

THE HIGH COURT OF MEGHALAYA
SHILLONG

ANNUAL CONFIDENTIAL REPORT OF JUDICIAL
OFFICERS

Name of Judicial Officer: _____

Report for the year ending: _____

PERSONAL DATA

(To be filled by the concerned Judicial Officer)

1. Name of Judicial Officer :-
2. Post held with special :-
power, if any
3. Date of continuous :-
appointment to present
grade
4. Present post and date of :-
appointment thereto
5. Period of work done during :-
the year under report
 - i. On judicial side :-
 - ii. On administrative side :-
 - iii. On deputation :-
 - iv. Period of attachment :-
6. Brief description of the :-
duties performed by the
Judicial Officer, including
any other special work
done, during the year with
special achievements, if
any.
7. Brief description of :-
assistance and guidance
received by the Judicial
Officer from seniors.

OTHER DATA

- 1. Mention instances, if any, where you have not delivered judgment within 30 (thirty) days of hearing arguments with reasons for such delay.

- 2. How many cases were fixed for further hearing after conclusion of hearing?

- 3. Mention any cases where the Revisional/ Appellate Court reversed/ upheld your judgment.

- 4. Mention the adverse remark, if any, passed by the Revisional/ Appellate Court on your judgment.

- 5. Summary of the work in the Court and the work turned out by the Judicial Officer:

(a)

Cases pending at the beginning of the year under report	Institution of cases during the year under report	Total for disposal	Disposal of cases during the year under report	
			Main Case	Misc. Case

- (b) (i) Total no. of cases pending for more than 5 (five) years at the beginning of the year: _____
- (ii) Total no. of such cases disposed of during the year under report: _____

- (c) If there are no cases pending for more than 5 (five) years at the beginning of the year under report, the Judicial Officer concerned shall further furnish the following data:
- i. No. of cases pending for 4 (four) years and no. of cases disposed of therefrom: _____|_____
 - ii. No. of cases pending for 3 (three) years and no. of cases disposed of therefrom: _____|_____
 - iii. No. of cases pending for 2 (four) years and no. of cases disposed of therefrom: _____|_____
- (d) (i) How many bail applications were instituted within the reporting period: _____
- (ii) How many bail applications could not be disposed of within 1 (one) week from the date of the institution: _____
- (e) (i) Total number of UTPs who were in custody and faced trial during the period under reporting: _____
- (ii) In how many cases trial could not be concluded within 6 (six) months in case of Magisterial trial and within 2 (two) years in case of Sessions trials where the UTPs were in custody: _____
- (f) What kind of efforts was made to dispose of all the cases pending for 5 (five) years or more by the end of the year?
- (g) (i) How many UTPs have completed the period of custody in excess of the sentence likely to be awarded, if conviction is recorded?
- (ii) How many UTPs were released on personal bond u/s 436A Cr.PC?

GENERAL STATEMENT OF DISPOSAL FOR

THE COURT OF _____

Type of Cases (as applicable)	Pending at the beginning of the year	Instituted /Brought on transfer	Cases transferred out	Total for Disposal	Disposed of		Pending at the end of the year with institution	Units obtained		
					Contested	Uncontested		Contested	Uncontested	Total
A	B	C	D	E	F	G	H	I	J	K
Title Suits										
Money Suits										
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										
Execution Proceedings										
Title Appeals/ First Appeals/ Second Appeals										
Money Appeals										
Misc. Civil Appeals										
Claim Cases u/s 166 MV Act										
Indian Succession Act Cases/ Succession Cases/ Guardian & Wards Act Cases/ Test Probate Cases										
Matrimonial Suits (not in Lok Adalat)										

Type of Cases (as applicable)	Pending at the beginning of the year	Instituted /Brought on transfer	Cases transferred out	Total for Disposal	Disposed of		Pending at the end of the year with institution	Units obtained		
					Contested	Uncontested		Contested	Uncontested	Total
A	B	C	D	E	F	G	H	I	J	K
Appointment of Receiver/ Guardian										
Other Family Court Matters										
Reference under LA Act										
Reference under ID Act										
Interlocutory matter under ID Act										
Wakf matters										
Departmental Enquiry										
Arbitration matters										
Cases under Commercial Courts Act, 2015										
Other contested Civil Cases not covered above										
Sessions Cases: Type-I										
Sessions Cases: Type-II										
Criminal Appeals										
Criminal Revisions										
NDPS Act Cases										
Cases under POCSO Act, 2012 triable by Special Judge										
Prevention of Corruption Act Cases										
Protection of Human Rights Act Cases										

Type of Cases (as applicable)	Pending at the beginning of the year	Instituted /Brought on transfer	Cases transferred out	Total for Disposal	Disposed of		Pending at the end of the year with institution	Units obtained		
					Contested	Uncontested		Contested	Uncontested	Total
A	B	C	D	E	F	G	H	I	J	K
Unlawful Activities (P) Act Cases										
Consumer Protection Act Cases										
Other Cases under Special Act (s) tried by Sessions Courts										
Warrant Procedure IPC Cases										
Warrant Procedure Cases under other Acts not included in this list										
Summons Procedure IPC Cases										
Summons Procedure Cases under other Acts not included in this list										
Summary Trial Cases under IPC										
Summary Trial Cases under other Acts not included in this list										
Electricity Act Cases										
Essential Commodity Act Cases										
Cases u/s 125 CrPC										
Domestic Violence Act Cases										
N.I Act Cases										

Type of Cases (as applicable)	Pending at the beginning of the year	Instituted /Brought on transfer	Cases transferred out	Total for Disposal	Disposed of		Pending at the end of the year with institution	Units obtained		
					Contested	Uncontested		Contested	Uncontested	Total
A	B	C	D	E	F	G	H	I	J	K
M.V Act Cases/ Traffic Challan Cases										
Excise Act Cases										
Juvenile Act Cases										
Forest Act Cases										
Wildlife Act Cases										
Labour Act Cases										
Weights & Measures Act Cases										
Foreigners' Act Cases										
Cases under Passport Act										
IPR Cases										
MMPO/ Police Act Cases										
Arms Act Cases										
IT Act Cases										
Cases investigated by CBI and tried by Magistrates										
Enquiry held as per order of Hon'ble SC/ HC										
Orders on Final Reports										
Confessional Statements u/s 164 Cr.PC/ TIP										
Other Statements u/s 164 Cr.PC										

Type of Cases (as applicable)		Pending at the beginning of the year	Instituted /Brought on transfer	Cases transferred out	Total for Disposal	Disposed of		Pending at the end of the year with institution	Units obtained		
						Contested	Uncontested		Contested	Uncontested	Total
A		B	C	D	E	F	G	H	I	J	K
Cases settled through Mediation											
Cases disposed of in Lok Adalats:											
a)	MAC Cases;										
b)	Matrimonial matters;										
c)	Other cases										
Bail Applications u/s 438/ 439 Cr.PC											
Other Bail Applications											
Other Misc. Cases (Criminal) not covered above											
Other Criminal Cases not covered above											
Cases tried by the Juvenile Board											
Other contested proceedings/ cases/ suits Any other cases											
Any other cases											
TOTAL											

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

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

Remarks/ Explanation of the Judicial Officer, if any, in relation to disposal of cases:

In case the Judicial Officer has been tied up with any particular case(s) which has consumed a lot of his/ her time, he/ she can give details of the same and that shall be taken into consideration while making assessment in regard to disposal of cases while recording the overall assessment in the ACR.

Date: _____

Place: _____

Signature: _____

(Name in full of the Judicial Officer submitting the ACR)

Designation: _____

REPORT OF THE REGISTRAR GENERAL/ REGISTRAR (VIGILANCE)

A. Registrar General/ Registrar (Vigilance), as the case may be, is to check up/ verify the disposal statement of the concerned Judicial Officer and submit his/ her report:

Assessment on general disposal –

Type	Number of Cases	Units obtained
Contested disposal		
Uncontested disposal		
TOTAL		

Percentage of general disposal: _____

Percentage of disposal of cases pending for more than 5 (five) years: _____

Grading in respect of general disposal: _____

B. Please mention as to whether any disciplinary proceeding is pending against the Judicial Officer for the year under report:

C. Please mention observation, if any, of the High Court relating to the concerned Judicial Officer on the judicial side:

Registrar General/ Registrar (Vigilance)

TO BE FILLED UP BY THE REPORTING OFFICER/ AUTHORITY

Group – A (General)			Marks allotted	Marks awarded	Remarks, if any
a)	Punctuality in attending and leaving Court		10		
b)	Control over Court proceedings		20		
c)	Relationship with other Judicial Officers		10		
d)	Relationship with the Bar		10		
e)	Capacity to motivate, to obtain willing support by own conduct and inspire confidence in the subordinate staff		15		
f)	Administrative control		15		
TOTAL			80		
Group – B (Judgment)			Marks allotted	Marks awarded	Remarks, if any
a)	Regularity/ Promptness in delivering Judgments		10		
b)	Brevity		10		
c)	Reasoning	Factual Aspect	20		
		Legal Aspect	20		
TOTAL			60		
Group – C (Disposal of Cases)			Marks allotted	Marks awarded	Remarks, if any
Disposal of Cases			40		
Group – D			Marks allotted	Marks awarded	Remarks, if any
Special achievement in the fields of Legal Aid/ Mediation, etc.			20		

Group	Marks allotted	Marks awarded
Group A: General	80	
Group B: Judgment	60	
Group C: Disposal of cases	40	
Group D: Special achievement in the fields of Legal Aid/ Mediation, etc.	20	
TOTAL	200	

A. Marks obtained out of total 200: _____

B. Grading: _____

Calculation of grading

Outstanding	170 – 200
Very Good	140 – 169
Good	110 – 139
Average	80 – 109
Below Average	Below 80

(Outstanding/ Very Good/ Good/ Average/ Below Average)

(An Officer should not be graded **outstanding** unless exceptional qualities and performance have been noticed. Grounds for giving such a grading should be clearly brought out.)

Grading awarded should be written in words: _____

C. Integrity (tick mark whichever is applicable)

- a. Beyond doubt
- b. Nothing adverse
- c. Doubtful
- d. Known case of lack of integrity (mention in brief)

D. General Assessment: (Please give an overall assessment of the Judicial Officer with reference to any striking qualities not covered by the above entries viz. sense of responsibility in discharging duties, mannerisms, discipline, etc.)

Date: _____

Place: _____

Signature: _____

Name in block letters: _____

Post held: _____

(Reporting Officer)

Note: The Reporting Officer shall examine 15 (fifteen) judgments delivered by the Judicial Officer during the relevant period and assess the Judicial Officer as per the given rating. The photocopies of said signed 15 (fifteen) original judgments shall be forwarded alongwith the filled up ACR form to the High Court Registry.

TO BE FILLED UP BY THE REVIEWING AUTHORITY

1. Are you satisfied that the Reporting Authority has made his/ her report with due care and attention and after taking into account all the relevant materials?

2. Whether you agree with the assessment of the Judicial Officer as given by the Reporting Authority? (Reasons must be specified in case of disagreement.)

3. Remarks with specific comments about the **GENERAL ASSESSMENT** and **GRADING** given by the Reporting Authority.

Date: _____

Place: _____

Signature: _____

Name in block letters: _____

Post held: _____

(Reviewing Officer)

TO BE FILLED UP BY THE ACCEPTING AUTHORITY

- (a) Whether the Accepting Authority agrees with the **ASSESSMENT** and **GRADING** of the Judicial Officer made by the Reporting Authority/ Reviewing Authority?
- (b) If disagrees, the **REASON, ASSESSMENT** and **GRADING** of the Accepting Authority.
- (c) Other observations or directions, if any:
- (d) Fitness for promotion to higher Grade:
- i. Fit
 - ii. Not yet fit
 - iii. Unfit

Note: (In case the Judicial Officer is assessed as **NOT YET FIT** or **UNFIT**, specific reasons has to be assigned. **DOUBTFUL/ SUSPICIOUS** or **KNOWN CASE OF LACK OF INTEGRITY** or **BAD REPUTATION** may be the **REASON (S)** for grading the Judicial Officer as **NOT YET FIT** or **UNFIT** for Promotion).

Whether the Judicial Officer has got any special characteristic and/or any outstanding ability which would justify his special selection for appointment/promotion out of turn? If yes, please mention the characteristic briefly.

Date: _____

Place: _____

Signature: _____

Name in block letters: _____

Post held: _____
(Accepting Authority)

[By the assessed Judicial Officer]

YEARLY CALENDAR

OFFICER RELATED	FROM	TO	NO. OF DAYS
Casual Leave			
Earned Leave			
Maternity Leave			
Any other Leave			
TOTAL			
DUTY RELATED	FROM	TO	NO. OF DAYS
Attached for other work			
Training			
Official duty			
Attending Seminar/Conference			
TOTAL			
COURT WORK PARALYSED DUE TO	FROM	TO	NO. OF DAYS
Strike			
Bandh			
Full suspension of Court work on death etc.			
TOTAL			
GOVT. HOLIDAY	FROM	TO	NO. OF DAYS
Restricted Holidays availed			
Notified Holidays			
Long Vacation			
TOTAL			
WORKING DAYS	FROM	TO	NO. OF DAYS
Total working days during the year			
Actual work done by the Judicial Officer during the year			
TOTAL			

**REPORTING AUTHORITY/ REVIEWING AUTHORITY/
ACCEPTING AUTHORITY**

DESIGNATION	REPORTING AUTHORITY	REVIEWING AUTHORITY	ACCEPTING AUTHORITY
Judicial Magistrate First Class/ Munsiff/ Civil Judge Junior Division [Grade-III]	District & Sessions Judge	Hon'ble Portfolio Judge	Hon'ble the Chief Justice
Chief Judicial Magistrate/ Asst. District & Sessions Judge/ Civil Judge Senior Division [Grade-II]	District & Sessions Judge	Hon'ble Portfolio Judge	Hon'ble the Chief Justice
Secretary, District Legal Services Authority [Grade-II]	District & Sessions Judge	Executive Chairman, Meghalaya State Legal Services Authority	Hon'ble the Chief Justice
District & Sessions Judge/ Addl. District & Sessions Judge/ Special Judge, etc. [Grade-I]	Hon'ble Portfolio Judge	-	Hon'ble the Chief Justice
Member Secretary, Meghalaya State Legal Services Authority [Grade-I]	Executive Chairman, Meghalaya State Legal Services Authority	-	Hon'ble the Chief Justice

Note: Hon'ble the Chief Justice will write ACRs in respect of Judicial Officers posted in the High Court Registry/ Meghalaya State Judicial Academy, as per relevant Rules, and as per format approved for that purpose(s).

GENERAL INSTRUCTIONS

1.
 - a. **Page nos. 1-10 & Page no. 18** shall be filled up by the **Judicial Officer concerned/ Assessed Officer**; **Page nos. 12-14** shall be filled by the **Reporting Officer/ Authority**; **Page No. 15** shall be filled up by the **Reviewing Authority** and **Page Nos. 16-17** shall be filled up by the **Accepting Authority**.
 - b. **Page no. 11** shall be filled up by the **Registrar General/ Registrar (Vigilance)**.
 - c. The **Judicial Officers/ Assessed Officer** shall submit the filled up ACR form to the **Registrar General/ Registrar (Vigilance)**, immediately at the end of the reporting year, **but not beyond 15th January of the new year**. The **Registrar General/ Registrar (Vigilance)**, as the case may be, shall submit the same to the **Reporting Officer/ Authority on or before 15th February of the new year**. Thereafter, the **Reporting Officer/ Authority** shall submit the same to the **Registrar General/ Registrar (Vigilance)**, as the case may be, **within the last day of February of the new year** for placing the same before the Hon'ble Judges.
2. If a Judicial Officer works in different stations/ Courts for the reporting period, the Reporting Officer will be the Officer under whom he is presently working **or** under whom he worked for more than 3 (three) months.
3. If a Judicial Officer fails to furnish true information, the same will be viewed very seriously even entailing disciplinary proceedings.

4. The grading in respect of disposal of cases 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

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. 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.

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** = $\frac{B \times C}{A}$

Guidelines for Reporting Officer/ Authority

1. In awarding marks against each item in the ACR, preferably brief reasoning is to be given in the 'Remark' column against each item of Group-A, Group-B, Group-C and Group-D.

Assessment regarding items under Group-A

2. In respect of awarding marks against item no. (a), the Reporting Officer shall inspect the Court/ Office of the Judicial Officer concerned during the year of assessment to ascertain his punctuality and also to see whether the entries made in the Court Diary maintained as per Rules by the concerned Judicial Officer reflects correct state of affairs.
3. In respect of awarding marks against item no. (b), (c), (d), (e) & (f), the Reporting Officer is to remain vigilant regarding functioning of the concerned Court throughout the year and the Reporting Officer in such matters will act as a mentor for improvement of the junior Judicial Officers.
4. To justify the awarding of marks against each item, the Reporting Officer may maintain personal diary(ies) for this purpose in respect of the concerned Judicial Officers.

Assessment regarding items under Group-B

5. In this respect, the Reporting Officer, apart from evaluating the judgments submitted by the Judicial Officer concerned shall have the liberty to make his assessment on the basis of judgment(s)/ order(s) which have been challenged in his Court on appellate/ revisional side or otherwise, and in that case, the Reporting Officer has to enclose the copy(ies) of the said judgment(s)/ order(s) with the ACR of Judicial Officer concerned.

Assessment regarding items under Group-C

6. In awarding marks under this group, the Reporting Officer shall have due regards in disposal of old pending cases in case of Judicial Officers posted in Court. In case of 'Outstanding' grading in overall disposal, the marks will be awarded within a range of 80% to 100% of total marks (40) e.g. if the Officer has disposed of large number of cases of more than 5 (five) years old, he may be awarded 100% marks and similarly, if any Judicial Officer, though has obtained outstanding marks, has disposed only negligible number of such old pending cases or no old pending cases despite such cases being pending in his/ her Court, the maximum mark which can be awarded is 80% out of total 40 marks. By similar procedure, the marks of Judicial Officers scoring 'very good', 'good', 'average' and 'poor' in disposal of cases will respectively be awarded within the following range:

Very Good – 80% - 60%	(out of total marks 40)
Good – 60% - 40%	(out of total marks 40)
Average – 40% - 20%	(out of total marks 40)
Poor – 20% - 0%	(out of total marks 40)

Assessment on integrity

7. With regard to the assessment on integrity, the Reporting Officers should make their remarks in an uninhibited fashion and if there is doubt about the integrity of the Judicial Officer concerned, same should be clearly reflected in the ACR.
