

THE HIGH COURT OF ORISSA, CUTTACK

NOTIFICATION

NO. 906/R, DATE 17-08-2020

In suppression of earlier yardstick System communicated vide letter No.4705 (14) Dtd.19.05.2004 and Unit System communicated vide Notification No. 1061/R dt.18.9.2017 and Memo No.9349(120) Dtd.18.09.2017, the Hon'ble Court have been pleased to adopt the following Modified Yardstick System for assessment of judicial work by the judicial officers of the State with effect from January, 2020.

YARDSTICK FOR JUDICIAL OFFICERS

A.	<u>IN THE CADRE OF DISTRICT JUDGES</u>	
	Nature of Cases	Yardstick fixed (For Disposal of One case)
	1) Special Judge Case (Vigilance) / Special Court / Special CBI Court	
	a) Trap Case	7 days
	b) DA / Embezzlement case/ Delhi S.P.E. Cases (C.B.I)	10 days
	2) Sessions Cases / NDPS / POCSO cases/ Offence under I.P.C. exclusively triable by Court Sessions along with offence under S.C. & S.T. (P.A.) Act,1989.	4 days
	3) Offence under S.C. & ST (P.A.), Act,1989 read with other offences under I.P.C.	2 days
	4) Criminal Appeals / Jail Criminal Appeals	1 day from the decisions of Asst. Sessions Judges. 2 cases per day from the decisions of the Judicial Magistrates.
	5) Criminal Revisions	Two cases per day.
	6) Original Suits / Civil Appeals (RFA)	2 days
	7) T.M.S., M.S. & Other Suits / Election cases	2 days
	8) Civil Revisions	Two cases per day
	9) Civil Misc. Appeal / Misc. case / Guardian Petition/ Arbitration / Testamentary / Interim Application/Execution	Two cases per day.

	10)	H.R.C. Appeals / Matrimonial cases	3 days
	11)	Cases under O.P.I.D Act	7 days
	12)	L.A Cases (Land Acquisition Tribunal)	2 days
	13)	MISCELLANEOUS CASES	
	a)	Cases Under Sec.166 under the Motor Vehicles Act	One case in one day.
	b)	Cases Under Sec.140 M.V. Act (Contested)	Two cases per day.
	c)	Cases Under Sec.140 M.V. Act (Uncontested)	Five cases per day
	d)	Cases under the Employees State Insurance Act / Cases under the Juvenile Justice (Care and Protection of Children Act,2000) / Cases under any other Special Act.	One case in one day.
	e)	Misc. Cases U/o- 21 Rule 58 C.P.C.	One case in two days.
	f)	Petition u/o. 39 Rule 4 CPC / Cases under the C.P.C. / Crl. Misc. Cases including U/s 408, 440 Cr.P.C. and Transfer Petitions.	Eight Cases per day.
	g)	Bail applications U/s 438 and 439 Cr.P.C.	Eight cases per day.
	14)	<u>Judge, Family Court</u>	
	1)	Contested Suits / Cases under Family Courts Act except proceeding U/s. 125 Cr.P.C.	3 days
	2)	Uncontested Suits, Cases / I.A. under Family Courts Act	2 cases per day
	3)	Ex-parte cases	5 cases per day
	4)	Proceeding U/s. 125 Cr.P.C.	1 day
	5)	Execution cases	Two cases per day
B.		<u>CIVIL JUDGE (SENIOR DIVISION)</u>	
	1.	Contested Title Suits	4 days.
	2.	Contested Suits (M.S., T.M.S. & Other Suits).	2 days.

	3.	Regular Appeals	i) Two days per Title Appeal. ii) Two Money Appeals per day.
	4.	Misc. Appeals	Five per day.
	5.	Ex-parte Suits	Five suits per day.
	6.	Matrimonial cases / Election Cases under Special Acts including Orissa Panchayat Samiti Act / LA cases.	2 days
	7.	Suits/ cases relating to Commercial Dispute	4 days
MISC. JUDICIAL CASES			
	8.	Cases under the Special Acts / Succession cases / Final Decree Proceedings / Execution cases / Arbitration Cases U/s.5, 8,11,13,20 & 30 of Arbitration Act,1940 / Essential Commodities (Special Provisions) Act .	Two cases per day.
	9.	Cases under C.P.C. (Misc. case / I.A./ MJC) / S.C.C. Suits	Five cases per day.
C.	<u>C.J.M. / ASSISTANT SESSIONS JUDGES</u>		
	1.	Sessions	4 days.
	2.	Embezzlement cases	5 days.
	3.	Principal Magistrate, JJB (All Cases)	2 days.
	4.	Magisterial Triable Cases	250 cases per year.
D.	CIVIL JUDGE (JUNIOR DIVISION)		
	1.	Title Suits	3 days.
	2.	Money Suits, T.M.S. and other Suits	1 day.
	3.	Election Cases under the O.G.P. Act.	2 days.
	4.	S.C.C. Suits/Interim Application	5 cases per day.
	5.	Final Decree Proceedings /Execution cases / Ex-parte Suits	5 cases per day.
E.	CONTESTED CRIMINAL CASES FOR JUDICIAL MAGISTRATES		
	1.	S.D.J.M./ Magistrate taking cognizance	250 cases per year.
	2.	Judicial Magistrate and Magistrate not taking cognizance	350 cases per year.

	3.	Cases u/s 125 Cr. P.C.	1 day.
	5.	Petty Offences u/s 206 Cr.P.C. (Motor Vehicle) / Cases on admission in Criminal side (uncontested).	15 cases per day.
F.	INDUSTRIAL TRIBUNAL / LABOUR COURTS		
	1.	Industrial Dispute Cases u/s 10 & 12	3 days.
	2.	I.D. Misc. Cases. (un-contested)	10 cases per day.
	3.	Misc. Cases u/s 33	2 days
G.	SALES TAX TRIBUNAL		
	1.	Cases of 2 assesses per day	
H.	ENDOWMENT COMMISSIONER / DEPUTY COMMISSIONER / ADDITIONAL / ASSISTANT COMMISSIONER		
	1.	Under Sec.19	1 day.
	2.	Under Sec.25	2 days.
	3.	Under Sec.41	4 days.
	4.	Under Sec.42	4 days.
	5.	Under Sec.44	2 days.
	6.	Under Sec.68	3 cases per Commissioner and 5 cases per Asst. Commissioner per day.
I.	P.O., EDUCATIONAL TRIBUNAL		
	1.	G.I.A. cases	3 days.
	2.	Educational Appeal	2 days.
	3.	Execution cases	1 day.
	4.	I. A.	4 cases per day.

: INSTRUCTIONS :

- * Total number of working days per year is to be treated 240 working days.
- * Registrars of Civil Courts shall reach the prescribed yardstick/ outturn for the days devoted to judicial work.
- * For Commissioner Endowments and for Assistant Commissioners Endowments there shall be 50% reduction of working days and for Deputy Commissioners there shall be 60% reduction of working days for the purpose of computation of the outturn.
- * In case of adjudication of any proceedings during execution alike a suit, the said proceeding shall be given equal days allotted to the Suit of that Court.
Example – Order 21 Rule 58, Order 21 Rule 97, 99, 100, 101 C.P.C. etc. and Rule 429, 430 of the GR & CO (Civil) Vol- I, 1985 Edition.
- * District Judges, Senior Civil Judges and Civil Judges who are dealing with first hearing matters shall get 1/5th reduction of days devoted for judicial work.
- * Judges/Magistrates taking Cognizance shall get 1/5th reduction of days devoted for judicial work.
- * 20% of the days justified by the officers during the year may be given as grace days to the officers, where the pendency is less than-
 - In DJ cadre - 300 cases
 - In CJ (SD) cadre - 500 cases
 - In CJ (JD) cadre/ magisterial courts – 1000 cases
- * Incentives for disposal of year old cases
 - All kinds of 5 to 10 years old cases – 25% of the Yardstick prescribed for the case.
 - All kinds of 10 to 20 years old cases- 50% of the Yardstick prescribed for the case.
 - All kinds of more than 20 years old cases- 75% of the Yardstick prescribed for the case.
 - Cases disposed of through ADR mechanism-10% of the Yardstick prescribed for the case.

BY ORDER OF THE COURT


(RAJESH DASH)

MEMBER-SECRETARY, SCMS

Memo No. 7533 (60) Dtd. 17-08-2020

Copy forwarded to the:

1. All officers of the court
2. Addl. Registrar-cum-Principal Secretary to Hon'ble the Chief Justice
3. Addl. Principal Secretaries/ Sr. Secretaries/ Secretaries attached to the Hon'ble Judges, for placing the same before their Lordship's kind information
4. Superintendents, Statistics/ Appointment/ Library/Computer/ Inspection Section
5. Technical Director, NIC, to upload the same in Orissa High Court official website for information and necessary action.

17/8/2020
MEMBER-SECRETARY, SCMS

Memo No. 7534 (120) Dtd. 17-08-2020

Copy forwarded to the:

1. Principal Secretary to Govt. of Odisha, Home Deptt., Bhubaneswar,
2. Principal Secretary to Govt. of Odisha, Law Deptt., Bhubaneswar
3. Dist. & Session Judge, (All)
4. Presiding Officer, Industrial Tribunal, Bhubaneswar/ Rourkela
5. Presiding Officer, Educational Tribunal, Odisha, Bhubaneswar
6. Director of Public Prosecution, Odisha, Bhubaneswar
7. Chairman, Administrative Tribunal, Odisha, Bhubaneswar Bench/ Cuttack Bench
8. Second Motor Accident Claims Tribunal, Berhampur, Sambalpur
9. Chairman, Sales Tax Tribunal, Odisha, Cuttack
10. Member-Secretary, Odisha State Legal Services Authority, Cuttack
11. Member, State Transport Appellate Tribunal, Sector-6, Plot No.1437, Block-9, Abhinaba Bidanasi, Cuttack
12. Judge, Family Court, (All)
13. Special Judge (Vigilance)/ Addl Spl. Judge (Vigilance), Cuttack/ Bhubaneswar
14. Special Judge (CBI), Bhubaneswar
15. Chairman, Arbitration Tribunal, Bhubaneswar
16. Presiding Officer, Co-operative Tribunal, Bhubaneswar
17. Presiding Officer, Labour Court, Bhubaneswar/ Jeypore/ Sambalpur
18. Commissioner of Hindu Religious Endowments, Bhubaneswar
19. Director, Odisha Judicial Academy, Cuttack
20. Special Railway Magistrate, Khurda Road at Jatani/ Titilagarh
21. Authorized Officers, Special Judge (Spl. Court), Cuttack/ Bhubaneswar
22. Special Officer (special Court), Bhubaneswar/ Cuttack
23. Presiding Officer, LAR & R Authority, Cuttack/ Berhampur/ Sambalpur
24. Secretary, Lokayukta, Bhubaneswar
25. Registrar, Odisha Human Right Commission, Bhubaneswar
26. Presiding Officer, Odisha Waqf Board, Old Secretariat, Cuttack
27. Adjudicating Officer, Odisha Real Estate Regulatory Authority, Bhubaneswar

for information and guidance and communication to the Judicial Officers working under your control.

17/8/2020
MEMBER-SECRETARY, SCMS