Annexure Y

The Gauhati High Court

(The High Court of Assam, Nagaland, Mizoram, and Arunachal Pradesh)

NOTIFICATION NO. 1

Dated, Guwahati the 4th May, 2020

Criteria for assessment of work done by the Judicial Officers under the jurisdiction of Gauhati High Court in Assam

Notes

(a) The Judicial Officers will submit statistics regarding pendency / disposal on quarterly basis to the concerned District Judges who **shall submit the same to the High Court within 7th day of the month succeeding the quarter.**

(b) Assessment on the basis of the following scale will be done on quarterly basis [January to March-1st Quarter, April to June-2nd Quarter, July to September- 3rd Quarter & October to December-4th Quarter]: -

SCALE OF NORMS FOR ONE QUARTER

Above 300 Units	:	Outstanding
250 to 300 Units	:	Very Good
200 units to 250 Units	:	Good
Less than 200 Units	:	Inadequate

(c) A '**contested case**' means one in which a reasoned judgment is rendered after conclusion of evidence and hearing the parties. Contested case shall not include case disposed of on the basis of 'Plea of guilt' of the accused, compounding, withdrawal of case, withdrawal or dismissal of case on default, ***ex-parte*** proceedings, Cases disposed of on compromise, Cases disposed of in Lok Adalat, through Mediation, Plea bargaining, Judicial Settlement or other form of Alternative Dispute Resolution.

(d) (i) Considering the administrative work which following Officers are required to do, in addition to their Judicial work, additional Units on the following scale may be added to the total Units obtained by them in a quarter-

District & Sessions judge Chief Judicial Magistrate SDJM (posted in Sub-divisional Head Quarter)	2 Units per court under his administrative jurisdiction.

NOTE

* *District Judge/CJM/SDJM(M) shall periodically inspect the Courts under his/her administrative control and check the registers required to be maintained as per Civil Court and Criminal Court Rules and Orders, and shall make available to the authorities of the High Court during court inspections.*

(ii) In case of Judicial Officers working as Secretaries of District Legal Services Authorities, in addition to their normal duties, 10 additional units may be added to the total Units obtained by them in a quarter.

(iii) In case of Judicial Officers working as Secretary, Deputy Secretary or Assistant Secretary of Mediation Centers in addition to their normal duties, 5 additional units may be added to the total units obtained by them in a quarter.

(iv) [If the actual number of scheduled working days in a quarter falls below 63 days, the requirement of units shall stand reduced by 3 units per day] is substituted **by the following :-**

"If the actual number of scheduled working days in a quarter is more than 60 days, additional 5 Units per day in addition to the normal acquired units are to be added. If the actual number of scheduled working days in a quarter falls below 60 days, the concerned Officer shall furnish reasons regarding shortage of minimum working days, which will be considered by the Authorities concerned while appreciating his/her ACR"

(v) At any Station, if, considering peculiar local conditions, or reasons beyond the control of the Judicial Officer concerned, the disposal is inadequate, the matter, on the request of the concerned judicial officer, will be placed with detailed reasons before the Hon'ble Portfolio Judge, who, on consideration of all relevant aspects, may treat the case for upgradation.

(vi) All units are for disposal of contested cases, unless otherwise specified.

(e) The units for disposal of cases shall be calculated in accordance with the norms indicated in the following Tables. However, no unit shall be awarded for cases, which are dismissed for default and the cases, which are filed for whatsoever reasons.

(f) No unit will be granted for cases disposed in Holiday Courts.

Table-'A'

Criminal jurisdiction of D&SJ/AD&SJ/Special Judge

(For Assistant Sessions Judge cases mentioned in Sl.No.2 only)

Sl.No	Types of Cases	Units for Contested Disposal	Incentive Units
1.	Cases of Culpable homicide, Section 121, 306 r/w 498A, 304B, 364 A IPC (T-1) & Cases under TADA & POTA & NDPS Act.	6 units per case up to 6 decided cases per quarter 2 units in a case, if finally disposed of at the stage of Charge after hearing.	10 Units for every additional case decided beyond 6 in a quarter. 5 additional units for deciding every case more than 5 years old.
2.	Sessions Cases other than cases mentioned in Sl. No. 1. above (T-2)	5 units per case up to 12 cases per quarter. 1 Unit in a case if finally disposed of at the stage of charge after hearing.	8 Units for every additional case decided beyond 12 in a quarter 3 additional units for deciding every case more than 5 years old.

3.	C.B.I. investigated/ Other Agency Investigated P. C. Act Cases-		
	Trap Cases	8 units per case for final disposal up to 3 cases in a quarter.	12 units for every additional case finally decided. 8 additional units for every case that is 8 years or more old.
	Disproportionate assets cases	20 units on the final disposal of a case on merit. 6 units for every case where order on charge is passed up to 5 cases.	30 units for every additional case finally decided. 20 additional units for every case that is 8 years or more old. 8 units for every additional case in which order on charged is passed.
	Other cases	12 units on the final disposal of a case up to 3 cases. 3 units for every case in which order on charge passed up to 5 cases.	18 units for every additional case decided. 12 additional units for every case that is 8 years or more old. 5 units for every additional case in which order on charge is passed.
	Cases under N. I. A	30 units for final disposal of a case on merit. 6 units for every case where order on charge is passed.	
4.	Other cases not mentioned above	**6 units** for every contested disposal.	
5.	(i) Criminal appeal decided on merit (ii) Criminal appeal remanded back to lower court	3 units per case. 1 unit per case.	

6.	(i) Criminal revision decided on merit (ii) Criminal revision remanded back to lower court	2 Units per case. ½ Unit per case.	
7.	Bail applications	1 Unit for 10 decided applications	
8.	Transfer application U/S 408 CrPc	1 Unit for 3 contested matters.	

MISCELLANEOUS	Contested Units
Departmental Inquiry: (i)Fact finding inquiry (ii)Regular departmental inquiry	 5 Units per inquiry 5 Units for each concluded inquiry

NB:-If a Sessions Judge/Addl sessions Judge (having 40 or more cases mentioned in Sl. No. 1 or 80 or more cases in Sl No.2) does not decide a minimum of 6 or 12 such cases, (as the case may be) in a quarter, he will be graded "inadequate" regardless of the units earned in that quarter.

TABLE "B"
CIVIL JURISDICTION OF GRADE I OFFICERS

Sl No.	Types of Cases	Units for contested disposal	Incentive Units
1.	Regular contested Civil Suits (including matrimonial cases under HMA or other personal law, except petition for divorce under mutual consent).	6 Units for every contested disposal. 2 Units for every exparte final order.	9 Units for every contested suit which is 5 years or more old.
2.	Divorce petition by mutual consent	1 Unit per case.	
3	Cases under Guardianship Act/Trust Act/Companies Act/Wakf Act	4 Units for every contested disposal. 1 unit for every exparte disposal.	

4.	Contested Probate Case	6 Units for every contested disposal. 1 Unit for every exparte final order	9 Units for every contested Probate case which is 5 years or more old.
5.	Application for Revocation u/s 263 of Indian Succession Act.	6 Units for every contested disposal.	9 Units for every contested case which is 5 years or more old.
6.	Application for issue of Succession Certificate	1 Unit for every uncontested disposal. 3 Units for every contested disposal.	
7.	Injunction application under HMA/ Guardianship Act	2 units for every contested disposal	
8.	Election Petition	6 units for every contested disposal.	
9.	Suit decided U/O XII R 6 of CPC: (i) where decree is partially passed. (ii) Where final decree is passed without partial decree.	 2 units per case. 3 units per case.	
10.	Execution cases where decree is satisfied	2 units per decided case.	
11.	Cases at Sl No.1,4 and 5, if withdrawn or compromised at any stage	1 unit per case.	
12.	Application u/s 24 of CPC	1 Unit for three decided cases.	

13.	Application U/S 9 of Arbitration and Conciliation Act	2 units for every decided application	
14.	Application U/S 34 of Arbitration and Conciliation Act	4 units for every decided application	
15.	(i)Regular Civil appeal against a judgement passed in a contested civil suit. (ii) Regular Civil appeal remanded back to lower court.	6 units for every contested disposal. 1 unit per case.	
16.	(i)Civil appeal against a judgement passed in a Money Suit (ii)If the appeal against a judgement in a Money Suit is remanded back to lower court.	4 units for each decided case. 1 unit per case.	
17.	Miscellaneous Civil appeal U/O 43 CPC If such appeal is remanded back to lower court.	2 units for each decided case. ½ Unit per case.	
18.	Other Misc appeals against orders passed by different authorities under Assam Forest Regulation/ Public Premises Act etc.	2 units for each decided case.	
	CASES UNDER OTHER SPECIAL STATUTES		
19.	Reference under Section 18 of the Land Acquisition Act.	5 units	
20.	Application or reference under section 31(2) of the Land Acquisition Act.	3 units	
21.	Connected Land Acquisition Act case subject to maximum of 4 decided by one common judgement.	1 unit for every such common case	
22.	Execution of Land Acquisition award subject to satisfaction of the award	I unit per case.	
23.	Cases/Reference Under Industrial Dispute Act	5 Units for every disposal.	
24.	Cases under Other Labour related laws	3 Units for Every	

		contested diposal.	
25.	Claim Case under Motor Vehicles Act	3 Units per case.(up to 75 decided cases on merit per quarter)	4 Units for every additional decided case beyond 75 per quarter.
26.	Cases under other Statutes not mentioned. (Statement must mention the Statute)	3 Units for every contested disposal.	
27.	Uncontested (but not dismissed for default or dismissed for non prosecution) disposal of Claim cases under MV Act.	1 Unit for every 3 uncontested disposal.	

MISCELLANEOUS

28.	Case or appeal (other than those carrying 2 Units or less) returned as settled through Lok Adalat or Mediation or through Judicial Settlement.	2 Units per case.	
29.	Departmental inquiry: (i) Fact finding inquiry (ii) Regular departmental inquiry	 5 Units per inquiry. 5 Units for each concluded inquiry.	

TABLE= "C"

CIVIL JURISDICTION:- CIVIL JUDGE (GRADE II OFFICERS)

Sl No.	Type of case	Units for Contested disposal	Incentive Units
1	Title Suit	6 Units for every contested disposal 2 Units for every exparte final order.	9 Units for disposal of every contested suit which is 5 years or more old.
2.	(i)Money Suit	4 Units for every contested disposal.	6 Units for every final disposal of a case which is 5 years or more old.

	(ii)Money Suit U/O 37 CPC (Summary Procedure)	1 Unit for every exparte disposal. (i) 3 units where suit is decided after granting leave to defend. (ii) 2 Units where decree is passed refusing leave to defend.	
3.	Suit decided U/O XII R 6 CPC: (i) where decree is partially passed. (ii) where final decree is passed without partial decree	2 Units per case. 3 Units per case.	
4.	Misc (J) cases U/S 47 CPC, U/O 21 R 97 and U/O 38, 39 & 40 of the CPC Other Miscellaneous (J) cases (Petitions U/O 1 R 10(2), Or VI R 17, Or VII R 11 and Sections 10, 11 and 151 of the CPC)	2 Units for every contested disposal 1 Unit for every contested disposal.	
5.	(i)Regular Civil appeal from Judgement/decree of a contested suit. (ii) Regular Civil Appeal remanded back to lower court.	4 Units for every contested disposal. 1 Unit per case.	
6.	(i)Civil appeal from judgement/decree of Money Suits (ii)If such appeal is remanded back to lower court.	4 Units for every contested final disposal. 1 Unit per case.	
7.	Miscellaneous Civil Appeal U/O 43 CPC. If such appeal is remanded back to lower court.	2 Units for every decided case ½ Unit per case.	
8.	Cases in Sl No. 1 & 2 if withdrawn or compromised at any stage (other than in Lok Adalat or Mediation or	1 Unit per case.	

	through Judicial Settlement)		
9.	Execution case on satisfaction of decree.	2 Units per decided case.	

MISCELLANEOUS

10.	Case or appeal (mentioned in Sl. No. 1, 2, 5 & 6) returned as settled through Lok Adalat or Mediation or through Judicial Settlement.	2 Units per case.	
11.	Departmental inquiry: (i) Fact finding inquiry (ii) Regular departmental inquiry	 5 Units per inquiry. 5 Units for each concluded inquiry.	
12	**Cases under other Statues not mentioned.[Statement must mention the Statute]**	**3 Units for every contested disposal**	
13	**Types of cases referred for counseling to the Counselor in the Family Court**	**6 Units for every case of successful counseling.** **2 Units for every case of unsuccessful counseling**	**3 incentive units for every case of successful counseling beyond 15 nos. of successful counseling in a quarter.**

TABLE = "D"

CRIMINAL JURISDICTION OF CJM/ACJM/JMFC/SPL JMFC

1	(i)Warrant Case (State Case as well as Complaint) under IPC or Special Laws (ii)Summons Procedure case (both State case as well as complaint) {other than Section 138 N.I.Act}	**4** Units for every contested disposal. 2 Units if decided finally at the stage of charge. 3 Units for every contested judgement.	6 Units for every case which is 5 years or more old. 5 Units for every case which is 5 years or more old.
2	Final order u/s 125 CrPC/ Muslim Women (Protection on Divorce)Act/Domestic Violence Act.	3 Units per contested disposal. 1 Unit for every exparte final order.	
3	Cases under N. I. Act	3 Units for	4 Units for every additional

		every contested disposal for 60 cases per quarter. 1 Unit for every case disposed of on compromise in court.	case decided on merit.
4.	CBI/CID Investigated cases	10 Units for every contested disposal.	15 Units for every case which is 5 years or more old.
5.	Juvenile Justice Board: (i)Case involving an offence classified as one exclusively triable by a Court of Sessions: (ii)Other cases:	 6 Units for every contested disposal. 3 Units per every final disposal on merit.	 9 Units for every case more than 3 years old 5 Units for every case more than 3 years old.
6.	Cases under Prevention of Food Adulteration Act/ E.C Act/ Companies Act	6 Units for every contested disposal.	9 Units for every case more than 5 years old
7.	Cases under Arms Act/Wild Life Protection Act ** (only those cases under WLP Act that were pending before the coming of the notification that makes cases under WLP Act exclusively triable by Court of Sessions,)	4 Units for every contested disposal.	6 Units for every case more than 5 years old.
8.	Petty Cases (under M.V.Act/Excise Act etc) decided through plea of guilt in regular Court.	1 Unit for every 30 case.	
9.	Case under any other Act not mentioned above. (Act to be specifically mentioned in the Statement)	3 Units for every contested disposal.	
10.	Bail Matters	1 Unit for every 10 decided application.	
11.	Commitment of Cases exclusively triable by the	1 Unit for commitment	

	Court of Sessions	of each case.	
12.	Statements of witnesses u/s 164 CrPc	1 Unit for every 10 statement of witnesses u/s 164 CrPc.	
13.	Recording of confessional statement u/s 164 CrPc/ TIP	2 Units for every matter.	
14.	Disposal of Final Report submitted by police u/s 173 CrPc	1 Unit for every 15 disposal.	
15.	IPC cases under compoundable offence disposed of on compromise in Lok Adalat or in Court or through Plea bargaining.	1 Unit for every disposal.	

MISCELLANEOUS	Contested units
Departmental Inquiry:	
Fact finding inquiry	5 Units per inquiry
Regular departmental inquiry	5 Units for each concluded inquiry

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TABLE "E"

CIVIL JURISDICTION OF MUNSIFF

Sl No.	Type of case	Units for Contested disposal	Incentive Units
1	Title Suit	6 Units for every contested disposal 2 Units for every exparte final order.	9 Units for disposal of every contested suit more than 5 years old.
2.	Money Suit	4 Units for every contested disposal 1 Unit for every exparte	

	Money suit U/O 37 CPC. (Summary procedure)	disposal. 3 Units where suit is decided after granting leave to defend. 2 Units where decree is passed refusing leave to defend.	
3.	Suit decided U/O XII R 6 CPC: (j) where decree is partially passed. (ii) where final decree is passed without partial decree	2 Units per case. 3 Units per case.	
4.	Execution case	2 Units per decided case	
5.	Misc (J) cases U/S 47 CPC/ U/O 21 R 97 CPC & U/O 38, 39, 40 of the CPC Other Miscellaneous (J) cases (Petitions U/O 1 R 10(2), Or VI R 17, Or VII R 11 and Sections 10, 11 and 151 of the CPC),U/O 9 R 9, 13 of CPC	2 Units for every contested disposal 1 Unit for every contested disposal.	
6.	Cases in Sl No.1 & 2 if compromised or withdrawn at any stage (other than in Lok Adalat or Mediation or Judicial Settlement)	1 Unit per case.	
7.	Cases at Sl. No. 1 & 2 returned as settled through Lok Adalat or through Mediation or thorough Judicial Settlement.	2 Units per case.	
8.	**Cases under other Statues not mentioned.[Statement must mention the Statute]**	**3 Units for every contested disposal**	

MISCELLANEOUS	Contested units
Departmental Inquiry: (i)Fact finding inquiry (ii)Regular departmental inquiry	5 Units per inquiry 5 Units for each concluded inquiry

Note: The new Formats for submitting the Quarterly Statements (Individual) will be issued later on.

By Order,

Sd/- Gautam Baruah
Registrar (Vigilance)

Memo No. HC.VI-6/2009/458 – 478 / STT., Dated 04.05.2020

Copy forwarded for information and necessary action to:

1. Registrar (Admn.), Gauhati High Court, Guwahati.
2. Registrar –cum-Principal Secretary to Hon'ble the Chief Justice.
3. Registrar (Establishment), Gauhati High Court, Guwahati.
4. The Dist. & Sessions Judge, _____ He is requested to circulate the above criteria amongst the Judicial officers within their respective jurisdiction.
5. The Special Judge, Assam, Guwahati.
6. The Special Judge, CBI & NIA, Assam, Guwahati.
7. The Judge, Designated Court, Assam, Guwahati.
8. The Principal Judge, Family Court, Guwahati, Kamrup, Cachar, Barpeta, Dhubri, Nalbari.They are requested to provide a copy of the same to their respective Counsellors.
9. The Presiding Officer, STAT & Member, MACT, Kamrup-I, II,III, Guwahati, MACT-Amingoan, MACT-Goalpara, MACT-Barpeta, MACT-Nogaon, MACT-Cachar, MACT-Nalbari, MACT-Dhubri & MACT-Sonitpur.
10. The Presiding Officer, Labour Court, Guwahati / Dibrugarh.
11. The Presiding Officer, Industrial Tribunal, Guwahati-Kamrup /Dibrugar / Silchar-Cachar.
12. The Registrar -cum- Secretary, Office of the Lokayukta, Assam, Shaktigarh, Bhangagarh, Near Rajiv Bhawan, Guwahati-5.

13. The Chief Judicial Magistrate, _____. He is requested to circulate the above criteria amongst the Judicial officers within their respective jurisdiction.
14. Joint Registrar (Judicial) / (Vigilance) / (Recruitment) / (PM&P), Gauhati High Court, Guwahati.
15. The Deputy Registrar (Bench) / (Vigilance) / (*G&C)*, Gauhati High Court, Guwahati.
16. The Project Manager, Gauhati High Court, Guwahati. He is requested to upload the notification in the High Court Website.
17. The Pvt. Secretary to Hon'ble Mr. Justice _____
18. The Administrative Officer (Judicial) – Appointment Section / Correspondence Section
19. CA to the Registrar General, Gauhati High Court, Guwahati
20. CA to the Registrar (Vigilance), Gauhati High Court, Guwahati
21. CA to the Registrar (Judicial), Gauhati High Court, Guwahati

4/5/2020

REGISTRAR (VIGILANCE)

04/05/2020