

# Conduct of Judicial Officers

## **S.S. Upadhyay**

*Former District & Sessions Judge/  
Former Addl. Director (Training)  
Institute of Judicial Training & Research, UP, Lucknow.  
Member, Governing Body,  
Chandigarh Judicial Academy, Chandigarh.  
Former Legal Advisor to Governor  
Raj Bhawan, Uttar Pradesh, Lucknow  
Mobile : 9453048988  
E-mail : ssupadhyay28@gmail.com  
Website: lawhelpline.in*

Apart from the provisions contained under U.P. Government Servants Conduct Rules, 1956, various administrative directions issued by the Allahabad High Court in the form of **circular letters** govern and regulate the conduct of judicial officers. The Supreme Court (while giving approval to the report of the Shetty Commission) has clarified that the judicial officers are not government servants like other executive officers or officials acting under the control of State Governments or Central Government but they are **constitutional functionaries** as they perform their judicial function independently under the constitutional mandate and not under the control of any governments. Very high degree of moral and ethical values and conducts are always expected from the judicial officers. Some of the important matters relating to the conduct of judicial officers are being enumerated as under:

1. INTEGRITY (C.L. No. 37/67-8, DATED 22.10.1932)
2. OBSERVANCE OF PUNCTUALITY (C.L. No. 9/2008, dated 13.3.2008)
3. OBSERVANCE OF CONDUCT RULES AS REQUIRED BY RULE 3 OF THE U.P. GOVERNMENT SERVANT CONDUCT RULES, 1956 (C.L. NO. 71/1971, Dated 12.5.1971)
4. COORDINATION AMONGST JUDICIAL OFFICERS (C.L. No. 56/1974, Dated 17.4.1974)

5. USE OF POLITE LANGUAGE IN CORRESPONDENCE
6. SUPPRESSION OF EGOS
7. DISCLOSURE OF MOVABLE AND IMMOVABLE PROPERTY ( C.L. No. 24 of 1995, dated 13.6.1995 & C.L. No. 81/1993, dated 20.12.1993, C.L. No. 37/1995, dated 8.9.1995)
8. INNOVATION AND EXPERIMENTATION WITHIN DEFINED PARAMETERS AND THE HEALTHY TRADITIONS OF THE JUDICIAL DEPARTMENT
9. NON INDULGENCE INTO RUNNING ARGUMENTS WITH THE MEMBERS OF THE BAR & OTHERS
10. AVOIDANCE OF RECORDING OF STRICTURES & CONDEMNATORY REMARKS AGAINST THE LITIGANTS, LAWYERS, WITNESSES & OTHERS
11. DISCLOSURE / DECLARATION OF DOWRY--- As per the provisions contained under Rule 5 of the U.P. Dowry Prohibition (First Amendment) Rules, 2004, all public servants appointed in service after 31.3.2004 must disclose/declare that they had not accepted any dowry in their marriages. (C.L. No. 31/2005, dated 29.10.2005 & G.L. No. 9073/2006, dated 13.7.2006)
12. VISIT TO HON'BLE ADMINISTRATIVE JUDGE & HON'BLE THE CHIEF JUSTICE (C.L. No. 20/2008, dated 15.9.2008, C.L. No. 4/2008, dated 21.1.2008 & C.L. No. 39/2006, dated 19.9.2006)
13. CASUAL LEAVES & STATION LEAVES (G.O. NO. 025@lkr&U;k;&1&2009&2@2009½
14. PRONOUNCING JUDGMENTS & ORDERS AT THE EARLIEST POSSIBLE OPPORTUNITY
15. MENTIONING RULINGS IN JUDGMENTS & ORDERS
16. AVOIDANCE OF MAKING PROMISES/ ASSURANCES TO EXTEND FAVOURS IN JUDICIAL MATTERS

17. REGULAR STUDY OF JOURNALS, LAW BOOKS & OTHER HEALTHY LITERATURES
18. PREPARATION OF PERSONAL DIGESTS
19. AVOIDANCE OF GIVING UNNECESSARY ADVICES
20. AVOIDANCE OF DEVELOPING ILL-WILL OR JEALOUSY AGAINST THE BROTHER JUDICIAL OFFICERS
21. AVOIDING ATTESTATION OF DOCUMENTS
22. AVOIDANCE OF ISSUANCE OF N.O.C. FOR PASSPORTS (G.L. No. 13492/Admin/dated 14.9.2006)
23. AVOIDING ISSUANCE OF CHARACTER CERTIFICATE (G.L. No.4045/67, dated 9.12.1912)
24. AVOIDING ISSUANCE OF DOMICILE CERTIFICATES
25. AVOIDING USE OF UNAUTHORISED BEACON LIGHTS ON PRIVATE VEHICLES (C.L. No. 54/2006, dated 21.12.2006)
26. AVOIDING PUBLIC EXPOSURES & GATHERINGS
27. AVOIDANCE OF FREQUENT VISITS TO HOTELS, RESTAURANTS, THEATRES ETC.
28. AVOIDANCE OF FLATTERY & PSYCHO FANCY
29. GREETING CARDS (C.L. No. 108/1994, dated 18.11.1994 & C.L. No. 129/1994, dated 9.12.1994).
30. AVOIDING INDULGENCE IN DISPUTES WITH NEIGHBOURERS, VILLAGERS AND OTHERS.
31. TOLL PLAZA
32. AVOIDING PARTICIPATION IN EVENTS HAVING DISPUTED PEOPLE.
33. CAUTION IN CONVERSATIONS ON MOBILES ETC.
34. AVOIDING SELFIE WITH UNKNOWN PEOPLE.
35. CAUTION AGAINST SUSPICIOUS PEOPLE RECORDING CONVERSATIONS SECRETLY.

**Certain Major Untoward Happenings With Judicial Officers In Uttar Pradesh:**

- (1) Chaila Kand of Kusunagar, Deoria (1970s)
- (2) Kashyap Kand of Kanpur Nagar (1970s)
- (3) Mehadi Kand of Shahjahanpur (1980s)
- (4) Assault by ACJM on DJ Jaunpur Kand (1980s)
- (5) Hattha Kand of Ghaziabad (1990s)
- (6) Bamboo Kand of Kanpur Nagar with Nigam(1990s)
- (7) CJM Kand of Faizabad (1990s)
- (8) ADJ Faizabad Going Unconscious on Assault by Mob Kand (1990s)
- (9) DJ Azamgarh Pretending Angina Pain in Chamber Kand (1990s)
- (10) Murder of SI at Dhaba in Uttarakhand Kand (1990s)
- (11) Clash Between two ADJs to Become LA to Governor U.P. Kand (1990s)
- (12) Bolted Door of Lady Litigant Kand of Gorakhpur (1990s)
- (13) Assault on CJM, Mirzapur Kand (1990s)
- (14) Hitting on head of ADJ Mirzapur for Womanization Kand (1990s)
- (15) Throwing DJ of Ballia from Roof of Court Room Kand (1990s)
- (16) Criminals Surrender Kand of Ghaziabad (1990s)
- (17) Aligarh Tape Recording of Civil Judge Bribe Kand (1990s)
- (18) Matsya Premi Civil Judge Kand of Pratapgarh (1990s)
- (19) Changing Statement u/s 164 Cr.P.C. by ACJM Meerut Kand (1990s)
- (20) JM Azamgarh Outraging Modesty During 164 Cr.P.C. Kand (2000s)
- (21) Suspension of DJ Meerut in Kidnapping Kand of Son of Mayor Meerut(1990s)
- (22) Departmental Inquiry against DJ Meerut for attending birthday party of child of accused of his court.
- (23) Gas Cylinder Kand of Raibareilly (2010s)

- (24) Reversion of ADJ/FTC for exposing corruption of DJ, Baghpur Kand (2000s)
- (25) Massori, Uttarakhand DJ Taxi Kand (2010s)
- (26) Assault on ACJM Unnao Kand (2010s)
- (27) Apology of Judge to Lawyer by Shat-Shat Dandwat Kand (2020)
- (28) Addl. Civil Judge, Jr. Div. Kand of Pratapgarh (2021)
- (29) Raid on ADJ Court in Mid-Night Kand (2022)
- (30) Katta Guru Kand of Kanpur Nagar (2023)
- (31) Attachment of DJ Kanpur Nagar Kand (2023)
- (32) Lewd remarks by DJ, ADJ against lady judicial officer of Barabanki seeking permission of CJI to die.

\*\*\*\*\*