

**ASSESSMENT OF UNITS TO BE AWARDED FOR DISPOSAL OF CASES BY THE OFFICERS OF WEST BENGAL JUDICIAL SERVICE.**

**PRESCRIBED UNITS OF ASSESSMENT STANDARD FOR PREPARATION OF A. C. R. FOR THE OFFICERS OF THE CADRE OF DISTRICT JUDGE AND FAST TRACK COURTS**

Sl. No.	Category of cases	Approved Units
1.	Sessions Trial / Trial of offences under Prevention of Corruption Act / Trial of offences under Prevention of Atrocities on (SC/ST) Act / Trial of offences under NDPS Act/Cases under the Protection of Children from Sexual Offences Act, 2012.	
A.	Cases disposed of u/s 235 Cr.P.C.	10
(i)	No. of witnesses more than 10 examined/cross examined	6
(ii)	No. of witnesses 10 examined/cross examined	5
(iii)	No. of witnesses 8 examined/cross examined	4
(iv)	No. of witnesses 6 examined/cross examined	3
(v)	No. of witnesses 4 examined/cross examined	2
(vi)	No. of witnesses 2 examined/cross examined	1
(vii)	Examine of each accused u/s 313 Cr. P.C.	1
B.	Cases disposed of u/s 232 Cr.P.C.	3
C.	Cases discharged of u/s 227 Cr.P.C accused	1
D.	Cases accused charged of u/s 228 Cr.P.C.	1
2.	Civil Appeal(Contested)	8
3.	Civil Misc. Appeal	
(a)	Misc Appeal from Cases under section104(1), {order 43r (1)}of C.P.C.	4
(b)	Misc Appeal from other Misc Judicial cases	4
4.	Civil Appeal/Civil Misc Appeal (e.g. uncontested/ex-parte/ compromise)	½
5.	Criminal Appeal	8

6.	Criminal Reference/Revision	4
7.	Reference u/s 18 of L.A. Act (Contested)	6
8.	Reference u/s 30/30(i) L.A. Act	
	Contested	3
	Uncontested	1
9.	Matrimonial Suit under Hindu Marriage Act, Spl. Marriage Act etc.	
A.	Contested	10
(i)	No. of witnesses more than 10 examined/cross examined	6
(ii)	No. of witnesses 10 examined/cross examined	5
(iii)	No. of witnesses 8 examined/cross examined	4
(iv)	No. of witnesses 6 examined/cross examined	3
(v)	No. of witnesses 4 examined/cross examined	2
(vi)	No. of witnesses 2 examined/cross examined	1
B.	Uncontested	1
10.	E.C. Act Cases	2
11.	Interlocutory Application	
(a)	Under order 40 C.P.C.	1
(b)	Under order 39 C.P.C.	1
(c)	Any other application except Adjournment application	½
12.	Civil Suit/ Counter Claim	
A.	Contested	10
(i)	No. of witnesses more than 10 examined/cross examined	6
(ii)	No. of witnesses 10 examined/cross examined	5
(iii)	No. of witnesses 8 examined/cross examined	4
(iv)	No. of witnesses 6 examined/cross examined	3
(v)	No. of witnesses 4 examined/cross examined	2
(vi)	No. of witnesses examined/cross examined	1
B.	Uncontested. (e.g. ex-parte or compromise)	1

13.	Money Suit		
A	Contested	3	
B	uncontested	1	
14.	Arbitration Case		
A	Contested	6	
B	Uncontested	2	
15.	Civil Misc. Case.		
A.	Misc. Cases of original nature where evidence is recorded.	8	
B.	Other Misc. Cases	2	
16.	Criminal Application including bail application u/s 438,439 Cr. P.C.	½	
17.	Civil Review/Revision	2	
18.	<u>Motor Accident claim cases</u>		
A.	U /s.140 M.V.Act.	1	
B.	U /s.166 M.V. Act.	6	
C.	163 A M.V. Act	4	
19.	Insolvency Cases	2	
20.	Cases under Guardian and Wards Act.		
A.	Contested	2	
B.	Uncontested	½	
21.	Cases relating to succession certificates.	1	
22.	Election Petition.	3	
*23.	Probate and Letters of Administration(contested).	4	* Item No. 23 viz., Probate and Letters of Administration (contested), stands merged with Item No. 12, viz., Civil Suit/Counter Claim.
24.	Non-contentious application for Probate/Succession Certificate.	½	
25.	<u>Small Cause Suit.</u>		
A.	Contested.	1	
B.	Uncontested.(e.g. ex-parte/compromise)	½	
26.	Civil Misc. Judicial Cases under Section 24 C.P.C / Section 10 of City Civil Courts Act.		
A.	Contested	1.5	
B.	Uncontested	½	
27.	Cases u/or. 21rule, 30, 97, 98 to 101 C.P.C. and Section 47 C.P.C.		
A.	Contested.	10	
(i)	No. of witnesses more than 10 examined/cross examined	6	
(ii)	No. of witnesses 10 examined/cross examined	5	
(iii)	No. of witnesses 8 examined/cross examined	4	
(iv)	No. of witnesses 6 examined/cross examined	3	
(v)	No. of witnesses 4 examined/cross examined	2	

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(vi)	No. of witnesses 2 examined/cross examined	1
B.	Uncontested	½
28.	Application in Forma Pauperis	
(a)	Contested	1
(b)	Uncontested	¼
29.	Cases under I.P.C. and other Major Acts except I.E. Act	
(a)	Contested	3
(b)	Uncontested	1
30.	Inspection of Jail, per visit/ per jail	1
31.	Inspection of own Court (Casual inspection)	1
32.	Inspection of subordinate Court in from M(7)and M(31)	4
33.	Departmental Enquiry	4
34.	Bail Application u/s 437 Cr.P.C. during investigation	1/10
35.	Electricity Act	
(a)	Case u/s 135 Electricity Act, 2003	10
(b)	In case of compounding of such offences under sections 135 and 136 of Electricity Act, 2003	1
(c)	Cases u/s 136 Electricity Act, 2003	10
36.	Any other Cases not provided for	
(a)	Contested	1
(b)	Uncontested	½
37.	Administrative Work	
(a)	District Judges having 40 courts and above	80 p.a.
(b)	District Judges less than 40 courts	40 p.a.
38.	Cases disposed of through Lok Adalat.	¼ unit per case
39.	For attending and / organising Legal Aid Camps /Mediation/ Legal Awareness Camps for participating in any such Programmes	1 unit per programme
40.	Disposal U/Sec. 229 Cr.P. C.	1 unit
41.	Execution Cases	
(a)	Contested	8 units
(b)	Uncontested	4 units
42(a).	Additional units for more than 5 years old cases, but less than 10 years	
(i)	Contested	5 units
(ii)	Uncontested or exparte	2 units
42(b).	Additional units for 10 years and more old cases	
(i)	Contested	10 units
(ii)	Uncontested or exparte	4 units
43.	For Cases “referred to and settled through Mediation”	2 units
44.	Mediator, for Cases settled through Mediation (W.E.F. 01.01.2019)	5 units

**APPROVED GRADE**

<b><u>GRADE</u></b>	<b><u>REMARKS</u></b>
Below 210 units.	<b>Poor</b>
210 units and above.	<b>Inadequate</b>
240 units and above.	<b>Adequate</b>
300 units and above.	<b>Contested Cases</b>
	<b>Good 9+12(Civl.+Crl.) = 21 Cases</b>
360 units and above	<b>Very Good 12+15(Civl.+Crl.) = 27 Cases</b>
420 units and above	<b>Outstanding 18+18(Civl.+Crl.) = 36 Cases</b>

**APPROVED GRADE FOR THE DISTRICT JUDGES WITH HAVING 40 (FOURTY) AND ABOVE COURTS UNDER THEIR JUDGESHIPS**

Below 105 Units	:	“Poor”	
105-119 Units	:	“Inadequate”	
120-299 Units	:	“Adequate”	
300 Units and above	:	“Good”	(Min. 4 Civil + 5 Criminal)
360 Units and above	:	“Very Good”	(Min. 6 Civil + 6 Criminal)
420 Units and above	:	“Outstanding”	(Min. 9 Civil + 9 Criminal)

**FOR JUDGES F.T.C. COURT (WITH CIVIL CASES PENDING BELOW 25)**

Below 210 Units	:	“Poor”	
210 Units and above	:	“Inadequate”	
240 Units and above	:	“Adequate”	
300 Units and above	:	“Good”	(Min. 15 Sessions Cases)
360 Units and above	:	“Very Good”	(Min. 18 Sessions Cases)
420 Units and above	:	“Outstanding”	(Min. 24 Session Cases)

**FOR JUDGES, CITY CIVIL COURT**

Below 210 Units	:	“Poor”	
210 Units and above	:	“Inadequate”	
240 Units and above	:	“Adequate”	
300 Units and above	:	“Good”	(Min. 5 Suits + 5 Appeals + 5 Uncontested Execution Cases)
360 Units and above	:	“Very Good”	(Min. 7 Suits + 7 Appeals + 7 Uncontested Execution Cases)
420 Units and above	:	“Outstanding”	(Min. 9 Suits + 9 Appeals + 9 Uncontested Execution Cases)

**FOR JUDGES, CITY SESSIONS COURT**

Below 210 Units	:	“Poor”	
210 Units and above	:	“Inadequate”	
240 Units and above	:	“Adequate”	
300 Units and above	:	“Good”	(Min. 7 Sessions Case + 4 Criminal Rev.)
360 Units and above	:	“Very Good”	(Min. 9 Sessions Case + 6 Criminal Rev.)
420 Units and above	:	“Outstanding”	(Min. 12 Sessions Case + 8 Criminal Rev.)

**FOR JUDGES SPL. COURT CONDUCTING I.E. ACT CASES**

Below 180 Units	:	“Poor”	
180 Units and above	:	“Inadequate”	
210 Units and above	:	“Adequate”	
240 Units and above	:	“Good”	(Min. 20 Cases)
300 Units and above	:	“Very Good”	(Min. 25 Cases)
360 Units and above	:	“Outstanding”	(Min. 30 Cases)

**FOR JUDGES CBI COURT**

Below 0 Units	:	“Poor”	(Min. 2 Contested Cases)
0 Units and above	:	“Inadequate”	(Min. 3 Contested Cases)
0 Units and above	:	“Adequate”	(Min. 4 Contested Cases)
0 Units and above	:	“Good”	(Min. 5 Contested Cases )
0 Units and above	:	“Very Good”	(Min. 6 Contested Cases )
0 Units and above	:	“Outstanding”	(Min. 7 Contested Cases )

**FOR CHIEF JUDGE, CITY CIVIL COURT/CHIEF JUDGE, P.S.C.COURT**

Below 120 Units	:	“Poor”	
120 Units and above	:	“Inadequate”	
150 Units and above	:	“Adequate”	
160 Units and above	:	“Good”	(Min. 6 Civil Cases including Appeals)
180 Units and above	:	“Very Good”	(Min.7 Civil Cases including Appeals)
210 Units and above	:	“Outstanding”	(Min. 9 Civil Cases including Appeals)

**FOR CHIEF JUDGE, CITY SESSIONS COURT**

Below 120 Units	:	“Poor”	
120 Units and above	:	“Inadequate”	
150 Units and above	:	“Adequate”	
160 Units and above	:	“Good”	(Min.5 Sessions Cases/other Criminal Contested Cases and 2 Criminal Revision)
180 Units and above	:	“Very Good”	(Min.6 Sessions Cases/other Criminal Contested Cases and 3 Criminal Revision)
210 Units and above	:	“Outstanding”	(Min.8 Sessions Cases/other Criminal Contested Cases and 4 Criminal Revision)

R E M A R K S

1. The above units and assessment may be relaxed by the High Court in consideration of work load and other relevant factors, if it is brought to the notice of High Court.
2. Disposal of cases through Lok Adalat, Old Cases for more than seven years and Senior Citizens' cases should be mentioned by the Judicial Officers in their disposal chart. The Zonal Judges, while assessing the performance of the Judicial Officer for disposal of the Lok Adalat Cases, Old Cases more than seven years and Senior Citizens' cases should give due regard while making his assessment.
3. The norms as fixed for assessment of the District Judges or Additional District Judges will also be made applicable in case of Fast Track Court Judges.
4. In the Fast Track Courts where the pending figure of civil appeals or civil cases is less than 25, a separate yardstick has been adopted for assessing such officer.
5. In case of lesser disposal of cases under any category, the concerned officer shall make a note in the remarks column of the monthly statement in red ink the cause of such lesser disposal. The District Judge while forwarding the statement to the Hon'ble Court shall make necessary comments to authenticate the view of the concerned court including the courts of Additional District & Sessions Judges, Fast Track Courts on physical verification of the record. The High Court on inspection of records will have the final say in this regard for evaluation of the work done by the concerned officer. It may not be out of place to say that all cases are not to be assessed in a plain manner and number of disposals should not be the only criterion for evaluation. Quality, and complications involved in a particular case should also be the deciding factor.
6. The District Judge must check at least 20% of the disposed of cases of each court excluding the courts of regular Additional District Judges to prevent showing sham contested disposals. The Fast Track Courts are manned by the officer in the grade of Civil Judge (Sr. Divn.). The Part II of the ACR booklet of such officers must be filled in by the District Judge with his comments and to be forwarded to the High Court.
7. While assessing the A.C.Rs of the District Judges in the districts where there are more than forty Courts, the evaluation of such Judicial Officers cannot be at par with the other District Judges. For such officers the number of contested disposals be reduced but not substantially. A District Judge is busy with Administrative Work, process of holding of yearly examination for recruitment of staff, legal aid committee meetings, monitoring committee meetings etc. So in such cases the number of contested disposals be reduced to half of the contested disposals expected from one Additional District and Sessions Judge or other District Judges. **In addition, such officers will be given 20 units per quarter as administrative duties performed. The same will also be applicable for the Judicial Officers those are posted as Chief Judge, City Civil Court, Chief Judge, City Sessions Court and Chief Judge, PSC Court for their Administrative Work.**
8. There will be no rigour of earning of minimum units in case of an officer presiding over CBI Courts dealing with Anti-Corruption cases.
9. If in a case where the learned officer earns points which could have been assessed in the ACRs as OUTSTANDING, however, ultimately if it is found at the time of annual assessment that in one quarter he failed to dispose of the contested cases as per norms – "GOOD", "VERY GOOD", "OUTSTANDING" then he shall be graded as **"GOOD"**.
10. The District Judge with less than 40 courts in their district will get additional 5 units per quarter for administrative work.
11. The CMM, ACMMs, CJMs and ACJMs will be given 5 units per quarter administrative work.



**ASSESSMENT OF UNITS TO BE AWARDED FOR DISPOSAL OF CASES BY CIVIL JUDGE (SENIOR DIVISION) CUM ASSISTANT SESSIONS JUDGES**

<b>Sl. no.</b>	<b>Category of cases</b>	<b>Approved Units</b>
1.	Civil Suit/Counter Claim.	
A.	Contested	10
(i)	No. of witnesses more than 10 examined/cross examined	6
(ii)	No. of witnesses 10 examined/cross examined	5
(iii)	No. of witnesses 8 examined/cross examined	4
(iv)	No. of witnesses 6 examined/cross examined	3
(v)	No. of witnesses 4 examined/cross examined	2
(vi)	No. of witnesses 2 examined/cross examined	1
B.(i)	Ex-parte	
(ii)	Compromise	
(iii)	Dismissed for default	
(iv)	Uncontested (e.g. ex-parte or compromise)	1
2.	Money Suit	
A	Contested	3
B.	Uncontested/ex-parte	½
3.	Arbitration Cases	
A	Contested	2
B.	Uncontested	½
4.	Cases relating to succession certificate & Probate	2
5.	Civil Miscellaneous Judicial Cases	
(a)	Contested	
(b)	Uncontested	
(c)	Misc. cases of original nature where evidence is recorded for disposal.	8
(d)	Other Misc. Cases	2
6.	Execution Petition	½
7.	Cases under order 21r,30, 97, 98, 99 to 101 C.P.C. & Section 47 C.P.C	
A.	Contested	10
(i)	No. of witnesses more than 10 examined/cross examined	6
(ii)	No. of witnesses 10 examined/cross examined	5
(iii)	No. of witnesses 8 examined/cross examined	4
(iv)	No. of witnesses 6 examined/cross examined	3
(v)	No. of witnesses 4 examined/cross examined	2
(vi)	No. of witnesses 2 examined/cross examined	1
B.	Uncontested	½
8.	Pauper Application	
(A)	Contested	1
(B)	Uncontested	½

9.	Interlocutory Application	
(A)	U/s 17(2a)(b)/7 W.B.P.T. Act	
(i)	Contested	2
(ii)	Uncontested	1
(B)	Under Order 40 (i) C.P.C.	1
(C)	Under Order 39 C.P.C.,	
(i)	Contested	2
(ii)	Uncontested	½
(D)	Any other application (excepting adjournment applications)	½
10.	Small Causes Suits	
(a)	Contested	2
(b)	Uncontested (ex-parte or compromise)	½
11.	Civil Appeal	
(a)	Contested	6
(b)	Ex-parte/disposed on merit	1
(c)	Dismissed for default	Nil
12.	Civil Misc. Appeal	
(i)	Contested	3
(ii)	Uncontested	1
13.	Appeals arising out of orders 38,39(1) & 40 C.P.C.	2
14.	Civil Misc. Case	1
15.	Any other case not provided for	
(i)	Contested	1
(ii)	Uncontested	½
16.	Sessions Trial	
A.	Cases disposed of u/s 235 Cr.P.C.	10
(i)	No. of witnesses more than 10 examined/cross examined	6
(ii)	No. of witnesses more than 7 to 10 examined/cross examined	
(iii)	In all other cases	
(iv)	No. of witnesses 10 examined/cross examined	5
(v)	No. of witnesses 8 examined/cross examined	4
(vi)	No. of witnesses 6 examined/cross examined	3
(vii)	No. of witnesses 4 examined/cross examined	2
(viii)	No. of witnesses 2 examined/cross examined	1
(ix)	Examine of each accused u/s 313 Cr.P.C.	1
B.	Cases disposed of u/s 232 Cr.P.C.	3
C.	Cases discharged u/s 227 Cr.P.C accused	1
D.	Cases transferred u/s 228 Cr.P.C	
E.	Cases accused charged u/s 228 Cr.P.C	1
17.	Annual Inspection of own Court	6
18.	Departmental Enquiry	4
19.	For attending and / organising Legal Aid Camps /Mediation/ Legal Awareness Camps for participating in any such Programmes.	1 unit per programme
20.	Execution Cases	
(a)	Contested	8 units
(b)	Uncontested	4 units
21(a).	Additional units for more than 5 years old cases, but less than 10 years	
(i)	Contested	5 units
(ii)	Uncontested or exparte	2 units
22(b).	Additional units for 10 years and more old cases	
(i)	Contested	10 units
(ii)	Uncontested or exparte	4 units
23.	For Cases “referred to and settled through Mediation”	2 units
24.	Mediator, for Cases settled through Mediation (W.E.F. 01.01.2019)	5 units

**ASSESSMENT OF UNITS TO BE AWARDED FOR DISPOSAL OF CASES BY THE CIVIL JUDGE (JUNIOR DIVISION).**

<b>Sl. No.</b>	<b>Category of cases</b>	<b>Approved Units</b>
1.	Civil Suit/Counter Claim.	
A.	Contested	10
(i)	No. of witnesses more than 10 examined/cross examined	6
(ii)	No. of witnesses 10 examined/cross examined	5
(iii)	No. of witnesses 8 examined/cross examined	4
(iv)	No. of witnesses 6 examined/cross examined	3
(v)	No. of witnesses 4 examined/cross examined	2
(vi)	No. of witnesses 2 examined/cross examined	1
B. (i)	Ex-parte	
(ii)	Compromise	
(iii)	Dismissed for default	
(iv)	Uncontested(e.g. ex-parte or compromise)	1
2.	Money Suit	
A	Contested	3
B.	Uncontested/ex-parte	½
3.	Arbitration Cases	
A	<u>Contested</u>	2
B.	Uncontested	½
4.	Cases relating to succession certificate & Probate	2
5.	Civil Miscellaneous Judicial Cases	
(a)	Contested	
(b)	Uncontested	
(c)	Misc. cases of original nature where evidence is recorded viz. Preemption u/s 8 L.R. Act./ Election disputes under W.B. Panchayet Act	8
(d)	Other Misc. Cases	2
6.	Execution Petitions	½
7.	Cases under Order 21r, 90, 97,98, 99 to 101 & Section 47 C.P.C.	
A.	Contested	10
(i)	No. of witnesses more than 10 examined/cross examined	6
(ii)	No. of witnesses 10 examined/cross examined	5
(iii)	No. of witnesses 8 examined/cross examined	4
(iv)	No. of witnesses 6 examined/cross examined	3
(v)	No. of witnesses 4 examined/cross examined	2
(vi)	No. of witnesses 2 examined/cross examined	1
B.	Uncontested	½
8.	Pauper Application	
(A)	Contested	1
(B)	Uncontested	½

9.	Interlocutory Application	
(A)	U/s 17/7 W.B.P.T. Act	
(i)	Contested	2
(ii)	Uncontested	1
(B)	Under Order 40 C.P.C.	1
(C)	Under Order 39 C.P.C.,	
(i)	Contested	2
(ii)	Uncontested	½
(D)	Any other application (excepting adjournment applications)	½
10.	Small Causes Suits	
(a)	Contested	2
(b)	Uncontested (ex-parte or compromise)	½
11.	Civil Misc. Case	1
12.	Any other case not provided for	
(i)	Contested	1
(ii)	Uncontested	½
13.	Annual Inspection of own Court	6
14.	Departmental Enquiry	4
15.	For attending and / organising Legal Aid Camps /Mediation/ Legal Awareness Camps for participating in any such Programmes.	1 unit per programme
16.	Execution Cases	
(a)	Contested	8 units
(b)	Uncontested	4 units
17(a)	Additional units for more than 5 years old cases, but less than 10 years	
(i)	Contested	5 units
(ii)	Uncontested or exparte	2 units
18(b)	Additional units for 10 years and more old cases	
(i)	Contested	10 units
(ii)	Uncontested or exparte	4 units
19.	For Cases “referred to and settled through Mediation”	2 units
20.	Mediator, for Cases settled through Mediation (W.E.F. 01.01.2019)	5 units

**From the prescribed units, the following units are found applicable in case of officers in the rank of Chief Judicial Magistrate, Additional Chief Judicial Magistrate, Sub divisional Judicial Magistrate and Judicial Magistrate including Chief Metropolitan Magistrate and Senior Municipal Magistrate/Principle Magistrate, Juvenile Justice Board.**

1.	Cases under IPC and other major acts	Approved Units
(i)	Contested	6
(ii)	Compounded	nil
2.	Private Complains (Summons cases)	
(a)	Order u/s. 203/204 Cr.P.C.	½
(b)	Contested after full trial	3
(c)	Compounding of offences	¼
3.	Private Complains (Warrant cases)	
(a)	Order u/s. 203/204 Cr.P.C.	½
(b)	Order u/s. 245 Cr.P.C.	1
(c)	Contested after full trial	4
(d)	Uncontested/ Compromise	¼
4.	Petitions u/s. 125 Cr.P.C.	
(i)	Contested	3
(ii)	Uncontested	1
5.	Petty cases under Police Act etc.	
(i)	Contested	1
(ii)	Uncontested	¼
6.	Summary Trial(whether contested or not)	1
7.	Bail applications u/s 437 Cr.P.C. during investigation	¼
8.	Any other cases not provided for	
(i)	Contested	1
(ii)	Uncontested	Nil
9.	Annual Inspection of own Court	6
10.	Inspection of Jail, per visit/ per jail	1
11.	Departmental Enquiry	4
12.	T.I. Parade	2
13.	Recording of	
(a)	Confessional statement u/s. 164	2
(b)	Statement of witness u/s. 164	1
(c)	Statement of each accused u/s 313 Cr.P.C.	1
14.	For attending and / organising Legal Aid Camps /Mediation/ Legal Awareness Camps for participating in any such Programmes.	1 unit per programme
15.	Administrative Work	20 p.a.
16(a).	Additional units for more than 5 years old cases, but less than 10 years	
(i)	Contested	5 units
(ii)	Uncontested or exparte	2 units
17(b).	Additional units for 10 years and more old cases	
(i)	Contested	10 units
(ii)	Uncontested or exparte	4 units
18.	For Cases “referred to and settled through Mediation”	2 units
19.	Mediator, for Cases settled through Mediation (W.E.F. 01.01.2019)	5 units

For Civil Judge (Senior Divn.)

**Taking 20 days on average as available working days for a month and Keeping in view the number of pending suits and cases, the disposal shown below may be considered as minimum work to be performed by each officer in addition to administrative work and casual inspection and that minimum work may be assessed as 'Adequate':**

Approved Unit

Title Suit	4 X 10 = 40 units.
Money Suit	1 X 3 = 3 units.
Appeal	2 X 8 = 16 units.
Misc. Appeal	2 X 3 = 6 units
Ex-Parte	8 X 1 = 8 units.
Interlocutory (Contested)	4 X 2 = 8 units.
Civil Misc. Case	4 X 1 = 4 units.
Civil Misc. Judl. Case	2 X 1 = 2 units.
Sessions Case (Minimum)	1 X 13 = 13 units.
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	100 units.
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Due to variation of disposal made by officers of the above rank and units earned thereby the following gradation may be made.

Below 100 units that is, below 5 units/day	– Inadequate
100 units to 110 units, that is 5 units and above/day	– Adequate.
111 units to 125 units, that is 5.6 units and above/day	– Good.
126 units to 140 units, that is 6.3 units and above/day	– Very Good.
Above 140 units that is, 7 units/per day	– Outstanding.

**FOR CIVIL JUDGE (SENIOR DIVISION)/ JUDGE P.S.C. COURT (WITH NO APPEAL PENDING OR PENDING LESS THAN 20 APPEALS) BASED ON MONTHLY BASIS.**

Below 100 Units	:	“Inadequate”	
100 Units and above	:	“Adequate”	
111 Units and above	:	“Good”	(Min. 4 Suits)
126 Units and above	:	“Very Good”	(Min.5 Suits)
140 Units and above	:	“Outstanding”	(Min.6 Suits)

There is Stenographer attached to each court.

**For Civil Judge (Junior Division)**

	<b><u>Approved Unit</u></b>
Title Suit	<b>5 X 10 = 50 units.</b>
Money Suit	<b>2 X 3 = 6 units.</b>
Misc. Case/Civil	<b>6 X 1 = 6 units.</b>
Misc. Judl. Case. (Misc. Case u/s 8 LR Act.)	<b>1 X 8 = 8 units</b>
Ex-parte (T.S. & M.S.)	<b>8 X 1 = 8 units.</b>
Interlocutory	<b>10 X 2 = 20 units.</b>
	<hr/> <b>98 units.</b> <hr/>

Below 98 units i.e. below 4.9 units / day	– Inadequate.
98 to 110 units i.e. 4.9 units and above / day	– Adequate.
111 to 125 units i.e. 5.6 units and above / day	– Good
126 to 140 units i.e. 6.3 and above / day	– Very Good.
Above 140 units i.e. 7 and above / day	– Outstanding.

There is Stenographer attached to each court.

**For Judicial Magistrates**

The Judicial Magistrates, beside disposing of cases, are required to attend T.I. Parade and to record statements under Section 164 Cr. P.C. and sometime they also take up Police File and Keeping these facts into consideration and taking average working day 20 (twenty) in a month, the following disposal may be assessed as 'Adequate' for the Judicial Magistrates:-

	<b><u>Approved Unit</u></b>	
Cases under I.P.C. and Other Major Acts. (Contested)	<b>6 x 6</b>	<b>= 36 units</b>
(Uncontested)	<b>4 x ¼</b>	<b>= 1 unit.</b>
Private Complaint (Summons Cases) (Contested)	<b>2 x 3</b>	<b>= 6 units</b>
Private Complaint (Warrant procedure) (Contested)	<b>1 x 4</b>	<b>= 4 units</b>
(Uncontested/Compromise)	<b>4 x ¼</b>	<b>= 1 unit</b>
Discharged	<b>2 x 1</b>	<b>= 2 units</b>
Dismissed u/s. 203.	<b>4 x ½</b>	<b>= 2 units</b>
Maintenance Case (Contested)	<b>4 x 3</b>	<b>= 12 units</b>
(Uncontested)	<b>2 x 1</b>	<b>= 2 units</b>
313 Cr.P.C.	<b>10 x 1</b>	<b>= 10 units</b>
		<hr/> <b>76 units</b>



The Judicial Magistrates are to dispose of petty cases, uncontested G.R. and complaint cases and also to take up Police File occasionally and hence 76 units may be earned on an average in a month and hence 76 units may be considered as 'Adequate' disposal and due to variation of disposals made by Officers the following gradation may be made :-

Below 76 units i.e. below 3.8 units/day - Inadequate.

76 units to 86 units i.e. 3.8 units and above/day - Adequate. (13 contested cases)

87 units to 96 units i.e. 4.35 units and above/day - Good. 15 contested cases.

97 units to 106 units i.e. 4.85 units and above/day - Very Good. 18 contested cases.

107 units and above i.e. 5.35 units and above/day - Outstanding. 20 contested cases.

**For Additional Chief Judicial Magistrate**

The Officers in the rank of Sub-Divisional Judicial Magistrate are to take up Police File regularly at 2.00 p.m. and they have also other administrative work relating to cash and other investigation matters and considering these points, the following disposal may be considered 'Adequate' for them :-

	<b><u>Approved Unit</u></b>
Cases under I.P.C. and Other Major Acts. (Contested)	<b>3 x 6 = 18 units.</b>
(Uncontested)	<b>2 x 1 = 2 units.</b>
Private Complaint (Summons Case) (Contested)	<b>2 x 4 = 8 units.</b>
Private Complaint (Warrant Procedures) (Contested)	<b>2 x 4 = 8 units.</b>
Uncontested/Compromise	<b>4 x ¼ = 1 unit.</b>
Maintenance Case (Contested)	<b>1 x 3 = 3 units.</b>
(Uncontested)	<b>2 x 1 = 2 units.</b>
Bail Applications (on average 7/8 applications per day)	<b>200 x ¼ = 50 units.</b>
313 Cr.P.C.	<b>4 x 1 = 4 units.</b>
	<hr/> <b>96 units.</b>

Below 96 units i.e. below 4.8 units/day - Inadequate.

96 units to 101 units i.e. 4.8 units and above /day - Adequate. (8 Contested Cases)

102 units to 106 units i.e. 5.1 units and above /day - Good. (10 Contested Cases)

107 units to 111 units i.e. 5.35 units and above/day - Very Good.(12 Contested Cases)

112 units and above i.e. 5.6 units and above/day – Outstanding. (13 Contested Cases)

**For Chief Judicial Magistrate and Additional Chief Judicial Magistrate.**

The Chief Judicial Magistrate in general and the Additional Chief Judicial Magistrate in some places and in absence of Chief Judicial Magistrate, at headquarter perform different administrative work and their court is, also, filing court for petitions u/s.125 Cr.P.C. and private complaint/official complaint and considering these points, the units suggested for the Magistrates may be adopted for assessment of performance of both Chief Judicial Magistrate and Addl. Chief Judicial Magistrate.

The above yardsticks can be applied in case of the officers having adequate number of pending cases in the file and there may be instances both in the case of Civil Judge and in the case of Judicial Magistrate where there may not be adequate number of cases for disposal and to earn units as stated above and in those cases the District Judge concerned may be permitted to give his comment after taking report from the concerned Officer about the state of file he has handled for a quarter and the District Judge should mention the number of pending cases while giving his comments.

**The following points may also be taken into consideration:**

1. The performance of a Civil Judge (Sr. Divn.) may be assessed 'Good' provided he has disposed of 3 Suits and 1 Appeal on average in a month and also secured the requisite proposed units, that is 5.6 units/ day and for the "Very Good" performance of such Officer is to dispose of at least 4 Suits and 1 Appeal on average in a month and also to secure the proposed 6.3 units per day. Similarly for the outstanding performance, such Officer is to disposed of at least 5 Suits and appeal on average in a month and also secure the proposed 7 units per day.

2. In case of a Civil Judge (Jr. Divn.), his performance may be assessed 'Good' provided he disposed of at least four suits on average in a month and also secures the proposed requisite units 5.6 units/day and for 'Very Good' performance such Officer should dispose of at least 5 suits on average in a month and also secures the proposed 6.3 units/day. Similarly, for outstanding performances such officer should dispose of at least 6 suits on an average in a month and also secure the proposed 7 units/day.
3. In the case the Trial Courts of the District do not find adequate number of cases for disposal to achieve the required units for gradation or to assess their performance, the fact of inadequate number of files of the concerned court should be brought to the notice of the District Judge for taking action by way of transfer of the cases to the same Court.
4. Some contest should not be counted as contested. If detected, 6 units per case will be deducted and Officer will be visited with adverse remarks.
5. Attempts should be made to dispose of all types of matters.
6. Officer graded ('Very Good'), 'Uniformly' or 'Frequently' and 'Outstanding', may be considered for good posting out of turn.
7. Copies of units of assessment be served upon the members of the Judicial Services.
8. Nothing stated above will take away or abridge the power of the High Court to relax the above assessment in particular deserving cases.
- \*\*9. An officer making over or taking over charge of a Court having employed less than 30 working days in a quarter and is unable to secure or achieve the required units for gradation will not be visited with adverse remarks as regards quantity of work for the said quarter, but if he is able to secure the required units in spite of employing less than 30 working days, he will be graded according to the prescribed norms. In such case, no officer will be graded below **"Adequate"**.

- \*\*10. If the principal types of cases pending in any of the courts are less than 50% per centum of the prescribed number of cases, and if the officer presiding over any such Court is unable to earn the required units for gradation due to lack of pendency of cases he will not be visited with adverse remarks as regards quantity of work at the time of gradation or assessment of his performance in the ACR if the officer concerned, through the District Judge, submits a report regarding the number of pendency of cases and the District Judge concerned shall forward such report with his comments on the matter to the Hon'ble Court. The Registrar concerned, at the time of assessment of performance of the Judicial Officer concerned shall draw the attention of the Hon'ble Judge-in-Charge of the district to the said report and the comments of the District Judge.
- \*\*\*11. Analogous suits disposed of by a common judgement has to be treated as one disposal of suit.
- \*\*\*12. If Civil suit and counter claim are tried together and disposed of by a common judgement, no unit can be claimed separately for the counter claim.
13. It is also resolved that all members of West Bengal Judicial Service be informed about the units and the Grade for their guidance.
14. In all cases quality of the judgement has to be commensurate with the gradation based on the units.
15. In a case where the learned officer earns points which could have been assessed in the ACRs as OUTSTANDING, however, ultimately if it is found at the time of annual assessment that in one quarter he failed to dispose of the contested cases as per norms – “GOOD”, “VERY GOOD”, “OUTSTANDING” than he shall be graded as “GOOD”. While placing the final ACR sheet for the respective year the Department should not give any “Gradation corresponding to Average unit”.
16. Quarterly assessment of every judicial officer has to be done strictly in accordance with the prescribed norm as amended. It may so happen that one officer might have secured “Units” for him/her graded “Outstanding”, “Very Good” etc. but if the concerned officer failed to fulfil the contested disposal criteria then such officer may be placed in the subsequent grade where he may be fixed, as per the “Contested Disposal Criteria”.

17. As regards the Principal Magistrate, Juvenile Justice Board of other districts excepting Juvenile Justice Board, Howrah, no Judicial Officer has been deputed in a full-fledged manner. Such an officer with the nomenclature Principal Magistrate, Juvenile Justice Board is manned by the district judiciary but he performs such duties as the Principal Magistrate only in the second half. The concerned Magistrate shall give his disposal in two separate sheets – one for the regular Court and other for the Juvenile Justice Board to the District Judge who shall assess such statements in a combined manner and record his comments and forward the same to the High Court. The units will be calculated in the same manner like that of a Judicial Magistrate. However, in case which are ordinarily triable by the Court of Session, the Principal Magistrate will earn 10 units for disposal of each such case and also 6 units more for recordings evidence of witnesses. In case of the officer posted as Principal Magistrate, Juvenile Justice Board in a full fledged manner will not be assessed below “Adequate” considering the less pendency of cases in the Board.
18. The officers in the rank of Civil Judge (Senior Division) in whose Court less than 20 appeals are pending must try to dispose of such appeals within a year.
19. While calculating the number of days employed, the days lost due to cease work by the Bar, or whether a resolution is adopted by the Bar not to pass any adverse remarks, or when the officer was on duty or any day lost either due to ‘Bandh’ or ‘Strike’, such loss of working days (not less than 10 days in a quarter) be deducted from the total number of working days of that court and be assessed proportionately.
20. That apart the actual days employed by an officer in a quarter will be taken into consideration for assessing proportionately the units earned keeping in mind the contested disposal criteria.
21. In case of Registrar posted in the District Courts, including City Civil Court and Presidency Small Cases Court, if such post is later on created for other districts, the officer will be graded as the District Judge may deem fit and proper considering his administrative ability. (A separate form has been prescribed by the Government to assess the working of its Secretaries and the same is adopted by this Court also).
22. The LROs will be assessed liberally taking into consideration how many witnesses he/she had examined employing how many days. But in no case the LROs will be assessed less than “ADEQUATE”.

23. In a case where an officer is posted in two Courts in a quarter under the same judgeship, the remarks shall be officer wise and not court wise.
24. The officer must indicate by furnishing a statement in a separate sheet while forwarding monthly/quarterly statements to the District Judge, the number of Title Suits or other Suits or GR Cases or Sessions Cases with particulars, which are five years or more old.
25. In evaluating and assessing a Judicial Officer, the strength of file of the concerned court must be taken into consideration. It is taken into consideration that in a court where the pendency is huge, naturally the Presiding Officer of such court will have an edge over the Presiding Officer of a court where pendency is meagre or less. There cannot be a straight jacket formula to assess a Judicial Officer with the number of contested disposals. In such case necessary discretion must be exercised by the High Court to assess a Judicial Officer.
26. As regards the units regarding contested disposal of petitions, the statement must indicate the nature of such disposal to assess whether the disposal was substantial or not.
27. For civil cases if the total number is less than 100 and for criminal cases if the number is less than 200 in a particular Court then such courts may be treated as the court with non-adequate number of the cases. The officers presiding over such courts may not be assessed below **'Adequate'**.
28. At present there are 4 courts of Railway Magistrates that is at Howrah, Kharagpur, Ranaghat, New Jalpaiguri. The Railway Magistrate Court at Howrah, Ranaghat District Nadia, Kharagpur within the District of Paschim Medinipur and Railway Magistrate Court, New Jalpaiguri within the District of Jalpaiguri are running exclusively for that purpose. Considering the state of file in such Courts and the special duties such officers undertake, they may not be graded below "ADEQUATE". It may be noted that the Judicial Magistrate of Sealdah is also the Railway Magistrate of 4<sup>th</sup> Court of Sealdah and in his case the said yardstick for those four officers will not be applicable.
29. While placing the final ACR sheet for the respective year, the department should not give any "Gradation corresponding to Average unit."

\*\* As per resolution of the Full Court Meeting dated 22.02.2013 under item no. 4.

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