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RAJASTHAN HIGH COURT, JODHPUR

ORDER

No.Estt.(RJS)/140/2016

Date :15.07.2016

Following Trainee Civil Judge and Judicial Magistrates, who are presently having Institutional Training at Rajasthan State Judicial Academy, Jodhpur, are hereby placed under the District & Sessions Judges for field training **from 19.07.2016 till further orders** as follows:-

S. NO.	MERIT NO.	NAME OF THE TRAINEE OFFICER Shri/Smt./Ms./Dr.	PLACE OF FIELD TRAINING
1.	159	NEETI VERMA	JAIPUR METROPOLITAN
2.	131	CHARAN ASHA	UDAIPUR
3.	101	RICHA CHAYAL	JAIPUR METROPOLITAN
4.	33	AJAY KUMAR SHARMA	JODHPUR METROPOLITAN
5.	106	KUMERDAN	JODHPUR METROPOLITAN
6.	116	MOHAN LAL	JODHPUR METROPOLITAN
7.	121	MUKUL GEHLOT	JODHPUR METROPOLITAN
8.	129	LILU RAM SIHAG	JODHPUR METROPOLITAN
9.	158	NAGENDRA MEENA	JODHPUR METROPOLITAN
10.	187	SEEMA CHAUHAN	JODHPUR METROPOLITAN
11.	179	SHRAWAN KUMAR MEENA	JODHPUR METROPOLITAN
12.	162	PRAVEEN CHOUHAN	JODHPUR METROPOLITAN
13.	169	PREETI SINGH	JODHPUR METROPOLITAN

BY ORDER


REGISTRAR (ADMN.)

No.RJS/Estt.B2(i)/04/2015/7295

Date :15.07.2016

Copy forwarded to the following for information and necessary action :-

1. The Secretary to the Law Minister, Government of Rajasthan, Jaipur.
2. The Principal Secretary to the Government, Law Department-Cum-Legal Remembrance, Rajasthan, Jaipur.
3. The Secretary to the Government of Rajasthan, Department of General Administration (Gr.2), Jaipur.
4. The Secretary, Lokayukata, Sachivalaya, Jaipur.
5. The Accountant General, Rajasthan, Jaipur.
6. The Registrar (Vig.) / (Admn.) / (Rules) / (Class.) / (Exam.)/ OSD(F&I), Rajasthan High Court, Jodhpur.

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7. The Registrar-Cum-Principal Private Secretary to Hon'ble the Chief Justice, Rajasthan High Court, Jodhpur/Jaipur.
8. The Registrar (Admn.), Rajasthan High Court Bench, Jaipur with the request to distribute the copies of the order to all the Hon'ble Judges sitting at Jaipur through P.S., Member Secretary, Rajasthan State Legal Services Authority and all the Judicial Officers posted in the Registry at Jaipur Bench, Jaipur.
9. All Deputy Registrars, Rajasthan High Court, Jodhpur/Bench, Jaipur.
10. The Director, Rajasthan State Judicial Academy, Near Medical and Health Department, Jhalamand Circle, Old Pali Road, Jodhpur with reference to his letter RSJA/RJS-Trng/2016/F-8/1153, dated 12.07.2016 with the direction **to circulate the order amongst concerned Trainee RJS Officers.**
11. District & Sessions Judges, **Jaipur Metropolitan/Udaipur** alongwith letter No.RSJA/RJS-Trng/2016/F-8/1152, dated 12.07.2016 and module received from the Director, Rajasthan State Judicial Academy, Jodhpur with the directions to impart training to the trainee Civil Judges as per module.
12. District & Sessions Judge, **Jodhpur Metropolitan** alongwith letters No.RSJA/RJS-Trng/2016/F-8/1151 & 1152, dated 12.07.2016 & and module received from the Director, Rajasthan State Judicial Academy, Jodhpur with the directions to impart training to the trainee Civil Judges as per module concerned.
13. Concerned Treasury Officer.
14. P.S. to all Hon'ble Judges sitting at Jodhpur.
15. A.O.J., Classification Section (Website), Rajasthan High Court, Jodhpur/ Bench, Jaipur (with two copies).
Personal File/
Conf./Accounts/General/
Sub. Court/Statistics/Computer Cell
RJS Leave/Jr. Actt./Building Cell.



REGISTRAR (ADMN.)

RAJASTHAN STATE JUDICIAL ACADEMY

Near Medical & Health Dept., Jhalamand Circle, Old Pali Road, JODHPUR- 342 013

Phone : 0291-2720108 (telefax), 2721787, 2721788, 2720107

Email : rsjadir-jod-rj@nic.in Website: rajasthanjudicialacademy.nic.in

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No: RSJA/RJS-Trng/2016/F-8/ 1152

12.07.2016

From: Director
Rajasthan State Judicial Academy
Jodhpur.

To : District & Sessions Judge
Jaipur Metro, Jodhpur Metro & Udaipur.

Sub:- Field Training of the Civil Judges (11 nos.) undergoing one year training.

Respected Sir,

I am under direction to request you that in order to impart practical training to Trainee Civil Judges on day to day court working, a broad module (Annexure-A) has been prepared which is annexed herewith.

As per enclosed list, 11 trainee RJS officers are being placed in your judgeship for field training for the period from 19th July, 2016 till further orders. As far as possible, one trainee officer is to be attached with one Presiding Officer in the rank of CJM/ACJM/Sr. Civil Judge/Civil Judge/Judicial Magistrates for the purpose of training and he may be continued on regular basis with that very same Presiding Officer at least for two weeks. However, in case of non availability of sufficient number of Presiding Officers in the judgeship, the concerned presiding officer being on leave or for some other administrative reasons, two or more trainee officers may for the time being be attached with one Presiding Officer. While making attachment, it may kindly be kept in view that as far as possible they may be attached with the officers having judicial work of the nature, the civil judge and judicial magistrates have to perform. But, they may also be attached with the presiding officer of special courts having additional charge of the court of civil judge or the judicial magistrates. If sufficient number of officers are available at the headquarter, the trainee officers may be given opportunity to be attached with maximum number of rotations of two weeks.

For smooth and effective supervision, you are requested to nominate ADJ level officer as Judge In-charge Training on every four trainee officers, in proportion to the number of the trainee officers placed for field training in your judgeship. Trainee officers will share their experiences of the week with Judge In-charge and will submit their report to the judge incharge in second half of the Friday of each week. The Judge Incharge will check the report, solve their problems (if any) and will guide them. In the event of Judge Incharge Training being on leave, the District Judge himself will discharge the functions of the Judge Incharge.

You are further requested to ensure that each and every trainee officer must undertake all the practical exercises mentioned in the module. Any other assignment, as may be deemed proper by you for their better training may also be given under intimation to the Academy.

Further, it is requested to take appropriate administrative decision, in case any application for CL/RH from a trainee officer is received by your good self and also to send attendance/absentee statement to the District & Sessions Judge, Jaipur Metro after completion of a calendar month for drawing and disbursing salary of the trainee officers.

Furthermore, kindly send performance report and leave balance of trainee officer at the time of relieving.

With regards,

Encl:- As above

Yours sincerely,


(B.R. Chaudhary)
Director

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TRAINING PROGRAM FOR NEWLY APPOINTED CIVIL JUDGES:
2015-16 for 11 Civil Judges

NORMS FOR THE FIELD TRAINING UNDER SUPERVISION AND CONTROL OF
DISTRICT JUDGES

: : (From 19th July, 2016 till further orders) : :

1. The trainee officers, to whom extensive training (both at institution and in the field) has been imparted, will be given field attachment to actively assist in discharge of administrative, quasi judicial and judicial functions. The District Judge of the concerned judgship will nominate a Judge In-charge Training, whom the trainee officers will submit a report in second half of the Friday of each week. Trainee officers will share their experiences of the week with Judge in-charge training, who, after checking it, will guide and solve the problems (if any) of trainee officers. In the event of judge in-charge training being on leave, the District Judge concerned him self will discharge the functions (relating to training) of Judge in-charge training.
2. All Trainee Officers are directed to maintain their daily diary and to record therein the details of the various works performed by them on each day. Diary shall be placed before the Officer with whom; she/he is attached, on every following day for his perusal. Each trainee officer shall jot down the **unresolved problems** (both factual and legal) arising during the course of proceeding and to note down the same in their daily diary to discuss at Academy.
3. During this period, the trainee officers are required to make an in-depth study relating to various legal provisions, their importance during the Court/case hearing in respect of all the topics on which they were imparted field trainings during the First Phase Field Training so that they become more acquainted with the subject-matters and are able to discharge their duties effectively as and when required.
4. Apart from the learnings prescribed for first phase Field Training during 31.08.2015 to 28.11.2015 (module annexed), the job chart of trainee officers shall inter-alia include jobs prescribed hereafter. These jobs shall be performed by the trainee officers according to the priority and preferences mentioned herein. The Principal District Judges and the concerned Presiding Officers will ensure that each trainee officer may, apart from experiencing the practical learning of Civil and Criminal work, actively assists in discharge of administrative, quasi judicial and judicial functions :

A. Judicial and quasi Judicial Functions:

Functions to be discharged independently:

- (i) Dying Declaration.
 - (ii) **Recording statement of witness in Civil Matters:** The trainee judicial officers may be appointed by the Courts including the courts of District Judges/ Additional District Judges/ Senior Civil Judges as Commissioner for recording statement of witnesses.
 - (iii) Test Identification Parade of Person and Property.
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To provide assistance to the Presiding Officer with whom trainee is attached:

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- (i) Assistance may be taken for preparing remand and bail orders, orders relating to disposal of property and in proceedings u/s 446 Cr.P.C.. Assistance may be further taken in preparing draft order in cases involving petty offences, proceedings u/s 82 and 83 Cr.P.C. so also, proceedings u/s 299 Cr.P.C.
- (ii) Assistance may be taken in preparing draft orders of Interim Maintenance u/s 125 Cr.P.C. or under Domestic Violence Act. In conducting Enquiry u/s 200 and 202 Cr.P.C., passing cognizance orders, passing orders on protest petition/ final reports and on application u/s 267 Cr.P.C.
- (iii) Their assistance may be taken in preparing draft issues, draft charges, draft questions to be put to the accused u/s 313 Cr.P.C..
- (iv) They may hold Legal Literacy Camps under supervision and control of the Secretary/ Full time Secretary.

B. Administrative Functions:

The trainee officers may be independently appointed as officer-in-charge of centralized administrative sections of the District Court/cluster of Courts on rotational basis, so that, each officer may get conversant with the affairs of each and every section and at the same time, the burden of judicial officers posted in various courts may be shared. Care shall be taken in rotating trainee officers in different sections in such a way that each of them gets an opportunity to discharge functions of that section for at least 10 days. In addition, they may be inducted as an additional member in DPC; additional member in screening committee under Rule 53 of RCS Pension Rules, 1996 etc..

As far as possible, the first and last working hour of the day will be utilized for discharging administrative functions and rest of the working hours will be utilized for discharging judicial and quasi judicial functions.

The trainee officers shall perform administrative functions of various centralized sections without hampering the court training/working, preferably 1 to 2 hours.

To improve managerial skills and administrative capacity, the trainee officers shall be associated in managing various events like Workshops/Seminars, Ceremonial Camps, Legal Aid programmes etc. as and when occasion arises.

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No: RSJA/RJS-Trng/2016/F-8/ 1151

12.07.2016

From: Director
Rajasthan State Judicial Academy
Jodhpur.

To : District & Sessions Judge
Jodhpur Metro.

Sub:- Field Training of Sh. Praveen Chauhan and Ms. Preeti Singh, newly appointed Civil Judge.

Respected Sir,

Apropos, it is requested that in order to impart practical training to Sh. Praveen Chauhan and Ms. Preeti Singh Trainee Civil Judges on day to day court working, a broad module (Annexure-D) has been prepared which is annexed herewith.

The trainee RJS officer has been placed in your judgeship for field training for the period from 19th July, 2016 till further order. During initial two or three days, he may be made acquainted with Administrative set-up of your judgeship and working of various branches. Thereafter, as far as possible, the trainee officer is to be attached with one Presiding Officer in the rank of CJM/ACJM/Sr. Civil Judge/Civil Judge/Judicial Magistrates for the purpose of training and he/she may be continued on regular basis with that very same Presiding Officer at least for two weeks. However, in case of non availability of sufficient number of Presiding Officers in the judgeship, the concerned presiding officer being on leave or for some other administrative reasons, the trainee officer may for the time being be attached with another Presiding Officer. While making attachment, it may kindly be kept in view that as far as possible he may be attached with the officer having judicial work of the nature, the civil judge and judicial magistrates have to perform. But, he may also be attached with the presiding officer of special courts having additional charge of the court of civil judge or the judicial magistrates. If sufficient number of officers are available at the headquarter, the trainee officer may be given opportunity to be attached with maximum number of rotation of two weeks.

For smooth and effective supervision, you are requested to nominate one ADJ level officer as Judge In-charge Training for these trainee officers. Trainee officer will share his experiences of the week with Judge In-charge and will submit his report to the judge in-charge in second half of the Friday of each week. The Judge In-charge will check the report, solve their problems (if any) and will guide them. In the event of Judge In-charge Training being on leave, the District Judge himself will discharge the functions of the Judge In-charge.

You are further requested to ensure that the trainee officer must undertake all the practical exercises mentioned in the module. Any other assignment, as may be deemed proper by you for their better training may also be given under intimation to the Academy.

Further, it is requested to take appropriate administrative decision, in case any application for CL/RH from a trainee officer is received by your good self and also to send attendance/absentee statement to the District & Sessions Judge, Jaipur Metro after completion of a calendar month for drawing and disbursing salary of the trainee officers.

Furthermore, kindly send performance report and leave balance of trainee officer at the time of relieving.

With regards,

Encl:- As above

Yours sincerely,


(B.R. Chaudhary)
Director

TRAINING PROGRAM FOR NEWLY APPOINTED CIVIL JUDGES:

2015-16 Shri Praveen Chouhan and Ms. Preeti Singh

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**NORMS FOR THE FIELD TRAINING UNDER SUPERVISION AND CONTROL OF
DISTRICT JUDGES**

:: (From 19th July, 2016 till further orders) ::

1. It is enjoined upon trainee officers to maintain their daily diary and to record therein the details of the work performed by them on each day. She/he will place it in the morning of next following day for perusal before the Officer with whom; she/he is attached and will also send a scanned copy of the Daily Diary weekly through e-mail from Computer Cell of place of the training to the Academy at rsjadir-jod-rj@nic.in. The trainee officers will submit the original Diary in Academy on the first day of Reflective Training. Apart from the above, each trainee officer will have to keep record of the unresolved problems (both factual and legal) arising during the course of proceeding and to note down the same in their daily diary to discuss the same at Academy.
2. The broad module for Field Training shall be as follows:
 - (a) Attachment with Principal District Judge :
 - (i) First of all, she/he will get herself/himself acquainted with the administrative set-up of judgeship.
 - (ii) She/he will be attached with the Establishment branch, Accounts branch, Copying branch and Nazarat branch for practical learning about working of each seat.
 - (b) For practical learning about Criminal work :

The Trainee officer will peruse the charge sheets presented in the Court with a view to examine the jurisdiction of the Court concerned and shall make notings about the documents enclosed with the charge sheet.

 - (i) The Trainee officer will frame draft charge, record substance of accusation and statement of accused under section 313 Cr.P.C. in two or three cases listed in the Court.
 - (ii) The Trainee officer will peruse two or three criminal case files which are/ are to be listed for recording of evidence in the next coming two or three days and will note down the gist of matter. The Trainee officer will observe recording of the evidence, record the same, at least in two cases per day, in her/his own handwriting. The evidence will be recorded by the Trainee officer at the direction and supervision of the Presiding Officer in accordance with Rules in the matter.
 - (iii) The Trainee officer will also observe proceedings of the hearing of the bail application and remand applications and will prepare a noting in two or three such matters.
 - (iv) The Trainee officer will also peruse and observe, if possible, the proceedings relating to miscellaneous applications such as under section 190 Cr.P.C. regarding cognizance, 311, 319, 451, 457 Cr.P.C. as may be listed in the court during the training period. The Presiding Officer will brief the Trainee officer in these matters. The Trainee officer will prepare the notings of all such proceedings.
 - (v) The District & Sessions Judge may issue suitable directions with regard to providing opportunity to Trainee Officer for observing

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the proceedings of recording dying declaration, recording of the statements under Section 164 Cr.P.C., identification of the accused at Jails and identification of properties. The Trainee officer will prepare notes of such participation and shall submit the same along with the work performance report.

- (vi) The Trainee officer will observe how warrant for commitment to Jail is prepared after passing an order of remand or sentence to imprisonment is awarded. She/he will also observe as to how order for release of a prisoner is issued and how an order for release of goods/articles seized by the authorities is issued.

(c) Preparing Draft Judgments and Draft Orders in Criminal Cases :

The Trainee officer will peruse two or three files which are listed in the court for hearing of the arguments and will observe the hearing of the arguments in such cases. The Trainee officer will prepare her/his own notes in regard to the arguments advanced and facts/law narrated before the Court. The Trainee officer will thereafter write down draft judgments in such cases in her/his own handwriting. This draft judgment will be prepared by the Trainee officer solely at his/her own without any discussion or interaction with the presiding officer and keep the same in his/her custody confidentially. After pronouncement of the regular judgment in the case by the Presiding Officer of the Court, the Trainee officer will place the draft judgment in her/his training file and shall forward the same for perusal, evaluation and guidance to the District & Sessions Judge. The Trainee officer will also prepare draft orders on remand, bail and release of property.

(d) For practical learning about Civil work :

- (i) The Trainee officer will peruse the complaints and applications presented in the court and thereafter shall make a note of each such case on the subject matter of jurisdiction (territorial and pecuniary) and court fees. In the notings, gist will be recorded as to how the suit in question is within the jurisdiction of the court concerned and whether there are any defects.
- (ii) The Trainee officer will frame draft issues in two or three civil suits compare them with the final issues which may be prepared by the Presiding Officer on that particular day.
- (iii) The Trainee officer will peruse the complaints, written statements, issues and documents in three cases which are going to be listed in the next two or three days for recording of evidence and two cases of hearing of arguments. The Trainee officer will make notings of such perusal.
- (iv) The Trainee officer will observe the recording of the evidence. The Trainee officer will record the evidence at least in two cases at the dictation and supervision of the Presiding Officer in accordance with the Rules in the matter.
- The Trainee officer will peruse and, if possible, observe the proceedings relating to miscellaneous applications such as under order 1 rule 10, order 6 rule 17, order 7 rule 11 CPC and adjournment applications as may be listed in the court during the training period in these matters. The Trainee officer will prepare brief notings of all such proceedings.

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- (v) The Presiding Officer will also brief the Trainee officer in few execution matters and will make the Trainee officer conversant with the various steps.

(e) Preparing Draft Judgments and Draft Orders in Civil Cases:

The Trainee officer will observe hearing of the arguments in one or two cases and shall also make notings in regard to the arguments advanced and facts/law narrated before the Court. The Trainee officer will thereafter write down draft judgments in such cases in his own handwriting. This draft judgment will be prepared by the Trainee officer solely at his/her own without any discussion or interaction with the presiding officer and keep the same in his/her custody confidentially. As soon as the presiding officer of the court pronounces its own judgment in that particular file, the Trainee officer will place his draft judgment in his training file and shall submit it to the District & Sessions Judge for perusal, evaluation and further guidance. The Trainee officer will make a comparative study of the draft judgment vis-à-vis final judgment as pronounced by the court and will make notings of the same which will be submitted along with the draft judgment.

- (f) Practical study on preparing Draft Order under order 38 and order 39 of CPC; Service of order on person concerned; Practical procedure after an ex-parte order of temporary injunction :
- (g) Practical learning about business performed in Malkhana and Record Room :
- (h) Doing practical draft work as per Rules under superintendence of the Presiding Officer as shown hereinafter...

Note: Besides practical training on the above topics/ subjects, the trainee officer may be asked to do following Civil and Criminal works in the remaining days:

CIVIL WORK

PART - I Framing draft Issues

1. Simple Money Suits
2. Suits for declaration and injunction and
3. Other simple Civil Suits

PART - II Writing draft orders

1. Order on application of appointment of commissioner/receiver.
2. Order of substitute service of summons.
3. Exparte Order when defendant absent though served.
4. Order of withdrawal/ compromise.
5. Order u/s. 35(B) (Cost for delay)
6. Order under order 1 rule 10 (To strike out the name of unnecessary parties)
7. Order under order 7 Rule 10 (return of plaint)
8. Order under Order 7 Rule 11 (Rejection of Plaint)
9. Order under Order 9 Rule 4 (Restoration)

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10. Order under Order 9 Rule 7 (Setting aside of ex parte order)
11. Order under Order 9 Rule 13 (Restoration of setting aside ex parte judgment)
12. Order under Order 22 Rule 2 (Abetment of the suit)
13. Order under Order 23 Rule 1(1)(3) (withdrawal of the suit)
14. Order under Order 6 Rule 17 (Amendment of the plaint)
15. Order under Order 17 (Application for adjournment)

CRIMINAL WORK

Writing draft orders

1. Order on Bail Application.
2. Interim order of Maintenance u/s. 125 of Cr.P.C.
3. Order u/s. 156(3) for investigation of cognizable offence by the Police.
4. Order u/s. 167(1) for police remand of the accused.
5. Order u/s. 167(2) for default bail to the accused.
6. Order u/s. 169 for release of accused when evidence deficient
7. Order u/s. 173(5) for returning of the charge sheet due to defect.
8. Order u/s. 173(8) for further investigation
9. Order u/s. 202 for postponement of issue of process
10. Order u/s. 203 for dismissal of complaint
11. Order u/s. 204 for issue of process
12. Order u/s. 205 to dispense with personal attendance of accused
13. Order u/s. 209 to commit the case to the Sessions Court
14. Order u/s. 258 to stop proceedings
15. Order u/s. 299(1) to record evidence in absence of absconded accused.
16. Order u/s. 319 to proceed against other person appearing to be guilty
17. Order u/s. 446-A for cancellation of bond and bail bonds.
18. Order u/s. 451 for custody and disposal of property pending trial in certain cases

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