The Gauhati High Court

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

NOTIFICATION NO.1

Dated, Guwahati the 4th May, 2020

<u>Criteria for assessment of work done by the Judicial Officers under</u> 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-I» Quarter, April to June-2nd Quarter, July to September- 3rd Quarter & October to December-a= 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

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-

.. $\vee_{\scriptscriptstyle \parallel}$

District & Sessions judge

Chief Judicial Magistrate 2 Units per court under

SDJM (posted in Sub-divisional his administrative jurisdiction.

Head Quarter)

NOTE

District Judge/CJMlSDJM(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 y, 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 lis 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"

- 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)

	<u> </u>		• •
SI.No	Types of Cases	Units for	I~entive Units
		Contested	
		Disposal	
1.	Cases of Culpable homicide,	6 units per	10 Units for every additional case
	Section 121, 306 r/w 498A, 3048,	case up to 6 decided	decided beyond 6 in a quarter.
	.364 A IPC (T-1) &	cases per	5 additional units for deciding every case
	Cases under TADA & POTA & NDPSAct.	quarter	more than 5 years old.
		2 units in a case, if finally	
		disposed of at	
		the stage of	
		Charge after	
		hearing.	
2.	Sessions Cases other than cases	5 units per	8 Units for every additional case decided
	mentioned in SI. NO.1. above	case up to 12	beyond 12 in a quarter
	(T-2)	cases per	
		quarter.	3 additional units for deciding every case more than 5 years old.
		1 Unit in a	
		case if finally	
		disposed of at	
		the stage of	
		Charge after	
		hearing.	

Investigated P. C. Act Cases- Trap Cases 8 units per case for final decided. disposal up to 3 cases in a quarter. Disproportionate assets cases 12 units on the final disposal of a case on merit. 6 units for every additional case finally decided. 20 units on the final disposal of a case on merit. 6 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 finally decided. 20 additional units for every case that is 8 years or more old. 8 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 charge is passed. 9 units for every additional case in which order on charge is passed. 9 units for every additional case in which order on charge is passed. 9 units for every additional case in which order on charge is passed. 9 units for every additional case in which order on charge is passed. 9 units for every additional case in which order on charge is passed. 9 units for every additional case in which order on charge is passed. 9 units for every additional case in which order on charge is passed. 9 units for every additional case in which order on charge is passed. 9 units for every additional case in which order on charge is passed. 9 units for every additional case finally decided. 9 units for every additional units for every additional case in which order on charge is passed. 9 units for every additional units for every additional case in which order on charge is passed. 9 units for every additional units for every additional case in which order on charge is passed. 9 units for every additional units for every additional case in which order on charge is passed. 9 units for every additional units for every additional case in which order on charge is passed. 9 units for every additional units for every additional case in which order on charge is passed. 9 units for every additional units for every additional case in whic	3.	C.B.I. investigated Other Agency		
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to lower court case.		(ii) Criminal appeal remanded back		
		to lower court	case.	

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

MISCELLANEOUS	Contested
MIS CEEE! IT CEOCO	Units
Departmental Inquiry:	
(i)Fact finding inquiry	5 Units per
	inquiry
(ii)Regular departmental	5 Units for
mquiry	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

S1	Types of Cases	Units for	Incentive Units
No.		contested	
		disposal	
1.	Regular contested Civil Suits	6 Units for	9 Units for every contested
	(including matrimonial cases	every	suit which is 5 years or more
	under HMA or other personal	contested	old.
	law, except petition for	disposal.	•
	divorce under mutual		
	consent).	2 Units for	
		every exparte	
		final order.	
2.	Divorce petition by mutual	1 Unit per	
	consent	case.	
3	Cases under Guardianship	4 Units for	
	Act/Trust Act/Companies	every	
	Act/Wakf Act	contested	
		disposal.	
		1 unit for	
		every exparte	
		disposal.	

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11. Cases at Sl No.l,4 and 5, if 1 unit per	
withdrawn or compromised at case.	
any stage	
12. Application U/S 24 of CPC 1 Unit for three decided	
cases.	

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13.	Application UIS 9 of	2 units for	
	Arbitration and Conciliation	every decided	
	Act	application	
14.	Application <i>UIS</i> 34 of	4 units for	
	Arbitration and Conciliation Act	every decided application	. \j,
15.	(i)Regular Civil appeal	6 units for	. 0,
10.	against a judgement passed in	every	
	a contested civil suit.	contested	
		disposal.	
	(ii) Regular Civil appeal	1 unit per	
	remanded back to lower	case.	
	court.	cuse.	
16.	(i)Civil appeal against a	4 units for	
	judgement passed in a Money	each decided	
	Suit	case.	
	(ii)If the appeal against a		
	judgement in a Money Suit is	1 unit per	
	remanded back to lower	case.	
	court.		
17.	Miscellaneous Civil appeal	2 units for	
	<i>U/043</i> CPC	each decided	
		case.	
	If such appeal is remanded	~ Unit per	
		omt per	
	back to lower court.	case.	
18.	Other Mise appeals against	2' units for	
	orders passed by different	each decided	
	authorities under Assam Forest Regulation! Public	case.	
	Premises Act etc.		
	CASES UNDER OTHER		
	SPECIAL STATUTES		
19.	Reference under Section 18	5 units	
20.	of the Land Acquisition Act.	3 units	
۷0.	Application or reference under section 31 (2) of the	5 units	
	Land Acquisition Act.		•
21.	Connected Land Acquisition	1 unit for	
	Act case subject to maximum	every such	
	of 4 decided by one common	common case	
22	judgement.	T	
22.	Execution of Land Acquisition award subject to	I unit per case.	
	Acquisition award subject to	case.	
	satisfaction of the award		
23.	CaseslReference Under	5 Units for	
	Industrial Dispute Act	every	
	1		
		disposal.	
24.	Cases under Other Labour	3 Units for	
	related laws	Every	

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13.	Application <i>UIS</i> 9 of Arbitration and Conciliation Act	2 units for every decided application	
14.	Application <i>UIS</i> 34 of Arbitration and Conciliation Act	4 units for every decided application	:.lj,
15.	(i)Regular Civil appeal against a judgement passed in a contested civil suit.	6 units for every contested disposal.	
	(ii) Regular Civil appeal remanded back to lower court.	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	4 units for each decided case.	
	remanded back to lower	case.	
17.	Miscellaneous Civil appeal U/043 CPC	2 units for each decided case.	
	If such appeal is remanded back to lower court.	Yz Unit per case.	
18.	Other Mise 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.	CaseslReference Under Industrial Dispute Act	5 Units for every	
24.	Cases under Other Labour	disposal. 3 Units for	
	related laws	Every	,

		contested	
		diposal.	
25.	Claim Case under Motor Vehicles Act	3 Units per case.(up to 75 decided cases on merit per	4 Units for every additional decided case beyond 75 per quarter.
		quarter)	~. l,)
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	2 Units per
	those carrying 2 Units or less)	case.
	returned as settled through	
	Lok Adalat or Mediation or	
	through Judicial Settlement.	
29.	Departmental inquiry:	
	(i) Fact finding inquiry	5 Units per
	(ii) Regular departmental mquiry	mquiry. '5 Units for each concluded inquiry.

TABLE="C" CIVIL JURISDICTION:- CIVIL JUDGE (GRADE II OFFICERS)

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

		T	
		1 Unit for	
		everyexparte	
		disposal.	
	(ii)Money Suit <i>UIO</i> 37 CPC	(i) 3 units	
	(Summary Procedure)	where suit is	
		decided after	
		granting	
		leave to	III
		defend.	
		(::: O.H. ::	
		(ii) 2 Units	
		where decree	
		is passed	
		refusing	
		leave to	
		defend.	
3.	Suit decided <i>UIO</i> XII R 6 CPC:		
	(i) where decree is	2 Units per	
	. ,	-	
	partially passed.	case.	
	(ii) where final decree is	3 Units per	
	passed without partial decree	case.	
4.	Mise (J) cases <i>UIS</i> 47 CPC,	2 Units for	
	<i>UIO</i> 21 R 97 and <i>UIO</i> 38, 39	every	
	& 40 of the CPC	contested	
		disposal	
	Other Miscellaneous (1) cases	1 Unit for	
	(Petitions <i>UIO</i> 1 R 10(2), Or	every	
	VI R 17, Or VII R 11 and	contested	
	Sections 10, 11 and 151 of	disposal.	
		F	
	the CPC)		
5.	(i)Regular Civil appeal from	4 Units for	
	Judgement/decree of a	every	
	contested suit.	contested	
		disposal.	
	(II) D. 1. (II)	_	
	(ii) Regular Civil Appeal	1 Unit per	
	remanded back to lower court.	case.	
6.	(i)Civil appeal from	4 Units for	
	judgement/decree of Money	every	,
	Suits	contested	
		final	
	CENTS and annual in a second of	disposal.	
	(ii)If such appeal is remanded	1 11	
	back to lower court.	1 Unit per case.	
7.	Miscellaneous Civil Appeal	2 Units for	
''	UIO 43 CPC.	every decided	
	010 1 3 C1 C.	case	
	If such appeal is remanded	'h Unit per	
	back to lower court.	case.	
8.	Cases in Sl No. 1 & 2 if	1 Unit per	
J.	withdrawn or compromised at	case.	
	any stage (other than in Lok	case.	
	Adalat or Mediation or		
<u> </u>	1 Marian of Modfanton Of	l	l

		1	<u></u>
		1 Unit for	
		every exparte	
	(::) A	disposal.	
	(ii)Money Suit <i>UIO</i> 37 CPC	(i) 3 units	
	(Summary Procedure)	where suit is decided after	
		granting	
		leave to	:.\~~
		defend.	
		defend.	
		(ii) 2 Units	
		where decree	
		is passed	
		refusing	
		leave to	
		defend.	
3.	Suit decided <i>UIO</i> XII R 6 CPC:		
	(i) where decree is	2 Units per	
	partially passed.	case.	
	(ii) where final decree is	3 Units per	
4.	passed without partial decree Mise (J) cases UIS 47 CPC,	case. 2 Units for	
4.	UIO 21 R 97 and UIO 38, 39	every	
	& 40 of the CPC	contested	
		disposal	
		_	
	Other Miscellaneous (1) cases	1 Unit for	
	(Petitions <i>UIO</i> 1 R 10(2), Or	every	
	VI R 17, Or VII R 11 and	contested	
	Sections 10, 11 and 151 of	disposal.	
	the CPC)		
5.	(i)Regular Civil appeal from	4 Units for	
<i>J</i> .	Judgement/decree of a	every	
	contested suit.	contested	
		disposal.	
	(") P. 1 (" " · · ·	1.77.14	
	(ii) Regular Civil Appeal	1 Unit per	
	remanded back to lower court.	case.	
6.	(i)Civil appeal from	4 Units for	
	judgement/decree of Money Suits	every contested	,
	Suits	final	
		disposal.	
	(ii)If such appeal is remanded	r	
	back to lower court.	1 Unit per	
		case.	
7.	Miscellaneous Civil Appeal	2 Units for	
	UIO 43 CPC.	every decided	
	If we have the	case	
	If such appeal is remanded	lh Unit per	
8.	back to lower court. Cases in Sl No. 1 & 2 if	case.	
0.	withdrawn or compromised at	1 Unit per case.	
	any stage (other than in Lok	case.	
	Adalat or Mediation or		
L		l	<u> </u>

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

MISCELLANEOUS

10.	Case or appeal (mentioned in S1. 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 Cases under other Statues not mentioned.[Statement must mention the Statute]	5 Units per inquiry. 5 Units for each concluded mquiry. 3 Units for every contested	
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 ex parte final order. 3 Units for	4 Units for every additional
5	Cases under IV. I. Act	5 Omis ioi	T Office for every additional

	T		T
		every contested disposal for 60 cases per quarter. 1 Unit for every case disposed of on compromise	case decided on merit.
		in court.	
4.	CBIICID Investigated cases	10 Units for every contested disposal.	15 Units for every case which is 5 years or more old.
		disposai.	
5.	Juvenile Justice Board: (i)Case involving an offence classified as one exclusively triable by a Court of Sessions:	6 Units for every contested disposal.	9 Units for every case more than 3 years old
	(ii)Other cases:	3 Units per every final disposal on merit.	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 notmentioned 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.	. I:)
13.	Recording of confessional statement U/S 164 <i>CrPcl</i> 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

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 <i>UIO</i> 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 UIO XII R 6 CPC: G) 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.	Mise (1) cases UIS 47 <i>CPCI UIO</i> 21 R 97 CPC & <i>UIO</i> 38, 39,40 of the CPC	2 Units for every contested disposal	
	Other Miscellaneous (J) cases (Petitions <i>UIO</i> 1 R 10(2), Or VI R 17, Or VII R 11 and Sections 10, 11 and 151 of the <i>CPC</i>), <i>U/O</i> 9 R 9, 13 of CPC	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 . contested disposal	

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

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

By Order,

Sdl- Gautam Baruah Registrar (Vigilance)

Memo No. HC.VI-6/2009/4s8 - 478 / SIT., 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.
- 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.
- n. The Presiding Officer, Industrial Tribunal, Guwahati-Kamrup /Dibrugar / Silchar-Cachar.
- 12. The Registrar -curn- Secretary, Office of the Lokayukta, Assam, Shaktigarh, Bhangagarh, Near Rajiv Bhawan, Guwahati-S.

thin their respective

jurisdiction.

- 14. Joint Registrar (Judicial) / (Vigilance) / (Recruibnent) / (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

REGISTRAR (VIGILANCE)

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