~~No. 2385-2390~~ Diary no 97 dt. 28/5/18

MOST IMMEDIATE

No. 2385-2396 /DHC/Gaz/G-2/Criteria/2018 Dated: 25th May, 2018.

From:

The Registrar General,
High Court of Delhi,
New Delhi-110003.

To,

1. The District & Sessions Judge (HQ), Tis Hazari Courts Complex, Delhi.
2. The District & Sessions Judge (North-West), Rohini Courts Complex, Delhi.
3. The District & Sessions Judge (South), Saket Courts Complex, New Delhi.
4. The District & Sessions Judge (South-West), Dwarka Courts Complex, New Delhi.
5. The District & Sessions Judge (South-East), Saket Courts Complex, Delhi.
6. The District & Sessions Judge (East), Karkardooma Courts Complex, Delhi.
7. The District & Sessions Judge (New Delhi), Patiala House Courts Complex, New Delhi.
8. The District & Sessions Judge (Shahdara), Karkardooma Courts Complex, Delhi.
9. The District & Sessions Judge (North-East), Karkardooma Courts Complex, Delhi.
10. The District & Sessions Judge (West), Tis Hazari Courts Complex, Delhi.
11. The District & Sessions Judge (North), Rohini Courts Complex, Delhi.
12. The Principal Judge (HQ), Family Courts, Dwarka, Delhi.

Subject: Criteria for assessment of work done by the officers of Delhi Higher Judicial Service and Delhi Judicial Service - regarding.

Sir/Madam,

I am directed to inform you that the Hon'ble the Acting Chief Justice and Hon'ble Judges of this Court have been pleased to revise the Criteria for assessment of work done by the officers of Delhi Higher Judicial Service and Delhi Judicial Service and to forward herewith copy of the revised criteria. The revised criteria will be implemented with effect from 1st July, 2018.

You are requested to circulate the revised criteria amongst the officers working in your office.

Yours faithfully,

Encl: as above.

(Dinesh K. Manchanda)
Deputy Registrar (Gazette-I)
for Registrar General

Re-circulated amongst all the Judicial Officers & concerned Branches of Shahdara District for information & necessary action & a copy be also uploaded on the Website of Shahdara District.

District & Sessions Judge
Shahdara District, Karkardooma Courts
Delhi

Annexure-C

CRITERIA LAID DOWN BY THE DELHI HIGH COURT FOR QUANTITATIVE ASSESSMENT OF WORK DONE BY THE OFFICERS OF DELHI HIGHER JUDICIAL SERVICE AND DELHI JUDICIAL SERVICE

General Guidelines:

a. The Judicial Officers will submit statistics regarding pendency/disposal on monthly basis to the concerned District & Sessions Judge who shall have the same compiled and kept updated for submission to the High Court.

b. Assessment on the basis of following scale will be done on quarterly basis [i.e., January to March (first quarter); April to June (second quarter); July to September (third quarter) and October to December (fourth quarter)]. The quarterly reports for such purposes shall be submitted to the High Court through the District & Sessions Judge.

SCALE OF NORMS FOR ONE QUARTER:

Above 400 Units	:	Outstanding
350 Units to 400 Units	:	Very Good
300 Units to 350 Units	:	Good
Less than 300 Units	:	Inadequate

Notes:

1. Number of working days in a quarter are assumed to be 75 (25 days per month). In case of decrease in the number of working days in a quarter on account of vacations, court holidays or absence of judicial officer on account of leave or any official reason, the target of units would decrease proportionately.
2. Subject to reasonable justification, if minimum threshold requirement of disposal of contested cases as specified in the respective norms is not met, the judicial officer will be graded 'inadequate' regardless of the units earned in that quarter.
3. In order to be rated "outstanding" for performance on above scale, subject to attaining requisite number of units, a judicial officer must also ensure that the cases decided in the quarter include at least one third of the twenty oldest cases (other than those subject to stay of proceedings) pending in the concerned court.
4. Subject to the above, in case a judicial officer decides over and above the specified minimum threshold requirement, s/he shall be entitled to addition of bonus units on the following scale:

   (i) More than 125% of minimum threshold requirement : 5% of units earned
   (ii) More than 150% of minimum threshold requirement : 10% of units earned

c. All units are for disposal of contested cases unless specified otherwise.

d. A "contested" case means one in which a reasoned judgment is rendered after conclusion of evidence and hearing of the parties. The expression would not include cases settled in Lok Adalat or Judicial Settlement or through Mediation or by Plea Bargaining. In criminal cases it would not mean or include a case decided on the basis of plea of guilty of the accused, compounding, withdrawal of case u/s 321 of Cr. P. C, withdrawal or dismissal of a criminal complaint case in default and case in which evidence is recorded in the absence of accused u/s 299 Cr. P.C. In civil cases, it would not include final disposal of the case on return of the plaint (Order VII Rule 10 & Rule 10A CPC), rejection of plaint (Order VII Rule 11 CPC), judgment on admission (Order XII Rule 6 CPC) or judgment passed after denial of leave to contest.

e. The credit of units for recording of evidence of a witness would be admissible after completion of examination-in-chief and cross-examination.

f. (i). The District & Sessions Judges and Administrative Civil Judges (ACJs), on account of heavy administrative work, shall be expected to give 50% of the units on the above-mentioned scale.

(ii). Officers In-charge looking after work of Administration, Vigilance, Litigation, Judicial or General Branches, Controlling Officer (Accounts) and Chief Metropolitan Magistrates in the various districts, on account of additional administrative work shall be expected to give 80% of the units on the above-mentioned scale.

g. In order that some Judicial Officers do not get overloaded with administrative work that affect their judicial performance, the District & Sessions Judges shall take care that the administrative work and responsibilities are evenly distributed amongst all judicial officers under their respective control.

h. If the total number of units computed has fraction at the end the figure will be rounded off to the next whole number.

i. If any judicial officer gives the disposal less than the norm "Good", s/he should give reasons for the same and also the plan of action to improve disposal in future.

j. The units shall be calculated as per norms indicated in Table - 'A for officers of Delhi Higher Judicial Service and Table -'B' for officers of Delhi Judicial Service.

TABLE- 'A'

[Norms for officers of Delhi Higher Judicial Service]

PART-I: CRIMINAL JURISDICTION – Additional/Sessions Judges & Special Judges

A.	STAGE WISE CREDIT OF UNITS	UNITS
I.	Sessions Trial/Trial before Special Judges (other than PC Act):	
1.	Order on Charge/discharge & framing of charge (if not conceded)	½ unit
2.	Dropping of witness as a result of admission u/s 294 Cr. P.C	¼ unit per witness
3.	Recording of evidence (a). material witness (complainant/ victim/ eye witness / child witness/expert or recovery witnesses/ IO) (b). formal witness	1 unit per witness ¼ unit per witness
4.	Statement of accused under section 313 Cr. P. C	1 unit per case and additional ½ unit per additional statement (when accused are more than one)
II.	CBI/Prevention of Corruption Act & Money Laundering cases:	
1.	Order on Charge/discharge & framing of charge (if not conceded)	1 unit – Trap case 8 units – other cases
2.	Dropping of witness as a result of admission u/s 294 Cr. P.C	¼ unit per witness
3.	Recording of evidence (a). material witness (complainant/ victim / eye witness/child witness/expert or recovery witnesses/ IO) (b). formal witness	3 units per witness ½ unit per witness
4.	Statement of accused under section 313 Cr. P. C	4 units per case and additional 1 unit per additional statement (when accused are more than one)
B.	**CREDIT OF UNITS ON JUDGMENTS**	**UNITS**
I.	Cases of culpable homicide, Section 306 r/w 498A, 304B, 364A IPC, TADA, POTA, UAPA, MCOCA, PMLA, POCSO and Official Secrets Act	10 units per case (12 units for case more than 5 years old)
II.	Criminal cases other than # I above & #III below	8 units per case (10 units for case more than 5 years old)
III.	CBI/Prevention of Corruption Act cases:	
1.	Trap Cases	12 units per case (15 units for case more than 5 years old)
2.	Disproportionate assets [Sec. 13(1)(e) Prevention of Corruption Act]	25 units per case (30 units for case more than 5 years old)
3.	Other cases	30 units per case (35 units for case more than 5 years old)

C.	MISCELLANEOUS WORK/APPLICATIONS	UNITS
	1. Courts of Special Judges (PC Act, POCSO, NDPS etc.)	1 unit per working day
	2. Criminal Courts other than #1 above	½ unit per working day
	3. Bail Applications	¼ unit per application

D.	A. APPEALS, REVISIONS & REFERENCE	UNITS
	1. Criminal Appeal decided on merits	3 units
	2. Criminal appeal decided on merits more than 05 years old	4 units
	3. Criminal appeal if remanded back	1 unit
	4. Criminal revision decided on merits	1 ½ units
	5. Criminal revision decided on merits more than 05 years old	2 units
	6. Reference made to the High Court	2 units

Note: Subject to reasonable justification if a minimum of 9 contested cases per quarter is not decided by a judicial officer (other than cases under PC Act), s/he will be graded 'inadequate' regardless of the units earned in that quarter.

TABLE- 'A'

[Norms for officers of Delhi Higher Judicial Service]

PART-II: CIVIL JURISDICTION – Additional/District Judges and Tribunals

A.	STAGE WISE CREDIT OF UNITS	UNITS
I.	Civil Courts (including Tribunals) other than #II below:	
1.	Examination of parties by the Court (Order X CPC)	½ unit per statement
2.	Admission/denial of the documents	¼ unit
3.	Settlement of issues	½ unit
4.	Recording of evidence	
	(a) Parties to the case	1 unit per witness
	(b) Other witnesses	¼ unit per witness
II.	Family Courts/IPR/Probate Case/Partition Suits:	
1.	Examination of parties by the Court (Order X CPC)	½ unit per statement
2.	Admission/denial of the documents	¼ unit
3.	Settlement of issues	½ unit
4.	Recording of evidence	
	(a) Parties to the case	2 units per witness
	(b) Other witnesses	¼ unit per witness

B.	CREDIT OF UNITS ON JUDGMENTS	UNITS
I.	Regular Civil Suit/Summary Suit after granting leave to defend/case of IPR/Election petitions/Trust Act/Wakf Act	8 units per case (10 units for case more than 5 years old)
II.	Probate Cases	10 units per case (12 units for case more than 5 years old)
III.	Suit for partition or rendition of accounts	
1.	Preliminary decree	6 units (8 units for case more than 5 years old)
2.	Final Decree	6 units (8 units for case more than 5 years old)
IV.	FAMILY COURTS:	
1.	Interim order (maintenance / custody / guardianship / visitation etc.)	2 units
2.	Restitution of Conjugal rights/Judicial Separation/Injunction simplicitor / permanent alimony or for alteration of such order	4 units per case (6 units for case more than 5 years old)
3.	Dissolution of marriage by mutual consent	½ unit on each motion
4.	Cases other than above	10 units per case (12 units for case more than 5 years old)
V.	Cases before authorities under the Industrial Disputes Act and Motor Vehicles Act	3 units (5 units for case more than 5 years old)
VI.	Land Acquisition Cases	5 units (7 units for case more than 5 years old)

	VII.	In all above categories Judgment on admission/rejection of plaint/ refusal to grant leave to defend	3 units per case for part decree (4 units for case more than 5 years old) 4 units per case for final decree (5 units for case more than 5 years old)
	VIII.	Compromise/settlement (including by Mediation) or Ex-parte judgment	2 units
	IX.	Cases under other statutes not specifically mentioned/Referring parties to Arbitration under Section 8 of Arbitration & Conciliation Act	2 units
C.		**MISCELLANEOUS WORK/APPLICATIONS/EXECUTION**	**UNITS**
	1.	Ex-parte injunction/Interim award in MACT etc.	½ unit
	2.	Ad-interim Injunction application or application under Order 39 Rule 2A CPC in IPR cases	3 units
	3.	Ad-interim Injunction application & application under Order 39 Rule 2A CPC other than #2 above	2 units
	4.	Application u/s 9 of Arbitration & Conciliation Act	1 unit
	5.	Objections u/s 34 of Arbitration & Conciliation Act	4 units
	6.	Application for revocation u/s 263 of Indian Succession Act	6 units
	7.	Return of plaint/withdrawal of suit/Application for amendment of pleadings/for impleadment of parties or for interrogatories	½ unit
	8.	Application under Order 9 Rule 13 CPC or objection to execution application under Order 21 CPC (contested)	2 units
	9.	Applications other than above categories	1 unit for 10 applications
	10.	Execution of decree or award	2 units (if contested by filing objections) ½ unit (uncontested)
	11.	Efforts for Settlement (for Family Courts only)	1 unit per working day
D.		**APPEALS & REFERENCE**	**UNITS**
	1.	Civil Appeal (including appeal under Special Laws) against final order	4 units
	2.	Civil Appeal (including appeal under Special Laws) against interlocutory order	1 unit
	3.	Civil Appeal – Order remanding the case to lower Court	1 unit
	4.	Reference made to the High Court	2 units

Note: Subject to reasonable justification if the minimum of contested cases per quarter as indicated below is not decided by a judicial officer, s/he will be graded 'inadequate' regardless of the units earned in that quarter:

a) Family Court: **12 cases**

b) Motor Accident Claims Tribunal: **25 cases**

c) other Civil jurisdictions: **12 cases**

TABLE- 'A'
[Norms for officers of Delhi Higher Judicial Service]

PART - III: ADMINISTRATIVE WORK

		UNITS
I.	Inspection of Courts	3 units subject to maximum of 15 units per quarter and submission of the inspection report
II.	Departmental inquiry :	
	1. Fact finding inquiry	4 units per inquiry
	2. Regular Departmental inquiry	8 units per inquiry

TABLE- 'B'
[Norms for officers of Delhi Judicial Service]

PART-I: CRIMINAL JURISDICTION - Additional / Chief / Metropolitan Magistrates

A.	STAGE WISE CREDIT OF UNITS	UNITS
I.	Summons case and contested Summary case :	
	1. Order on notice/discharge & framing of notice (if not conceded)	¼ unit
	2. Dropping of witness as a result of admission u/s 294 Cr. P.C	¼ unit per witness
	3. Recording of evidence of material witnesses (complainant/ victim/eye witness/ child witness/expert or recovery witnesses/IO)	¼ unit per witness
	4. Statement of accused under section 281/313 Cr. P.C.	¼ unit per case
II.	Warrant case/DV Act/JJB (other than # III below) :	
	1. Order on Charge/discharge & framing of charge (if not conceded)	¼ unit
	2. Dropping of witness as a result of admission u/s 294 Cr. P.C	¼ unit per witness
	3. Recording of evidence	
	(a). material witness (complainant/ victim/ eye witness/child witness/expert or recovery witnesses/IO)	½ unit per witness
	(b). formal witness	¼ unit per witness
	4. Statement of accused under section 281/313 Cr. P. C	½ unit per case
III.	CBI / Special Cell / Crime Branch / EOW/Cyber Crime case / cases of forgery / cheating / breach of trust / misappropriation / cruelty to a married woman /food adulteration / Prize Money & Chit Fund Act :	
	1. Order on Charge/discharge & framing of charge (if not conceded)	½ unit
	2. Dropping of witness as a result of admission u/s 294 Cr. P.C	¼ unit per witness
	3. Recording of evidence	
	(a). material witness (complainant/victim/eye witness/child witness /recovery witnesses/expert witness/IO)	1 unit per witness
	(b). formal witness	¼ unit per witness
	4. Statement of accused under section 281/313 Cr. P. C	1 unit per case
IV	Order on issue of process on private complaint (irrespective of result) - other than in cases under section 138 Negotiable Instruments Act	½ unit per case

B.	CREDIT OF UNITS ON JUDGMENTS	UNITS
I.	Summary trial on plea of guilty	1 unit for 20 cases
II.	Summons case or contested Summary case	2 units per case (3 units for case more than 5 years old)
III.	Warrant case / DV Act	3 units per case (5 units for case more than 5 years old)
IV.	CBI / Special Cell / Crime Branch / EOW/Cyber Crime case / cases of forgery / cheating / breach of trust / misappropriation / food adulteration / Prize Money & Chit Fund Act :	10 units per case (15 units for case more than 5 years old)

V.	Juvenile Justice Board	6 units per case for sessions triable offences (8 units for case more than 5 years old) 3 units per case for other offences (including orders on age determination inquiry or inquiry for preliminary assessment into heinous offences) (5 units for case more than 5 years old)
VI.	Judgment on compounding or by Plea Bargaining	½ unit per case

C.	MISCELLANEOUS WORK / APPLICATIONS / REFERENCE	UNITS
1.	JJB / Mahila Court	1 unit per working day
2.	Criminal Courts other than #1 above	½ unit per working day
3.	Work of Link MM	½ unit per ½ working day
4.	Bail Applications & applications u/s. 14 of the SARFAESI Act	1 unit for each 10 applications decided
5.	Reference made to the High Court	2 units

Note: Subject to reasonable justification if a minimum of **30** contested cases per quarter is not decided by a judicial officer, s/he will be graded 'inadequate' regardless of the units earned in that quarter.

TABLE- 'B'
[Norms for officers of Delhi Judicial Service]

PART-II: CIVIL JURISDICTION – Additional/Senior/Civil Judges and Tribunals

A.	STAGE WISE CREDIT OF UNITS	UNITS
1.	Examination of parties by the Court (Order X CPC)	¼ unit per statement
2.	Admission/denial of the documents	¼ unit
3.	Settlement of issues	¼ unit
4.	Recording of evidence	
	(a) Parties to the case	1 unit per witness
	(b) Other witnesses	¼ unit per witness

B.	CREDIT OF UNITS ON JUDGMENTS	UNITS
I.	Regular Civil Case/Summary Suit after granting leave to defend/Eviction case	8 units per case (10 units for case more than 5 years old)
II.	Contested cases under Succession Act / ESI/Insolvency & Guardianship / under sections 25, 44 or 45 DRC Act	6 units (8 units for case more than 5 years old)
III.	Suit for partition or rendition of accounts	
	(1). Preliminary decree	6 units (8 units for case more than 5 years old)
	(2). Final Decree	6 units (8 units for case more than 5 years old)
IV.	In all above categories Judgment on admission/rejection of plaint/ refusal to grant leave to defend	3 units per case for part decree (4 units for case more than 5 years old) 4 units per case for final decree (5 units for case more than 5 years old)
V.	Compromise/settlement (including by Mediation) or Ex-parte judgment	2 units
VI.	Cases under other statutes not specifically mentioned/Referring parties to Arbitration under Section 8 of the Arbitration & Conciliation Act	2 units

C.	MISCELLANEOUS WORK/APPLICATIONS/EXECUTION	UNITS
1.	Ex-parte injunction/Interim order under DRC Act	½ unit
2.	Ad-interim Injunction application or application under Order 39 Rule 2A CPC in IPR cases	3 units
3.	Ad-interim Injunction application & application under Order 39 Rule 2A CPC other than #2 above	2 units
4.	Application u/s 9 of Arbitration & Conciliation Act	1 unit
5.	Objections u/s 34 of Arbitration & Conciliation Act	4 units
6.	Application for revocation of Succession certificate	3 units

7.	Return of plaint/withdrawal of suit/Application for amendment of pleadings/for impleadment of parties or for interrogatories	½ unit
8.	Application under Order 9 Rule 13 CPC or objection to execution application under Order 21 CPC (contested)	2 units
9.	Applications other than above categories	1 unit for 10 applications
10.	Execution of decree or award	2 units (if contested by filing objections) ¼ unit (uncontested)

D.	APPEALS & REFERENCE	UNITS
1.	Civil Appeal against final order	2 units
2.	Civil Appeal against interlocutory order	1 unit
3.	Civil Appeal – Order remanding the case to lower Court	½ unit
4.	Reference made to the High Court	2 units

Note: Subject to reasonable justification if a minimum of 9 contested cases per quarter is not decided by a judicial officer, s/he will be graded 'inadequate' regardless of the units earned in that quarter.

TABLE - 'B'
[Norms for officers of Delhi Judicial Service]

PART III - ADMINISTRATIVE WORK

		UNITS
I.	Inspection of own Court	3 units per quarter
II.	Departmental inquiry :	
	1. Fact finding inquiry	4 units per inquiry
	2. Regular Departmental inquiry	8 units per inquiry