

THE HIGH COURT OF MEGHALAYA SHILLONG

NOTIFICATION

Dated Shillong, the 24th October 2019

NO.HCM.II/400/2013-Estt/143: In supersession of all previous Circulars and Orders, including any Notifications, issued in this regard, the Hon'ble High Court of Meghalaya has been pleased to lay down the following '**Guidelines for Assessment of Performance of Judicial Officers**' while disposing of cases which shall come into effect from **01st January, 2019**.

1. The annual disposal of cases by Judicial Officers shall be evaluated on the basis of units obtained. The total units obtained by the Judicial Officer shall be considered for categorization of the grade of the Officer as regards disposal is concerned.
2. The annual benchmark will be as follows:
 - a. 175 units or more : Outstanding
 - b. 150 units or more : Very Good
 - c. 125 units or more : Good
 - d. 100 units or more : Average
 - e. Less than 100 units: Poor
3. A Judicial Officer is required to obtain 60% of the total units by contested disposals and any deficiency on this score shall be deducted from the total units obtained.
4. The benchmark has been fixed on the basis of average pendency for disposal which is:

Criminal Courts:	Minimum 60 % of the total pendency
Civil Courts:	Minimum 40 % of the total pendency
Sessions Courts:	Minimum 50 Sessions cases

5. Benchmark formula to consider the shortfall in the average pendency for disposal, if any, and to increase the units accordingly is as follows:

A= Total pendency in the concerned Court during the year;
 B= Total units obtained during the year (both contested and uncontested)
 C= Total benchmark of minimum average pendency during a year;
 D= Total units obtained on consideration of shortfall in the required benchmark of average pendency during a year.

Now, the value of D = $\frac{B \times C}{A}$

6. For evaluating the annual outturn of a Judicial Officer, the number of days the Judicial Officer actually worked may be taken into consideration.
7. At any station, if considering the pendency (which is less than 100 cases), or peculiar local conditions, or reasons beyond control of the Judicial Officer, the disposal is poor, the matter will be placed before the Hon'ble Portfolio Judge who, on consideration of all relevant aspects, may treat the case for upgrading by concession.

Guidelines for Assessment of Performance of Judicial Officers
while disposing of cases

Sl. No.	Type of Cases	Contested	Uncontested
01	Title Suits	08	04
02	Money Suits	06	03
03	Injunction Applications/ other Misc. Cases (Civil)/ Petitions filed under Order I Rule 10 (2), Order VI Rule 17, Order VII Rule 11 and Sections 10, 11 and 151 of the CPC	04	02
04	Execution Proceedings	05	02
05	Title Appeals/ First Appeals/ Second Appeals	08	04
06	Money Appeals	06	03
07	Misc. Civil Appeals	03	01
08	Claim Cases u/s 166 MV Act	04	02
09	Indian Succession Act Cases/ Succession Cases/ Guardian & Wards Act Cases/ Test Probate Cases	04	02
10	Matrimonial Suits (not in Lok Adalat)	06	02 [For reconciliation]
11	Appointment of Receiver/ Guardian	04	02
12	Other Family Court Matters	04	02

Sl. No.	Type of Cases	Contested	Uncontested
13	Reference under LA Act	06	03
14	Reference under ID Act	05	02
15	Interlocutory matter under ID Act	04	02
16	Wakf matters	04	02
17	Departmental Enquiry	06	-
18	Arbitration matters	04	02
19	Cases under Commercial Courts Act, 2015	04	02
20	Other contested Civil Cases not covered above	03	01
21	Sessions Cases: Type-I	10	02
22	Sessions Cases: Type-II	08	02
23	Criminal Appeals	08	03
24	Criminal Revisions	05	02
25	NDPS Act Cases	15	05
26	Cases under POCSO Act, 2012 triable by Special Judge	15	05
27	Prevention of Corruption Act Cases	15	05
28	Protection of Human Rights Act Cases	08	03
29	Unlawful Activities (P) Act Cases	10	02
30	Consumer Protection Act Cases	06	02
31	Other Cases under Special Act (s) tried by Sessions Courts	06	02
32	Warrant Procedure IPC Cases	06	03
33	Warrant Procedure Cases under other Acts not included in this list	06	03
34	Summons Procedure IPC Cases	04	02
35	Summons Procedure Cases under other Acts not included in this list	04	02
36	Summary Trial Cases under IPC	04	02
37	Summary Trial Cases under other Acts not included in this list	04	02
38	Electricity Act Cases	03	01
39	Essential Commodity Act Cases	03	01
40	Cases u/s 125 CrPC	04	02
41	Domestic Violence Act Cases	04	02
42	N.I Act Cases	04	02
43	M.V Act Cases/ Traffic Challan Cases	04	02
44	Excise Act Cases	03	01
45	Juvenile Act Cases	03	01
46	Forest Act Cases	03	01
47	Wildlife Act Cases	03	01
48	Labour Act Cases	03	01
49	Weights & Measures Act Cases	03	01
50	Foreigners' Act Cases	03	01
51	Cases under Passport Act	03	01
52	IPR Cases	04	02
53	MMPO Act/ Police Act Cases	01 for every 04 cases	0.5 for every 04 cases
54	Arms Act Cases	04	02
55	IT Act Cases	04	02
56	Cases investigated by CBI and tried by Magistrates	06	03

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Sl. No.	Type of Cases	Contested	Uncontested
57	Enquiry held as per order of Hon'ble SC/ HC	10	-
58	Orders on Final Reports	01 for every 02 cases	0.5 for every 02 cases
59	Confessional Statements u/s 164 Cr.PC/ TIP	01 for each case	-
60	Other Statements u/s 164 Cr.PC	02 for every 05 cases	-
61	Cases settled through Mediation	-	02
62	Cases disposed of in Lok Adalats:		
	a) MAC Cases;	02 for each case	-
	b) Matrimonial matters	02 for each case	-
	c) Other cases	01 for each case	-
63	Bail Applications u/s 438/ 439 Cr.PC	02 for every 04 cases	-
64	Other Bail Applications	02 for every 04 cases	-
65	Other Misc. Cases (Criminal) not covered above	02	01
66	Other Criminal Cases not covered above	02	01
67	Cases tried by the Juvenile Board	03	01
68	Other contested proceedings/ cases/ suits	04	-
69	Any other cases	02 for each case	-

8. Further, in terms of the resolution of the Chief Justices' Conference, 2016, on Agenda Item no. 8 (iv), the Hon'ble High Court of Meghalaya has been pleased to order that, over and above the aforesaid units obtained by a Judicial Officer, an additional incentive for disposal of cases pending for more than 5 (five) years, as per the following list of cases, and for this purpose 3 (three) units will be provided for contested disposal and 1 (one) unit for uncontested disposal of each such cases.

List of Cases

Sl. No.	Category of Cases
01	Title Suits
02	Money Suits
03	Execution Proceedings
04	Title Appeals/ First Appeals/ Second Appeals
05	Money Appeals
06	Reference under LA Act

Sl. No.	Category of Cases
07	Sessions Cases: Type-I
08	Sessions Cases: Type-II
09	Criminal Appeals
10	Criminal Revisions
11	NDPS Act Cases
12	Cases under POCSO Act, 2012 triable by Special Judge
13	Prevention of Corruption Act Cases
14	Other Cases under Special Act (s) tried by Sessions Courts
15	Warrant Procedure IPC Cases
16	Warrant Procedure Cases under other Acts not included in this list
17	Summons Procedure IPC Cases
18	Summons Procedure Cases under other Acts not included in this list
19	Cases investigated by CBI and tried by Magistrates

Type –I: - Cases under IPC where minimum punishment prescribed is imprisonment for life.

Type – II: - Cases under IPC except those covered by Type-I.

By order,

REGISTRAR GENERAL

Memo No. HCM.II/400/2013-Estt./143A Dated Shillong, the 24th October 2019

Copy for information to: -

1. The Registrar-cum-Principal Private Secretary to Hon'ble the Chief Justice, High Court of Meghalaya, Shillong for his Lordship's kind information.
2. The P.S to Hon'ble Mr. Justice H.S. Thangkhiew, High Court of Meghalaya, Shillong for his Lordship's kind information.
3. The P.A to the Registrar General, High Court of Meghalaya, Shillong.
4. The District & Sessions Judge, Shillong/ Tura/ Jowai/ Nongstoin/ Nongpoh/ Williamnagar/ Ampati/ Mawkyrwat with a request to circulate the same to all Judicial Officers within their Judgeship(s).
5. The Member Secretary, Meghalaya State Legal Services Authority, Shillong.
6. The Director, Meghalaya State Judicial Academy, Shillong with a request to circulate the same to all the trainee Judicial Officers.
7. The Deputy Director, Meghalaya State Judicial Academy, Shillong.
8. The Joint Registrar-cum-OSD, High Court of Meghalaya, Shillong.
- ✓ 9. The Systems Analyst, High Court of Meghalaya, Shillong for uploading the same on the Official Website.
10. Office File.

REGISTRAR GENERAL

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25/10/19