

HIGH COURT OF MADHYA PRADESH : JABALPUR

MEMO

NO. 909 /CONFDL./2016
II-5-5/57-Pt. III

Dated 06 September, 2016

To,

**District & Sessions Judge,
(All in the State.)**

Sub: Regarding amendment in ACR Format of Judicial Officers.

As directed, please find enclosed herewith 03 additional statements {numbered as 4 (a), 4 (b) & 4(c) } to be inserted in the existing ACR proforma along with amended page No. 6 of ACR Proforma to be replaced with the existing page No. 6. The said amendment have been made in the ACR Proforma, pursuant to decision taken by the High Court and are being sent to you for being circulated amongst all Judicial Officers working under you so that they are well informed and may not face any difficulty at the time of filling the ACR proforma for the year 2016.

Please also find enclosed herewith a complete amended ACR proforma for necessary action at your end.

Encl. : As above.


(MANOHAR MAMTANI)
REGISTRAR GENERAL

4 (a)

STATEMENT SHOWING THE PERCENTAGE OF DISPOSAL PENDING FOR MORE THAN 3 (THREE) YEARS AND PERCENTAGE OF DISPOSAL BY MEANS OF ADR MECHANISM

Name of the month	Number of pending cases (for more than 3 years)	Number of disposed of cases (for more than 3 years)	Percentage of disposal of cases pending (for more than 3 years)	Percentage of Disposal by Means of ADR Mechanism - Lok Adalat (except pre-litigation cases), Conciliation, Mediation and Referral to arbitration.		
				Number of Cases Pending	Number of Cases Disposed of	Percentage of Disposal by Means of ADR Mechanism
Jan						
Feb						
Mar						
Apr						
May						
Jun						
Jul						
Aug						
Sep						
Oct						
Nov						
Dec						

- Note :-
- (1) Yearly percentage of disposed of cases, pending for more than 3 years = ().
 - (2) Yearly percentage of cases, disposed of by means of ADR Mechanism = ()
 - (3) If yearly disposal is less than 15% (fifteen percent), the reason (s), if any for the same -

SIGNATURE OF
PRESIDING OFFICER

DISTRICT & SESSIONS JUDGE TO VERIFY AND CERTIFY THE ABOVE REPORT.

SIGNATURE OF
DISTRICT & SESSIONS JUDGE

4 (b)

**STATEMENT SHOWING AVERAGE PENDENCY OF REGULAR
CIVIL/CRIMINAL CASES PER MONTH DURING THE YEAR & EXPLANATION
(IF ANY) REGARDING LESSER DISPOSAL IN TERMS OF UNITS BELOW
THE PRESCRIBED STANDARD**

Name of the month	Average pendency of cases	Disposal in terms of units	Explanation (if any) regarding lesser disposal
Jan			
Feb			
Mar			
Apr			
May			
Jun			
Jul			
Aug			
Sep			
Oct			
Nov			
Dec			

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DISTRICT & SESSIONS JUDGE TO VERIFY AND CERTIFY THE ABOVE REPORT.

SIGNATURE OF
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4 (C)

IF REQUIRED THE FOLLOWING NOTE STATING REASONS/ENDEAVOURS MAY BE ADDED

1. Reason (s) due to which judicial officer failed to reach bench mark set by the standard of work done --

- a) Special kind of cases are assigned to the judge;
- b) Special administrative work is given to the judge;
- c) The judge is transferred to a vacant court;
- d) The judge is transferred from a post where judicial work was not part of his official duties;
- e) Insufficient number of cases pending in his court, large number of old and complicated cases;
- f) Any other sufficient reason beyond his control;

2. Endeavours made by the judge to overcome the abovementioned hurdle(s) -

SIGNATURE OF
PRESIDING OFFICER

7. Integrity (Please see note in the instructions).

8. General assessment:

Please give an overall assessment of the officer with reference to his/her judicial, administrative work and ability, reputation and character, strength and shortcomings and also by drawing attention to the qualities, if any, not covered by the above entries.

9. Grading :

- | | | |
|--------------------------|----------------------|-----------------------|
| A+ - Outstanding/ | A - Excellent | B - Very Good/ |
| C - Good/ | D - Average/ | E - Poor |

(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).

"(When a note is appended by the judge stating reasons and endeavours made by him for his not achieving the prescribed standards, the District Judge shall verify and clarify such reasons in his note below and specifically mention that whether in his opinion, the judge had made sufficient efforts while performing judicial work assigned to the judge and he/she also taken these factors into consideration while awarding grade to the judge)"

Place :
Date :

Signature
Name in Block Letters
Designation:

THE M.P. HIGH COURT



PROFORMA RELATING TO CONFIDENTIAL REPORT OF JUDICIAL OFFICERS

NAME OF OFFICER

DESIGNATION

REPORT FOR THE YEAR/PERIOD ENDING

FOR INSTRUCTIONS, PLEASE SEE COVER BACK.

PART - I

CONFIDENTIAL REPORT FOR JUDICIAL OFFICERS

Report for the year/Period ending.....

PERSONAL DATA

(To be filled in by the concerned officer)

1. Name of Officer :

2. Post held with special power if any :

3. Date of continuous appointment to the present grade. Date : Grade :

4. Present post held and date of appointment thereto. Post :
Date :

5. Period or absence from duty (on leave, training, etc. during the year, if he has undergone training, please specify) :

OTHER DATA

1. Mention instances where you have not delivered Judgment within the prescribed period after conclusion of argument with reasons for delay.

2. Whether you ever delayed the submission of statement of disposal to your District Judge, if so, the reasons thereof. How do you intend to improve the lapse(s).

- 3.(a). How many times you visited/inspected the Section of which you are Incharge ?

- (b). What short-comings you noticed and how you rectified them ?

4. Are you updating your legal knowledge ?

5. What is your own assessment regarding your performance from the point of view of quality, quantity and punctuality ?

6. The work in the Court and the work turned out by the officers. Fill up the attached proforma.

STATEMENT SHOWING THE NET DISPOSAL

CLASS OF CASES	NO. OF DISPOSAL		PENDENCY	
	CONTESTED	UNCONTESTED	As on 1 st January	As on 31 st December
Civil Suits Class-'A'				
Civil Suits Class-'B'				
Civil Appeals				
Misc. Civil Appeals				
Misc. Cases				
Motor Accident Claim Cases				
Sessions Trials/ Special Cases/ Criminal cases				
Criminal Appeals				
Criminal Revisions				
Any other work done				
Total Units earned in Civil Cases.				
Total Unit earned in Criminal Cases				
Total Units				
Total working days				
Per day average				

**SIGNATURE OF
PRESIDING OFFICER.**

DISTRICT & SESSIONS JUDGE TO VERIFY AND CERTIFY THE ABOVE REPORT.

**SIGNATURE OF
DISTRICT & SESSIONS JUDGE.**

4 (a)

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SIGNATURE OF
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4 (b)

STATEMENT SHOWING AVERAGE PENDENCY OF REGULAR CIVIL/CRIMINAL CASES PER MONTH DURING THE YEAR & EXPLANATION (IF ANY) REGARDING LESSER DISPOSAL IN TERMS OF UNITS BELOW THE PRESCRIBED STANDARD

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PRESIDING OFFICER

DISTRICT & SESSIONS JUDGE TO VERIFY AND CERTIFY THE ABOVE REPORT.

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DISTRICT & SESSIONS JUDGE

4 (C)

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1. **Reason (s) due to which judicial officer failed to reach bench mark set by the standard of work done --**
 - a) Special kind of cases are assigned to the judge;
 - b) Special administrative work is given to the judge;
 - c) The judge is transferred to a vacant court;
 - d) The judge is transferred from a post where judicial work was not part of his official duties;
 - e) Insufficient number of cases pending in his court, large number of old and complicated cases;
 - f) Any other sufficient reason beyond his control;

2. **Endeavours made by the judge to overcome the abovementioned hurdle(s) -**

SIGNATURE OF
PRESIDING OFFICER

PART – II

PART-II- TO BE FILLED IN BY PORTFOLIO JUDGE IN THE CASE OF DISTRICT JUDGE AND BY THE DISTRICT JUDGE IN THE CASE OF OTHER JUDICIAL OFFICER.

1. Quality of work :

(a). Conduct of business in Court and Office.

(b). Quality of Judgment – (every District Judge will scrutinise at least Five Civil and Five Criminal) Judgment of the officers delivered during the period under report and record his opinion. If he finds any judgment to be of outstanding quality or below average quality, he should send their judgments to the Registrar.

2. Quantity of work :

3. Capacity of management, leadership, Initiative, planning and decision making.

4. Inter personal relationship and team work.

5. State of health.

6. Period under observation of the District Judge/Portfolio Judge.

7. Integrity (Please see note in the instructions).

8. General assessment:

Please give an overall assessment of the officer with reference to his/her judicial, administrative work and ability, reputation and character, strength and shortcomings and also by drawing attention to the qualities, if any, not covered by the above entries.

9. Grading :

- A+ - Outstanding/ A - Excellent B - Very Good/
- C - Good/ D - Average/ E - Poor

(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).

"(When a note is appended by the judge stating reasons and endeavours made by him for his not achieving the prescribed standards, the District Judge shall verify and clarify such reasons in his note below and specifically mention that whether in his opinion, the judge had made sufficient efforts while performing judicial work assigned to the judge and he/she also taken these factors into consideration while awarding grade to the judge)"

Place :
Date :

Signature
Name in Block Letters
Designation:

PART - III**REMARKS OF HON'BLE PORTFOLIO JUDGE**

I. KINDLY FILL IN REMARKS AT POINT NO. 1, 2 & 3, BELOW IN CASE OF DISTRICT JUDGES, ONLY.

II. FOR REST OF THE JUDICIAL OFFICERS, KINDLY FILL IN REMARKS AT POINT NO. 4.

FOR DISTRICT JUDGES ONLY

1. Whether the District Judge, is capable of making conversation fluently in Hindi and English.

2. Whether the District Judge is able to express himself on facts and Laws while writing his judgment in English.

3. Remarks for or against the District Judge concerned.

4. Remarks for Officers other than District Judges

Place:

Date :

SIGNATURE

REMARKS OF HON'BLE THE CHIEF JUSTICE

Place:

Date :

SIGNATURE

**PROCEDURE FOR RECORDING ANNUAL CONFIDENTIAL REPORT
OF JUDICIAL OFFICERS**

1. (a). Part –I of the form is to be filled in by the officers reported upon.
- (b). Part –II is to be filled in by the District Judge and
- (c). Part –III is to be filled by the Hon'ble Portfolio Judge

(The concerned Hon'ble Portfolio Judge under Part-III shall always write whether the concerned D. J. is capable of fluent conversion in Hindi and English and whether in his English Judgment he is able to express himself on facts and law.)

(Registrar General / Registrar, Indore / Gwalior Bench, to make available copy of the Inspection Reports to Hon'ble the Portfolio Judges)

Chief Justice may record his opinion in the case of any Judicial Officer.

2. OFFICERS ON DEPUTATION

- (a). Officers working in deputation in Tribunals, Judicial or Quasi-Judicial Bodies shall fill in the form and forward the same to the Registrar General and the same should be placed before the Chief Justice to enable him to record their opinion, if any.
 - (b). ACRs of Officers working in other posts may be obtained by the Registrar General and placed before the Chief Justice to enable him to record his opinion.
3. All officers are required to bestow care and attention in filling up the respective portions of the forms by them.
 4. The ACRs should accurately reflect on the performance, conduct, behaviour and potential of the Officers for the period under report.

Note :-

The following procedure should be followed in filling up the column relating to integrity: -

- (a). **If the officers Integrity is beyond doubt, then it should be so stated. It is being generally noticed that instead of writing that officer's integrity is beyond doubt, the officers making entries in the confidential/annual report are giving twisted version. The competent authority should write straight in relation to the integrity of the officer under judgment.**

- (b). The integrity of the officer is not required to be judged on the basis of anonymous or unconfirmed complaints. The officer competent to write CR/AR should not be swayed away by the nature of allegations made in the anonymous or unconfirmed complaints.
- (c). If there is any doubt or suspicion in relation to the integrity the column should be left blank and adopt following procedure :-
 - (i). If competent officer is of opinion that complaints require some investigation/enquiry then he should refer the matter to the vigilance and while making entry in the integrity column, he should attach a separate sheet giving details of the complaint and that the same has been forwarded to the vigilance cell and that some or other action is being taken by the vigilance cell.
 - (ii). A separate secret note should be recorded and filled up. A copy of the note should be sent together with the Confidential Report to the next superior Authority who will ensure that the follow up action is taken expeditiously. Where it is not possible either to certify the integrity or to record the secret note, the Reporting Officer should state either that he had not watched the officer's work for sufficient time to form a definite judgment or that he has heard nothing against the Officer, as the case may be.
 - (iii). If, as a result of the follow up action, the doubts or suspicions are cleared, the officer's integrity should be certified and an entry be made accordingly in the Confidential Report.
 - (iv). If, the doubts or suspicions are confirmed, this fact should also be recorded and duly communicated to the Officer concerned.
 - (v). If, as a result of the follow up action, the doubts or suspicions are neither cleared nor confirmed, the Officer's conduct should be watched for a further period of six months and thereafter action be taken as indicated at (iii) and (iv) above.