knowledge of Law and Procedure ...			
3. Promptitude in disposal of Cases (a) Current ... (b) Old ...			

4. (a) Industry ...			
(b) Aptitude for hard / heavy work ...			
(c) Readiness to take up Responsibility ...			
5. Supervision and Control –			
(a) On Subordinate Judges ...			
(b) On Office staff ...			
6. Attitude towards			
(a) Superiors ...			
(b) Subordinates ...			
(c) Colleagues ...			
7. Conduct and Dignity			
(a) Inside Court ...			
(b) Outside Court ...			
8. Outlook towards			
(a) Members of the Bar ...			
(b) Public ...			
9. Reputation as to			
(a) Honesty ...			
(b) Integrity ...			
(c) Impartiality ...			
10. Over-all View ...			
11. Special remarks, if any ...			

Signature and Date

Signature and Date

Signature and Date

Part – C**(See rule 8)****(To be maintained by the Registry and its extract should be annexed with the Annual Confidential Record of each year of every Judicial Officer)**

Record of the Year :-

Name of the Officer :-

Designation and Posting :-

Sl. No.	Particulars	Date of Receipt
1.	Part-A of the Annual Confidential Record received on	
2.	Part-A of the Annual Confidential Record made available to the Reporting Authority on	
3.	Part-A of the Annual Confidential Record submitted by the Reporting Authority on	
4.	Entire record placed before the recording Authority on	
5.	Annual Confidential Record received from the Recording Authority on	
6.	Annual Confidential Record accepted and confirmed by Hon'ble the Chief Justice on	
7.	Annual Confidential Record/Remarks communicated to the Judicial Officer on	
8.	Representation received, if any, from the Judicial Officer on	
9.	Representation decided by the Committee on	
10.	Decision of the Committee communicated to the Judicial Officer on	
11.	Other details, or remarks, if any:	

(Name & Signature of the Officer
Authenticating the above entries)