

# ANUSHASAN



ODISHA JUDICIAL ACADEMY





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## THE JUDICIAL SERVICE CODE OF CONDUCT

FOR THE JUDICIAL OFFICERS OF THE STATE OF ODISHA



**ODISHA JUDICIAL ACADEMY**

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# PROEM

**“Judging a person does not define who they are.....  
It defines who you are...”**

*..... An anonymous saying goes*

In Indian context, judging is considered as a divine function. The person, bestowed with the responsibility of judging, therefore, must live up to the expectation of last man standing. Judiciary is an integral pillar of the Indian democracy and its sovereignty as well as integrity are the pivots. The justice delivery mechanism in India is hierarchical in structure, with the district judiciary forming the strong foundation.

Hon'ble Apex Court in the case of **Registrar General, Patna High Court vs. Pandey Gajendra Prasad (2012)6 SCC 357 Para 12** held that *“The District Judiciary is the kingpin in the hierarchical system of administration of justice. It is the trial judge, who comes in contact with the litigant during the day to day proceedings in the court and, therefore, a heavy responsibility lies on him to build a solemn unpolluted atmosphere in the dispensation of justice which is an essential and inevitable feature in a civilized democratic society”*.

This shows the importance of District Judiciary and thus, the entrants into judicial service must prove themselves to be worthy of this service in all respect. In **High Court of Judicature at Bombay vs. Shashikant S. Patil, (2000) 1 SCC 416**, highlighting a marked and significant difference between a judicial service and other services, speaking for a bench of three Judges, K.T. Thomas, J. observed that *The Judges, at whatever level they may be, represent the State and its authority, unlike the bureaucracy or the members of the other service. Judicial service is not merely an employment and the Judges are not merely employees. They exercise sovereign judicial power. They are holders of public offices of great trust and responsibility. If a judicial officer tips the scales of justice, its rippling effect would be disastrous and deleterious. A dishonest judicial personage is an oxymoron.*

Therefore, the person adorning the chair of judge must understand the intrinsic value of the post he holds and his personal, inter- personal, social, economic as well as professional life must be shaped in such a manner that public faith in the system is unquestionably reposed.

## PURPOSE OF THE CODE

Discipline, punctuality and obedience are the three rudiments on which the superstructure of a prudent personality is built. Judicial service is one of the most coveted public services that an individual can choose to be a part, in our country. As has been said in the previous paragraphs, judging is a divine function and therefore, the conduct of a member of judicial service must be of the highest degree. In our State, **the Odisha Superior Judicial Service and Odisha Judicial Service Rules, 2007** (amended from time to time) (in short, OSJS & OJS Rules) provides the various rules meant for recruitment, service condition, training and conduct of a Judicial Officer. As per the OSJS & OJS Rules, every newly recruited Judicial Officer needs to undergo statutory training at the time of entry into the service and this essentially includes training at Odisha Judicial Academy.

Therefore, the trainee judicial officers must follow the discipline and etiquette of the OJA and the tenets of the OSJS & OJS rules and The Orissa Government servants' conduct Rules, 1959. The purpose of this document is to speak out loud the ethical conduct of all Judicial Officers in the State of Odisha. This Code does not propose to set out an exhaustive set

of ethical conduct or acts of misconduct of Judicial Officers. Rather, it prescribes the very high standards, which all Judicial Officers should strive to achieve. This code is a collection of the relevant rules, circulars, instructions, directions and judgments which are very essential for every judicial officer to be sanguine with and not only to be self-practised but also to be applied diligently to a given situation in a manner consistent with judicial independence and rules of law. The code is binding on all Judicial Officers. The code will definitely guide the trainee judicial officers in not only to develop a good moral character but also to build a good professional character.

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We are what our thoughts have made us;  
So take care about what you think.  
Words are secondary. Thoughts live; they travel far.

**...Swami Vivekananda**



## ETHICS

In the words of 38<sup>th</sup> C.J.I of India, **Hon’ble Mr. Justice S.H. Kapadia** ; **“When we talk of ethics, the judges normally comment upon ethics among politicians, students, professors and others. But I would say that for a judge, ethics, not only constitutional morality but even ethical morality, should be the base.”**

Former Chief Justice of India Hon’ble Mr. Justice, R. C. Lahoti in his National Judicial Academy occasional paper **“Canons of Judicial Ethics”** gave a detailed insight into the ethics of a Judge (Judicial Officer). While explaining the concept, his Lordship referred to documents such as the **“Restatement of values of Judicial Life as adopted by Hon’ble Supreme Court of India – 1999”** & the **“Bangalore Principles of Judicial Conduct – 2002”** of United Nation. Apart from the above, a no of decisions of the Hon’ble Supreme Court as well as the OSJS & OJS Rules, 2007 speak about the judicial conduct and ethics. Summarizing the essence of the above documents, the following points are formulated for the guidance of Judicial Officers.

## ANUSHASAN

- A. An **independent judiciary** is indispensable for upholding Rule of law. Judicial Officers must, therefore, uphold and exemplify judicial independence in both its individual and institutional aspects to reinforce public confidence which is the cornerstone of judicial independence.
- Judicial Officers must exercise their judicial functions independently and free of extraneous influence.
  - Judicial Officers must firmly reject any attempt to influence their decisions in any matter sub judice before them.
  - Judicial Officers must encourage, uphold and take safeguards to maintain and enhance the institutional and operational independence of the judiciary.
  - In performing judicial duties, Judicial Officers shall be independent of judicial colleagues in respect of decisions which they are obliged to make independently.
  - Judicial Officers shall be independent in relation to society in general and in relation to the particular parties to a dispute which they have to adjudicate.
  - Judicial Officers must exhibit and promote high standards of judicial conduct.

B. Judicial Officers must conduct themselves with **integrity** so as to sustain and enhance public confidence in the judiciary. Judicial Officers should possess the sterling quality of integrity. The Apex Court in **Tarak Singh vs. Jyoti Basu, (2005)1 SCC 201** held that: *“Integrity is the hallmark of judicial discipline, apart from others. It is high time the judiciary took utmost care to see that the temple of justice does not crack from inside, which will lead to a catastrophe in the justice-delivery system resulting in the failure of public confidence in the system. It must be remembered that woodpeckers inside pose a larger threat than the storm outside.”*

- Judicial Officers must ensure that their conduct is above reproach, in his/her public or private life.
- In addition to observing high standards personally, judicial officers must encourage and support its observance by their judicial colleagues, subordinates and staff.
- Judicial officers and members of family residing in their household shall not accept, a gift, bequest, favour or loan from anyone except the followings
  - a. a gift incident to a public testimonial, books, tapes and other resource materials supplied by publishers on a complementary basis for official use or an invitation to the Judge and the Judge’s spouse or guest to attend a bar-related function or an activity

devoted to the improvement of the law, the legal system or the administration of justice;

- b. a gift , award or benefit incident to the business, profession or other separate activity of a spouse or other family members of a Judge residing in the Judge's household, including gifts, awards and benefits for the use of both the spouse or other family members and the Judge (as spouse or family member), provided the gift, award or benefit could not reasonably be perceived as intended to influence the Judge in the performance of judicial duties;
- c. ordinary social hospitality;
- d. a gift from a relative or friend, for a special occasion, such as a wedding, anniversary or birthday, if the gift is fairly commensurate with the occasion and the relationship;
- e. a relative or close personal friend whose appearance or interest- in a case would in any event require disqualification under rule 40;
- f. a loan from a lending institution in its regular course of business on the same terms generally available to persons who are not Judges;
- g. a scholarship or fellowship awarded on the same terms and based on the same criteria applied to other applicants; or

- h. any other gift, bequest, favour or loan, only if the donor is not a party or other person who has come or is likely to come or whose interests have come or are likely to come before the Judge.

**(This is the extract from Orissa Superior Judicial Service and Orissa Judicial Service Rules, 2007. Vide Rules 36, 39).**

- A Judicial Officer must not give legal or investment advice, except to members of his/her immediate family (being a spouse, child, grandchild, parent, great grandparent, sibling, uncle, aunt, niece, nephew or any person living in the same household as a family member of the Judicial Officer).
  - A Judicial Officer must not issue any statement or criticism or argument on the judiciary.
  - A Judge should refrain from financial and business dealings that tend to reflect adversely on the judge's impartiality or judicial office, interfere with the proper performance of judicial duties, exploit the judicial position, demean the judicial office or involve the Judge in transactions with lawyers or persons likely to come before the court on which the judge serves
- C. Judicial Officers must be **competent and diligent** in the performance of their judicial duties. In **High Court of Judicature at Bombay vs. Shashikant S. Patil, (2000) 1 SCC 416**, in more emphatic words, Supreme Court stated

*that dishonesty is the stark antithesis of judicial probity. Honesty and integrity are the hallmarks of judicial probity. Dishonesty and lack of integrity are hence the basic elements of misconduct as far as a Judicial Officer is concerned.*

- The judicial duties of a judge take precedence over all other activities.
- Judicial Officers must devote their professional activity to judicial duties broadly defined, which include not only presiding in Court and making decisions, but other judicial tasks essential to the Court's operation including administrative work.
- A Judicial Officer must take reasonable steps to develop, maintain and enhance the knowledge, skills and personal qualities necessary for judicial office.
- A Judicial Officer must perform all judicial duties, including the delivery of reserved Judgments, with promptness and professionalism at all times except in exceptional circumstances.
- A Judicial Officer must not engage in conduct incompatible with the diligent discharge of judicial duties or condone such conduct in colleagues and staff.
- A judge shall keep himself or herself informed about relevant developments of international law, including

international conventions and other instruments establishing human rights norms.

- A judge shall maintain order and decorum in all proceedings before the court and be patient, dignified and courteous in relation to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity. The judge shall require similar conduct of legal representatives, court staff and others subject to the judge's influence, direction or control.

D. Judicial Officers must conduct themselves and proceedings before them so as to ensure **equality before the law**.

- Judicial Officers must carry out their duties with appropriate consideration for all persons i.e. parties, witnesses, Court personnel, legal practitioners and judicial colleagues without discrimination on any ground.
- A Judicial Officer must strive to be aware of and understand differences arising from gender, race, religion, culture, ethnic background, sexual orientation, disability or health condition and must not discriminate on these or any other basis.
- Judicial Officers must not be a member of any organization that practices any form of discrimination that contravenes the law, or that brings disrepute to the judiciary.

- In the course of proceedings before him/her, Judicial Officers must disassociate themselves from and disapprove of any clearly irrelevant comments or conduct by Court staff, legal practitioners or anyone subject to the Judicial Officer's direction which are sexist, racist or otherwise demonstrate discrimination on grounds prohibited by law, or frowned upon in a judicial atmosphere.
- A judge shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice towards any person or group on irrelevant grounds.

E. Judicial Officers must be and seen to be **impartial** with respect to their decisions and decision-making. **In Daya Shankar vs. High Court of Allahabad, (1987) 3 SCC 1**, the Supreme Court set the following standard: *“Judicial officers cannot have two standards, one in the court and another outside the court. They must have only one standard of rectitude, honesty and integrity. They cannot act even remotely unworthy of the office they occupy.”*

- Judicial Officers must ensure that their conduct, both in and out of Court, maintains and enhances confidence in the impartiality of the judiciary.



- Judicial Officers must conduct their personal and private affairs so as to minimise the occasions on which it will be necessary to be disqualified or to recuse them from hearing cases.
- Judicial Officers are free to participate in civic and charitable activities subject to the following considerations: (a) A Judicial Officer must avoid any activity or association that could reflect adversely on his/her impartiality or interfere with the performance of judicial duties. (b) A Judicial Officer must not solicit funds or lend prestige of judicial office to such solicitations except for appropriate purposes.
- Judicial Officers shall respect and observe the law. At all time, the conduct and manner of a Judge should promote public confidence in the integrity and impartiality of the judiciary. Without regard to a person's race, gender, or other protected personal characteristic, a Judge should treat every person fairly, with courtesy and respect.
- Judicial Officers shall not allow his or her activity as a member of an organization to cast doubt on the judge's ability to perform the function of the office in a manner consistent with the code of judicial conduct and the laws of the State

- F. **Propriety**, and the appearance of propriety, is essential to the performance of all of the activities of a judicial officer.
- Judicial Officers shall avoid impropriety and the appearance of impropriety in all of the judge's activities.
  - As a subject of constant public scrutiny, Judicial Officers must accept personal restrictions that might be viewed as burdensome by the ordinary citizen and should do so freely and willingly.
  - Judicial Officers shall, in their personal relations with individual members of the legal profession who practise regularly in their court, avoid situations which might reasonably give rise to the suspicion or appearance of favouritism or partiality.
  - Judicial Officers shall not participate in the determination of a case in which any member of their family represents a litigant or is associated in any manner with the case.
  - Judicial Officers, like any other citizen, is entitled to freedom of expression, belief, association and assembly, but in exercising such rights, they shall always conduct themselves in such a manner as to preserve the dignity of the judicial office and the impartiality and independence of the judiciary.

- Judicial Officers shall not allow their family, social or other relationships to influence their judicial conduct and judgment as a judge.
- Judicial Officers shall not use or lend the prestige of the judicial office to advance their private interests or a member of the family or of anyone else.
- Judicial Officers shall not convey or permit others to convey the impression that anyone is in a special position to influence them in the performance of judicial duties.
- Confidential information acquired by Judicial Officers in their judicial capacity shall not be used or disclosed by them for any other purpose not related to the judge's judicial duties.
- Judicial Officers shall not practise law whilst the holder of judicial office.
- Judicial Officers and members of the judge's family, shall neither ask for, nor accept any gift, bequest, and loan or favour in relation to anything done or to be done or omitted to be done by the judge in connection with the performance of judicial duties.
- Judicial Officers shall not knowingly permit court staff or others subject to the judge's influence, direction or authority, to ask for, or accept, any gift, bequest, loan or favour in relation to anything done

or to be done or omitted to be done in connection with his or her duties or functions.

- Judicial Officers shall not appear as a character witness in a Court proceeding unless summoned.

## **The Bangalore Principles Of Judicial Conduct 2002**

Six Principles Of Ethical Conduct Of Judges/Judicial Officers



# OBSERVATIONS OF THE HON'BLE SUPREME COURT OF INDIA

- **High Court of Judicature for Rajasthan Vs. Ramesh Chand Paliwat – (1998) 2 SCC 72** Judges have been described as hermits, further reminding that they have to live and behave like hermits, who have no desire or aspirations, having shed it through penance. Their mission is to supply light and not heat.
- **Tarak Singh vs. Jyoti Basu (2005) 1 SCC 201** There is nothing wrong in a judge having an ambition to achieve something, but if the ambition to achieve is likely to cause a compromise with his divine judicial duty, better not to pursue it.
- **High Court of Judicature at Bombay Vrs. Uday Singh (1997) 5 SCC 129** Maintenance of discipline in the judicial service is a paramount matter. Acceptability of a judgment depends upon the credibility of conduct, honesty, integrity and character of the officer. The confidence of litigating public gets affected or shaken by lack of integrity and character of judicial officer.

- **C. Ravichandran Iyer Vrs. Justice A. M. Bhattacharjee & Others – (1995) 5 SCC 457** Judicial office is essentially a public trust. Society is, therefore, entitled to expect that a Judge must be a man of high integrity, honesty and required to have moral vigour, ethical firmness and impervious to corrupt or venial influences. He is required to keep most exacting standards of propriety in judicial conduct. Any conduct which tends to undermine public confidence in the integrity and impartiality of the court would be deleterious to the efficacy of judicial process. Society, therefore, expects higher standards of conduct and rectitude from a Judge.
- **Muzaffar Husain Vrs. State of U.P. and another: 2022 SCC online SC 567** It is often said that “the public servants are like fish in the water, none can say when and how a fish drank the water”. A judge must decide the case on the basis of the facts on record and the law applicable to the case. If he decides a case for extraneous reasons, then he is not performing his duties in accordance with law. As often quoted, a judge, like Caesar’s wife, must be above suspicion
- **Sadhna Chaudhary Vs. State of Uttar Pradesh (2020) 11 SCC 760** Judicial officers must aspire and adhere to a higher standard of honesty, integrity and probity.

- **Shrirang Yadavrao Waghmare v. State of Maharashtra, (2019) 9 SCC 144** The first and foremost quality required in a Judge is integrity. The need of integrity in the judiciary is much higher than in other institutions. The judiciary is an institution whose foundations are based on honesty and integrity. It is, therefore, necessary that judicial officers should possess the sterling quality of integrity.
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We will not be satisfied until justice rolls  
down like waters and righteousness  
like a mighty stream.

..... **Dr. Martin Luther King, Jr.**

## ETIQUETTE IN THE ACADEMY

**G. DRESS CODE** - Dress codes enforce decorum and a serious professional atmosphere conducive to success. Uniformly mandated dress codes promote safety. Dress codes promote inclusiveness and a comfortable, cooperative environment while eliminating individualistic attire that can distract from common goals. Since, the judicial service career begins with training at the Academy; the trainees must abide by the dress code of the Academy as follows-

Official	<ul style="list-style-type: none"> <li>i. Attending training sessions at the OJA</li> <li>ii. Official visits during training.</li> <li>iii. Other Official duties.</li> </ul>	<ul style="list-style-type: none"> <li>i. The officers are to put on black coats, ii. Gentlemen trainee officers shall wear black or White pant, white shirt and tie (preferably black) and wear full shoes.</li> <li>iii. Lady trainee Officers can wear white coloured saree, salwar Kamiz or pant &amp; shirt with formal ladies' shoes.</li> </ul>
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Ceremonial Occasions	i. Official Functions, Seminars, Conference ii. Visit of Hon'ble Judges and other High dignitaries	ii. Gentlemen trainee judicial officers shall wear full suit, full sleeve coat/half sleeve coat, and sober colour shirt with full sleeve, shoes and tie. ii. Lady trainee judicial officers shall wear dress white /black, full/ sleeve, high neck blouse, shirt with collar. Sarees (white/ cream /grey / black/or combination thereof. Salwar/churidar/trouser (white/cream/grey/black)
Informal Occasions	i. Residential area ii. Dining (non-working days) iii. Holidays and residing in campus and iv. During visit to outside of campus while staying in.	Open collar shirts with trousers (not lowers of any description other than trousers) for gentlemen trainee officers. Salwar kameez or churidar kurta or shirt and trousers (must not be half shorts or any lowers other than trousers) for lady trainee officers
<b>***During training hours, Putting the ID card is mandatory.</b>		
<b>(Dress code is as per the Rule No 548 GRCO (Civil) and extract from Hon'ble High Court of Orissa General Circular No.6886 of 2022 dated 04.05.2022).</b>		

## **H. CODE OF CONDUCT FOR RESIDENTIAL AREA**

The campus has residential facility for the trainees. It is expected of all trainee officers to abide by the rules of the residential block.

- The induction training program for the newly recruited Civil Judges on probation shall be residential in nature at Odisha Judicial Academy. Accommodation shall be provided in the residential block of the Academy to all the officers nominated by Hon'ble High Court of Orissa to attend such training.
- The room shall be allotted to the trainees on twin-share basis. Spouse, children, relatives, friends etc. of the trainees shall not be allowed to stay in the residential block.
- The trainees are advised to take adequate care of their belongings and don't leave any valuables or cash inside the room when not in use. The Academy shall not be held responsible for any loss or damage in such matter.
- Possession, Consumption or dealing with any substance of Alcohol, Tobacco, Cigarettes and other like products is strictly prohibited in the Academy Campus. Any acts committed or omitted in a state of inebriation will attract disciplinary action.

- At the time of check-in of a room, trainee judicial officers must verify the supplied articles as per check list. Similarly at the time of checkout they shall ensure that such items are intact.
- The entry to the residential block shall normally be closed from 9.30 PM till 5.30 AM.
- The occupants of residential block shall refrain from doing any such act which may disturb the peace & tranquillity thereof.
- The occupants must switch off the electric gadgets and close water taps while leaving the room.
- Rooms allotted in residential block can be inspected at any time by the authority without prior intimation. Violation of any of the norms & terms ascribed above shall amount to misconduct.
- Visitors may be permitted to meet the occupants of the residential block in between 6.00 PM to 8.00 PM in the lounge of residential Block.
- It must be ensured by the trainee officers that they must not shout, whistle, play loud music or host noisy parties in the residential area. The decibel of sound must be within the reasonable limit as not affecting the convenience of others staying in the residential area.
- The trainee judicial officers must give attention to personal hygiene and the gentlemen officers are

expected to remain clean shaven and further fancy hairstyle is not allowed inside the campus.

- It is responsibility of the trainee judicial officers to ensure the cleanliness of the room as well as the bathroom

## **I. CONDUCT AT THE CLASSROOM**

- All the trainee judicial officers must be punctual at all times and be seated at their allotted seats well before the time designated for the commencement of the session.
- Trainee officers will not be admitted into the training hall once the session is commenced.
- The trainee judicial officers should put questions to the speaker or faculty or guest in such manner that should not be disrespectful to the guest or speaker or faculty because they are the invited guest of the Academy.
- At all times, whether during training session or otherwise, the trainee officers have to maintain utmost discipline. Talking and whispering during lecture not only disturbs the speaker but the fellow audience too. Further a patient hearing is an indispensable part of the judicial career as a judge must be a very good listener.
- The sitting posture must be indicative of their alertness. A lazy attitude will not be acceptable and may invite disciplinary action.

- The trainee judicial officers have to keep their mobile phone in switch off or in airplane mode, so that it will not affect the discipline of the classroom.
- While the speaker arrives or leaves the training hall the officers are expected to stand as mark of respect.

## **J. CONDUCT AT THE CANTEEN**

- The trainee judicial officers must show cordial behaviour to aides, canteen workers and other support staff. Academy recognises all types of work as respectable job and expects the trainee officers to recognise that also.
- The trainee officers are expected to use “please,” “thank you,” and “excuse me.” for the canteen staff and others while using canteen services, during relevant conversation.
- The language of the trainee officers should not be rude or inappropriate towards all inside the Academy.
- The trainee judicial officers are expected not to make wastage of food, so accordingly they should ask for food.
- In case of attendance of many for the dinning, trainee officers must make a queue and must be patient enough to be quiet till their turn.

- Maintaining civic decorum and silence while using the canteen is highly expected of the trainee judicial officers.
- When there are guests, seniors or invitees at the dining, trainee judicial officers must wait till they finish
- While using the dining, proper dining etiquettes must be shown and the dining must be kept clean.

#### **K. CONDUCT IN THE LIBRARY**

- The Library is a Silent Zone and trainee officers must maintain silence in the Library. Trainee officers are not allowed to enter the Library with food, water and personal items and that must be kept outside the Library before entering.
- A book issued, must be returned within seven days to library in same condition. After reading a book, journal or newspaper in the library, the trainee officer must keep it back at its assigned place.
- The trainee officers must check the book while it being issued and notify the Librarian if any defects are found. If any scribbling or damage to the book is found at the time of return, or in case of misplace of issued book, the trainee judicial officers will have to replace the book with a new one within seven days of due date of return.

- Each Trainee officer should submit the clearance slip (issued by the Librarian) before the appropriate authority to get their relieve order at the time of proceeding to field training or at the completion of training at Academy.

## **L. GUIDELINES FOR USE OF SOCIAL MEDIA**

There is no denying that the reach of social media presents unprecedented opportunities for judges and lawyers to stay connected with the community they serve. But there are risks and challenges inherent in the use of social media by the judiciary which highlight issues of integrity and ethics. Judges have to be extra vigilant and exercise selective restraint to perform the solemn duty in the ‘Temple of Justice’. Hence the trainee judicial officers must adhere to the guidelines issued by the **Hon’ble High Court of Orissa in General Circular No.XLIX-D-4/2022/ 5960(30) Dated 17.04.2023**

- In using social media, judicial officers shall at all times show restraint and conduct themselves in a manner consistent with the requirements of impartiality, independence and integrity.
- Judicial officers shall avoid sharing on, online platforms check information, either personal or in relation to any case that can potentially undermine judicial independence, integrity, propriety, impartiality or public confidence in the judiciary.

- Judicial officers shall not to make any comment or forward one's own or some body else's opinion or view or forward a message, video clip or image, or engage in any conduct on social media that might give rise to reasonable doubts in the public mind about the propriety and character of the judicial officer.
- Judicial officers shall avoid participating in any kind of discussion or expressing opinions or disseminating anyone else's opinion and viewpoint in the social media on subjects like politics, functioning of the ruling dispensation or the opposition, judiciary and its administration, or a colleague's judicial acumen and the like.
- Judicial officers shall not to use the social media accounts during the office/court hours except for official purpose, and in a manner that does not affect the work, or diminish the dignity and reputation of the institution.
- Official communication should not be forwarded in an unauthorized way on social media, which amounts to breach of official confidentiality.
- Judicial officers shall not to be associated with any post which is scandalous, derogatory and sensational.
- Judicial officers should be careful in tone and language and be professional and prudent in respect of all interactions in social media.



- Judicial officers should not become a social networking friend of attorneys, lawyers & litigants.
- Judicial officers shall maintain dignity in every comment he/she makes, photograph or video clip or message he/she posts and information he/she shares on social media.
- Any public remarks or views should be avoided as it would affect judicial independence. One should not express any views in the public that has the potential of being considered as the view of the institution or the individual judge.
- Accountability shall be fixed on the Judges for any kind of misconduct on social media platform.
- If any scandalous news is published against a judicial officer in social media, the concerned District Judge should bring it to the notice of the High Court, appraising it forthwith of the correct state of affairs.

#### **M. PROBATION, DISCIPLINE AND CONDUCT RULES.**

The trainee judicial officers are required to read carefully and acquaint themselves with the various provisions of the relevant rules such as the I. OSJS & OJS Rules 2007 II. The Orissa Govt Servant Conduct Rules 1959 and must follow the canon of judicial ethics which includes the I. “Restatement of Values of Judicial Life” adopted by the

Supreme Court of India on May 7, 1997, in its Full Court II. Bangalore principle of Judicial Conducts 2002. Further the trainee officers must ensure themselves the words of promise made by them while taking induction oath.

## **N. GENERAL CONDUCT**

- The trainee judicial officers must be friendly and courteous in their interaction with others. This becomes even more important during their visit to different places under Grassroots Level Experiential Programmes. Their conduct must be inspiring confidence and trust for the judiciary.
- The trainee judicial officers must maintain utmost discipline while visiting other institutions under ‘sharing of best practice programme’ and inter-departmental exposure training programmes.
- The trainee judicial officers must be polite while dealing with the staff of the Academy and the workers of various service providers such as house keeper, security personnel, electricians and different technicians visiting the Academy.
- The officers must maintain courteous and dignified behaviour inside the campus as well as the outside the campus. Keeping or consuming alcohol in the OJA campus is prohibited and any acts committed or omitted in a state of inebriation will attract disciplinary

action. Further the trainee judicial officers are to remain abstain from drinking alcohol in public, even in places where there is no prohibition. It is essential to know clearly the government instructions and conduct rules in this regard as the social prestige that the judiciary as an institute, carries.

- The trainee judicial officers must be aware about the tenets of law in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013. And the officers must be gender sensitive and acquaint themselves with norms prescribed in the hand book on combating Gender Stereotypes of Supreme Court of India.
- The trainee officers are expected to show empathetic behaviour to all and must be conscious about the socio-economic ethnic background of the fellow trainees.
- The trainee judicial officers will have to take the responsibility of maintaining a litter free campus because cleanliness is next to godliness.
- The trainee judicial officers must not forward frivolous messages on official WhatsApp group of OJA or on social media account of any of the officials of the Academy or any senior officers.
- The attitude of the trainee must be considerate and

respectful of their culture and background. Further they must share knowledge with fellow trainee and they must develop a collaborative and supportive environment where they actively engage with their fellow trainee. This includes exchanging ideas, and providing assistance when it is needed especially being sensitive for the needs of differently abled.

- The trainee judicial officers should make attempt to explore a wide range of reading materials, including newspapers, magazines, books along with the law journals and digest. This will help them with well rounded understandings of various subjects and help them stay informed about developments in various fields.
- The judicial officers, while appearing at a public place, whether in official capacity or otherwise, will behave in an appropriate manner befitting to the status of an officer in Judicial Service.
- The dressing pattern of Judicial Officers while appearing in public place in official capacity or otherwise , must be sober, confirming to the instructions of the High Court of Orissa from time to time and must not demean the stature of Judicial Officers.

### Must read Documents for the Judicial Officers

- Canons of Judicial Ethics by Hon'ble Sri Justice R.C. Lohati available in National Judicial Academy website.
- Bangalore principle of judicial conduct, 2002.
- "Restatement values of judicial life" adopted by the Supreme Court of India on May 7, 1997 in its full court.
- Odisha Superior Judicial Service and Odisha Judicial Service Rules, 2007.
- General Rules and Circular Orders of the High Court of Orissa (Criminal).
- General Rules and Circular Orders of the High Court of Orissa (Civil).
- The Odisha Govt. Servants Conduct Rules 1959.
- The Compendium of Circulars of the High Court of Orissa.

निन्दन्तु नीतिनिपुणा यदि वा स्तुवन्तु ।  
 लक्ष्मीः समाविशतु गच्छतु वा यथेष्टम् ॥  
 अधैव वा मरणमस्तु युगान्तरे वा ।  
 न्याय्यात्पथः प्रविचलन्ति पदं न धीराः ॥

.... **Bhartruhari's Neeti Shataka**

Discerning men may slight or laud them, the goddess of wealth, Lakshmi, may come or go as she likes, death may occur today or after ages; but strong-willed men do not deviate from the path of justice.

पुस्तकस्था तु या विद्या, परहस्तगतं च धनम्।  
कार्यकाले समुत्पन्ने न सा विद्या न तद् धनम्॥

Knowledge treasured in the book and money lent to others, are of no use to a person in case of need.

**Meaning** - One needs to acquire knowledge to get benefited from it

..... Chanakyaniti

रूपयौवनसम्पन्ना विशालकुलसम्भवाः।  
विद्याहीना न शोभन्ते निर्गन्धाः किंशुका यथा॥

Though one be endowed with beauty and youth and born in noble families, yet without education they are like the Palasa flower which is void of sweet fragrance.

**Meaning** - Your life is meaningless if you are not educated like the Palasa flower, which is never used to worship god as it is devoid of fragrance in spite of having great visual appeal.

..... Chanakyaniti

**“Dharmo Rakshati Rakshitah.”**

(Dharma protects them Who Protect Dharma)

..... Manu Smriti,

“There is a higher Court other than Courts of justice that is the Court of Conscience, it supersedes all other Courts”

..... Mahatma Gandhi



