

HIGH COURT OF SINDH, KARACHI

All
communication
should be
addressed to the
REGISTRAR
High Court of
Sindh, Karachi
and not to any
official by name

No. RHC/Unit Policy/2024

Dated 18th September, 2024

From:

Registrar, High Court of Sindh,
Karachi.

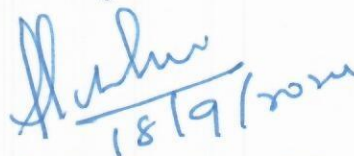
To,

All the District & Sessions Judges in Sindh

Subject: **UNITS AWARDING POLICY**

I am directed to refer to the subject noted above and to enclose herewith *Units Awarding Policy*, approved by the Administration Committee of this Court for Disposal of Criminal, Civil, Family Cases and Administrative work by Judicial Officers of Courts Subordinate to High Court of Sindh for its implementation w.e.f. 01.10.2024 and for circulation amongst all the Judicial Officers of your respective districts.

Receipt of this letter may please be acknowledged.


18/9/2024

(SUHAIL MUHAMMAD LAGHARI)
REGISTRAR

Encl:-

(As above).

Copy for information and necessary action to:-

1. Learned Member Inspection Team-II of this Court is requested to get the above said policy incorporated in Case Flow Management System (CFMS) and ensure its implementation so also place the same with monthly reports before Hon'ble Monitoring & Inspecting Judges
2. All the Presiding Officers, Special Courts/Tribunals in Sindh.
3. Director I. T. of this Court is directed to upload the policy on official website of this Court.
4. Additional Registrar (Research) of this Court.
5. Deputy Registrar Gazette of this Court.

**FINAL UNITS AWARDING POLICY FOR DISPOSAL OF CRIMINAL CASES BY COURTS
SUBORDINATE TO HIGH COURT OF SINDH APPLICABLE FROM 01-10-2024**

S.No	NATURE OF DISPOSAL IN CRIMINAL MATTERS	ALLOCATION OF UNITS			REMARKS
		SUBSTANTIAL UNITS	COMPLEMENTARY UNITS		
1	Framing of Charge		01		
2	Recording evidence of a witness in all cases except category given at Sr. No.3.	0.5			Unit on witness shall not be claimed unless a witness is cross-examined. However maximum 15 units can be claimed in substantial units in a month and units for remaining witnesses shall be counted in complementary category. Likewise it is mandatory to obtain minimum of 10 units for recording of evidence unless when cases board is less than 50 cases in a month.
3	Recording evidence of a witness in Murder and Rape cases.	01			As above
4	Disposal of case through Judgment u/s 265 (H) Cr.PC in Police Encounter u/s 324/353 PPC and other connected cases.	03			Contested.
Note: If main case u/s 324, 353 PPC is connected with 23 (i) Sindh Arms Act and both cases have been disposed of by way of judgment, then 6 units can be claimed no matter more than 1 case is decided through such judgment being connected with sessions case.					
5	Disposal Of cases through Judgment u/s 265 (H) Cr.PC in Murder cases.	3 YEARS OLD CASE AFTER FRAMING OF CHARGE	3-5 YEARS OLD	ABOVE 5 YEARS OLD	Contested.
		08	06	03	
6	Disposal of cases through Judgment in other PPC cases under section 265 (H) Cr.PC or 245 Cr.PC	06	04	02	Contested.
7	Disposal u/s 265-K Cr.PC in case decided within 1 year after framing of charge.		03		Complete case is disposed of by such order.
			01		Complete case is not disposed of by such order.
8	Disposal u/s 249-A Cr.PC in case decided within 6 months after framing of charge.		03		Complete case is disposed of by such order.
			01		Complete case is not disposed of by such order.

9	Disposal u/s 249 Cr.PC (Stopping proceedings of case) within 6 months after framing of charge.		01	
10	Disposal u/s 243 and 265-E Cr.PC on pleading guilt	02		After adopting procedural requirements.
11	Order on Application u/s 345 Cr.PC for compounding of offences.		02	If case is disposed of by such order.
12	Order on application for withdrawal of prosecution		01	If case is disposed of by such order.
13	Order on application for Habeas Corpus u/s 491 Cr.PC	01		Contested/opposed by respondent.
14	Order on bail Application u/s 496 Cr.PC (in bailable offences)		01	
15	Order on post arrest bail application u/s 497 Cr.PC (in non bailable offences)	01		Unit on bail application can only be claimed if it is decided within 03 days by the Judicial Magistrate and within 05 days by the Courts of Sessions after filing date.
16	Order on cancellation of bail application u/s 497 (5) Cr.PC	01		Unit on cancellation of bail application can only be claimed if it is decided within 15 days after filing date.
17	Order deciding pre-arrest bail Application u/s 498 Cr.PC	01		Substantial unit can only be claimed it is decided within 07 days of filing of application otherwise such unit can be claimed in complementary category.
18	Order on application u/s 22-A (6) Cr.PC	01		Unit can only be claimed if it is decided within 07 days period.
19	Dismissal of Complaint u/s 203 Cr.PC	02		
20	Judgment in complaint cases	3 YEARS OLD CASE AFTER FRAMING OF CHARGE		Contested.
		3-5 YEARS OLD		
		06	04	02
21	Disposal of complaint case by way of order u/s 265-K Cr.PC	03		
22	Disposal of complaint case by way of order u/s 249-A Cr.PC	03		

23	Criminal Appeal	06		06 units when it is decided on merits (case not remanded back) within 03 months from date of filing otherwise 03 units .
24	Criminal Revision	02		02 Units when such revision is decided on merits within 03 months (matter not remanded back) from date of filing otherwise 01 unit .
25	Preliminary Enquiry u/s 202 Cr.PC	02		
26	Order deciding Criminal Transfer application		01	If it is decided within 07 days after filing date.
26	Criminal Miscellaneous applications filed under Cr.PC: u/s 227 (altering of charge) 516-A (order for custody/disposal of case property pending trial), 517 (order for disposal of case property after disposal of case), 523 (order on seizure of property by police) 540 (order on application for summoning of witness) Any other application requiring application of judicial mind with reasoning.		01	If the application is entered in CFMS record and is decided within 07 days from date of filing application.
27	Cases tried summarily u/s 260 Cr.PC	01		Subject to adoption of all codal formalities.
28	Supervision of exhumation proceedings and post mortem		02	
29	Conducting Inquest and submission of Report		02	
30	Recording of confessional statement of accused u/s 164 Cr.PC	02		
31	Recording of statement of a witness u/s 164 Cr.PC		01	
32	Holding of Identification Parade	02		
33	Order passed on police reports submitted under B-Class and C-Class with application of judicial mind and reasoning.	02		Units can only be claimed if order is passed within 15 days of submission of report and is entered in CFMS record.

34	Order passed on proceedings under Chapter VIII of Cr.PC (107, 109, 110, 112 Cr.PC/Chapter proceedings)	02		Contested.
35	Order passed on proceedings u/s 133 Cr.PC	02		Contested.
36	Order passed on proceedings u/s 145 Cr.PC	02		Contested.
TRIAL OF CRIMINAL CASES UNDER SPECIAL LAWS BY JUDICIAL MAGISTRATES				
37	Judgment in cases registered under following laws: (i) Prohibition (Enforcement of Hadd) Order, 1979	03		Contested. Note: If case is decided within a period of 01 year after framing of charge then complete units can be claimed and in case it is decided within 02 years after framing of charge then half units shall be claimed. No unit shall be claimed after decision made beyond 02 years after framing of charge.
	(ii) Control of Narcotic Substances Act, 1997	04		
	(iii) Prevention of Electronic Crimes Act, 2016.	06		
	(iv) West Pakistan Pure Food Substance Act, 1960.	02		
	(v) Pakistan Plant Quarantine Act, 1976	02		
	(vi) Sindh Consumer Protection Act, 2014.	06		
	(vii) Sindh Information of Temporary Residents Act, 2015.	04		
	(viii) Sindh Sound System (Regulation) Act, 2015.	02		
	(ix) Small Claims and Minor Offences Courts Ordinance, 2002.	06		
	(x) Domestic Violence (Prevention and Protection) Act, 2013	06		
	(xi) Any other laws not specified herein above	04		
TRIAL OF CRIMINAL CASES UNDER SPECIAL LAWS BY COURTS OF SESSION				
38	Judgment in cases decided under following laws: (i) Hudood Laws	03		Contested. Note: If case is decided within a period of 01 year after framing of charge then complete units can be claimed and in case it is decided within 02 years after framing of charge then half units shall be claimed. No unit shall be claimed after decision made beyond 02 years after framing of charge.
	(ii) Control of Narcotic Substances Act, 1997	04		
	(iii) Prevention of Electronic Crimes Act, 2016.	06		
	(iv) Illegal Dispossession Act, 2005	06		
	(v) Gas (theft control and recovery) Act, 2016	06		
	(vi) Sindh Arms Act, 2013.	03		
	(vii) Any other law not specified hereinabove.	03		

**UNITS AWARDING POLICY FOR DISPOSAL OF CIVIL CASES BY COURTS SUBORDINATE TO
HIGH COURT OF SINDH**

S.No	NATURE OF DISPOSAL IN CIVIL MATTERS	ALLOCATION OF UNITS			REMARKS
		SUBSTANTIAL UNITS	COMPLEMENTARY UNITS		
1	Decision made at pre-admission stage on the point of maintainability as civil suit after providing opportunity of hearing to the parties/counsels	02			If plaint is rejected or returned.
2	Framing of issues	01			
3	Recording evidence of a witness in all cases.	0.5			Unit on witness shall not be claimed unless a witness is cross-examined.
4	Disposal of a case through Judgment.	CASE DECIDED WITHIN 02 YEARS	CASE DECIDED IN 2-3 YEARS	CASE DECIDED AFTER 3 YEARS	Units can be claimed when case is decided after recording of evidence.
		06	04	02	
6	Disposal of Rent Application through order containing points for determination and decision on merits.	04			04 Units if rent application is decided within 4 months otherwise only 02 units can be claimed. Time shall be counted from the date of filing of rent application.
7	Striking off the defence of the tenant u/s 16 (2) of Sindh Rented Premises Ordinance, 1979 and Rent application is disposed of.	02			
8	Disposal of Land Acquisition Reference through judgment.	06			06 units can be claimed when reference is decided within six months otherwise only 03 units can be claimed.
9	Disposal of civil suits regarding correction of data entered in the NADRA record.	04			04 units can be claimed when reference is decided within four months otherwise only 02 units can be claimed.
10	Disposal of civil suits in matters regarding distribution and administration of properties amongst legal heirs.	06			06 units can be claimed when reference is decided within six months otherwise only 03 units can be claimed.
11	Disposal of commercial suits including shipping cases/suits under Carriage of Goods by Sea Act, 1925.	06			06 units can be claimed when reference is decided within six months otherwise only 03 units can be claimed.

12	Disposal of cases filed under Succession Act, 1925 (SMAs/Letter of Administration)	02		02 units when matter is decided within 60 days of filing of application otherwise 01 unit . In all only 20 units can be claimed in this category no matter if more than 10 cases are decided in this category in a month.
13	Disposal of Summary suits as provided u/o XXXVII of the Code of Civil Procedure.	04		04 units can only be claimed when suit is decided within 3 months otherwise only 01 unit can be claimed.
14	Disposal of case under Order-XVII Rule 3 CPC.	No unit	01	Maximum number of units to the extent of 05 units can be claimed in this category in a month.
15	Disposal of case through judgment on admission u/o XII Rule 6 CPC.	02		
16	Disposal of case through judgment when parties are not at issue u/o XV Rule 1 CPC.	02		
17	Disposal of case through judgment ex-parte in all civil cases	02		
19	Disposal of civil case through consent/compromise	No unit		
20	Disposal of civil case on withdrawal application	No unit		
21	Disposal of Civil Appeal by way of judgment incorporating the points for determination and decision on merits.	06		06 units if the appeal is decided within three months otherwise 03 units can be claimed.
22	Disposal of Civil Miscellaneous Appeal by way of order/judgment incorporating the points for determination and decision on merits	04		04 units if matter is decided within three months otherwise 02 units can be claimed.
23	Disposal of First Rent Appeal by way of order/judgment incorporating the points for determination and decision on merits	04		04 units if matter is decided within three months otherwise 02 units can be claimed.
24	Disposal of Civil Revision filed against interlocutory order decided through order containing points for determination and decision on merits.	02		02 units if matter is decided within three months otherwise 01 unit can be claimed.

25	Disposal of Civil Transfer Application through order.				01	
26	Disposal of Civil Execution through order.	CASES UP TO 3 YEARS OLD	CASES OVER 3 YEARS OLD	CASES UP TO 5 YEARS OLD		Units on execution application shall not be claimed unless decree stands satisfied.
		04	03	02		
27	Dismissal of case/application in non-prosecution	No Unit			No Unit	
28	Dismissal of case in default	No Unit			No Unit	
29	Disposal of Application u/s 12(2) CPC	02				Disposal without framing of issues and recording of evidence.
		04				Disposal after framing of issues and recording of evidence.
30	Disposal of Application u/o VII rule 10 CPC.				02	
31	Disposal of Application u/o VII rule 11 of CPC, 1908	02				02 units if application is decided within 45 days of filing otherwise 01 unit can be claimed.
32	Disposal of Application u/o XXXIX rule 1 & 2 CPC, 1908	02				02 units if application is decided within 15 days otherwise 01 unit can be claimed.
33	Disposal of Application for appointment of Receiver under Order-XL CPC	02				02 units if application is decided within 15 days otherwise 01 unit can be claimed.
34	Disposal of Application for attachment of property under Order-XXXVIII CPC	02				02 units if application is decided within 15 days otherwise 01 unit can be claimed.
35	Other Civil Misc. Applications				01	
36	Order passed for referral of case for mediation	01				In case the after referral of the case, the same is decided through mediation, the Judicial Officer shall be entitled to claim 5 units for such case.

**UNITS AWARDING POLICY FOR DISPOSAL OF CASES UNDER FAMILY LAWS BY COURTS
SUBORDINATE TO HIGH COURT OF SINDH**

S.No	NATURE OF DISPOSAL IN FAMILY MATTERS	ALLOCATION OF UNITS		REMARKS
		SUBSTANTIAL UNITS	COMPLEMENTARY UNITS	
1	Disposal of case at Pre-admission stage	02		If plaint is rejected or returned.
2	Framing of issues	01		
3	Disposal of case at Pre-trial hearing Stage. Family suit for grant of Khulla, grant of maintenance, dowry articles, restitution of conjugal rights etc.	02		If pre-trial hearing is not successful and Khulla is granted without any further proceedings.
		06		If pre-trial hearing concludes successfully and the family is united and the case is disposed of either with efforts of Judge or through ADR mechanisms.
4	Recording evidence of a witness in all cases.	0.5		Unit shall only be claimed when witness is cross examined.
5	Disposal of case by way of judgment and/or by conclusion of case through amicable settlement of case at Post trial hearing stage.	06		06 Units can only be claimed when such suit is decided within statutory period (06 months) otherwise 03 units .
6	Striking off the defence of the defendant u/s 17-A of Family Courts Act, 1964 and decreeing the suit.	02		
7	Disposal of case under Guardian and Ward Act for custody of minor resulting in settlement of dispute with amicable settlement at Pre-Trial/Post Trial hearing Stage.	06		06 Units can only be claimed if case is decided within 06 months period otherwise 03 units .
8	Disposal of case under Guardian and Ward Act through judgment/order deciding the custody of minor.	03		03 Units can only be claimed if case is decided within 06 months period otherwise 1.5 unit .
9	Ex-parte Order in all family suits	02		
10	Ex-pate Order in all Guardian and Ward cases	02		
11	Order on compromise resulting in settlement of dispute and final disposal of case.	03		

12	Family Appeal	04		04 Units can only be claimed when appeal is decided within statutory period of 4 months otherwise 02 units .
13	Dismissal of case in non-prosecution	No Unit	No Unit	
14	Dismissal of case in default	No Unit	No Unit	
15	Interlocutory applications For instance, (i) Application u/s 5 of WPFCA, 1965 (return of plaint) (ii) Application u/s 15 of WPFCA, 1964 (summoning of witnesses if contested) (iii) Application u/s 16 of WPFCA, 1964 (contempt of family court) (iv) Application u/s 17-A of WPFCA, 1964 (interim maintenance order) (vi) Application u/s 12 of Guardian & Wards Act, 1890 (meeting schedule of minor pending final order) (vii) Application u/s 29 of G & Wards Act, 1890 (order for property of ward) (viii) Any other like order not specified hereinabove.	01		Unit can only be claimed if the application is decided within a period of 15 days of filing of the application and the application is entered in CFMS record.
16	Disposal of application u/s 7 of Guardian and Wards Act, 1890 (Appointment/Declaration of Guardian of person and property of the minor)	02		
17	Application u/s 25 of Guardian and Wards Act, 1890 (Custody of minor)	02		
18	Family Execution	02		Units on execution application shall not be claimed unless decree stands satisfied and is disposed of from CFMS record with disposal order.
19	Orders on applications for execution of orders passed under Guardian & Wards Act, 1890.	02		Units on such application shall not be claimed unless order is executed.

UNITS AWARDING POLICY FOR THE ADMISTRATIVE WORK CONDUCTED BY JUDGES OF COURTS SUBORDINATE TO HIGH COURT OF SINDH

S.No	NATURE OF ADMISTRATIVE WORK	ALLOCATION OF UNITS		REMARKS
		SUBSTANTIAL UNITS	COMPLEMENTARY UNITS	
1	Hospital Visit		01	Per Visit.
2	School Visit		01	Per Visit.
3	Jail Visit		01	Per Visit.
4	Holding departmental enquiry	02		Per enquiry.
Note: 02 units shall be claimed, if enquiry is conducted 03 Months period by the concerned Presiding Officer after assignment of enquiry or after taking charge of such post. In other cases 01 unit shall be awarded.				
5	Conduct of raid		02	Per raid.
6	Inspection of Courts by District Judge		03	Per day.

INSTRUCTIONS

A. APPLICATION OF POLICY:

- This policy shall be applicable to all district and sub-ordinate courts in Sindh. The revised unit policy shall be effective from 1st October, 2024.
- This unit policy is comprised over two types of units i.e. substantial and complementary. Atleast 75 substantial unit to be earned in a month is mandatory. Complementary units shall be an extra contribution to achieve the total of 125 units (combining 75 substantial plus 50 complementary units) in a month. For example: If a judicial officer earns 75 units from substantial units and 50 units from complementary units then he has earned 125 units and his target in terms of units is achieved. However if a judicial officer obtains 60 substantial units (being short of 15 units) then his extra units from complementary units target can be combined to overcome the requirement of substantial units. But such relaxation shall be only for maximum of three months in a year, as ultimate target in each month is to be achieved.
- NEGATIVE MARKING OF UNITS/MINUS POLICY FOR OLD CASES:** This policy aims to ensure expeditious disposal of cases on merits and not on technicalities. Therefore in order to ensure that the cases are decided within time frame, more units shall be awarded if a case is decided within time frame and lesser units if the case is decided with delay. To achieve this objective, negative marking concept in terms of minus units has been introduced for older cases, which shall be deducted

for each older case if the same remains on board in particular month as mentioned below:

Cases pending having shelf age of 3 to 5 years = - 2 (minus two)

Cases pending having shelf age of 5 to 8 years = - 4 (minus four)

Cases pending for more than 8 years = - 5 (minus five)

If in a particular court, there are 10 cases more than 8 years old are pending, then 50 units in minus shall be debited from the account of the Presiding Officer, as such the concerned Presiding Officer shall be required to earn 50 units in addition to his target of units so as to equalize the minus figure.

Note: However if a Presiding Officer is transferred and posted in a court where older cases are already pending then he will have a grace period of 3 months during which this minus formula shall not be applicable to him and during such period he is required to decide these old cases to save himself from minus scoring. Besides, this as the policy of negative marking of units is being introduced for the first time as such the minus formula shall apply after 3 months encouraging the judicial officers to decide old cases.

B. PENDENCY OF CASES TO BE CONSIDERED FOR CLAIMING OF UNITS:

In order to achieve the targeted units as per the policy, pendency of cases has to be taken into account. Therefore this unit policy shall be applicable in terms of pending cases as under:

1. The balance of cases at the end of month should be more than 75 cases, or
2. The total board is 75 cases or above (Total Board shall mean as Number of cases at the beginning of month + Total institution/cases transferred/restored etc. during such month),

For instance: A Court has pendency of 10 cases on the first day of the month. In the same month, 65 cases are instituted or transferred or restored; out of which 50 cases are disposed of, retaining a final balance of 25 cases in its docket on the last day of month. Then, this policy will apply on such court, as its **total board** remained more than 75 cases during the month i.e. (10+65=75).

It shall be mandatory for every such Court:

3. Having closing Balance or Total Board of more than 75 cases (including as explained in Para-2) at the end of month to earn 75 units from substantial units and 50 units from complementary category during a month,

4. Having closing Balance or Total Board of less than 75 cases and more than 20 cases at the end of month, to earn 35 units from substantial units' type,
5. Having closing Balance or Total Board of not less than 10 cases and not more than 20 cases, to earn 20 units from substantial units' type,
6. Having closing Balance or Total Board of less than 10 cases, to earn 12 units from substantial units' type,

Notes:

- (i) In case the units are earned consequently for **1 month** below the required units, then such judicial officer shall be required to earn extra units to cover the deficit of last month. However in case in the next month, the deficit is not covered and the requirement of such month is also not fulfilled then this shall be termed as **poor performance** calling for enquiry in the matter by the respective Monitoring and Inspecting Judge of High Court of Sindh.
 - (ii) In case the requirement of units is not achieved consecutively for more than 2 months then such fact shall not only be enquired but such **poor performance** shall be entered in his **Performance Evaluation Reports** so as to be reflected in his dossiers to be considered at the time of promotion by the Provincial Selection Board.
 - (iii) In case, the number of required units are not achieved consecutively for **4 months** in a year, then such conduct shall amount to inefficiency and poor performance amounting to misconduct to be proceeded under Sindh Civil Servants (Efficiency and Discipline) Rules 1973.
- C.** It may also be noted that the Presiding Officers, who fail to secure required compulsory units during a month, can utilize their complementary units earned during such month. However, only those complementary units can be utilized which are over and above 50 complementary units. (for sake of clarity, instances below are explained hereunder)
1. If a Presiding Officer earns 60 substantial units and 50 complementary units during a month, then such complementary units earned cannot be utilized to fulfil the required threshold during the month, as 50 units from complementary units is also mandatory.
 2. If a Presiding Officer earns 60 substantial units and 65 complementary units, then only 15 units in surplus of mandatory requirement can be utilized from complementary category to meet the deficiency encountered in compulsory category, example whereof is explained below:
- Required Substantial Units to be earned by a Presiding Officer during a month = 75
- Substantial Units earned during the month = 65 (Deficit of 10 units)

Complementary Units earned during the month = 60 (60-50=10; only such 10 units can be utilized to meet the deficiency)

Now, total units earned will be = 75 (65 substantial units + 10 complementary units after fulfilling its 50 units mandatory threshold)

3. If a Presiding Officer earns 50 substantial units and 75 complementary units, then such additional 25 units from complementary category can be utilized to meet the deficiency encountered in substantial category, example whereof is explained below:

Required substantial Units to be earned by a Presiding Officer during a month = 75

Substantial Units earned during the month = 50 (Deficit of 25 units)

Complementary Units earned during the month = 75 (75-50=25; These 25 units can be utilized to meet the deficiency)

Now, total units will be = 75 (50 compulsory units + 25 complementary units)

It may be noted that not more than 25 units from complementary category can be added to fulfil the target of substantial units.

D. The Presiding Officers, who fails to earn required substantial units during a month, can only utilize maximum 25 complementary units earned during such month to meet the compulsory unit deficiency. (See example below)

a. If a Presiding Officer earns 40 substantial units and 100 complementary units, then maximum 25 units from complementary category can only be utilized to meet the deficiency encountered in compulsory category, For instance:

Required substantial Units to be earned by a Presiding Officer during a month = 75

Substantial Units earned during the month = 40 (Deficit of 35 units)

Complementary Units earned during the month = 100 (100-50=50; only 25 units can be utilized to meet the deficiency)

Now, total secured units will be = 65 (40 substantial units + 25 complementary units)

Such Presiding Officer will still have to face the consequences of being in shortfall of 10 units and shall be called upon to explain his/ her position.

E. Each category of disposal of cases (either by judgment or order) carries different units as tabulated above. The cases decided within specified time or at the earliest shall carry more units than the cases decided with delay as noted above.

F. The term "contested" means that the case is decided after completing whole procedure of trial through judgment (based upon reasoning requiring application of judicial mind.) The terms "uncontested" would denote cases other than contested and includes decision arrived on admission, special oath, consent, withdrawal, rejection or return of plaint/appeal, decision

under order 8 rule 10 CPC, order 9 rules 2,3,5, order 10 rules 1-A & 4, order 15 rules 1 & 4, order 41 rules 11 & 18 CPC.

G. For earning complete units, allocated to any type of category of cases, it shall be mandatory that disposed of case is "contested in nature"; meaning that in case of judgment, evidence of witnesses have been recorded which evidence was not based on exoneration of charges by the witnesses (main witnesses should have been cross examined and such cross examination should not have been merely considered as "NIL- OPPORTUNITY GIVEN").

H. Cases disposed of under section 249-A or 265-K Cr.PC, are not entitled to claim units as "contested in nature", such disposal order shall be rewarded with half units allocated for such disposal category. ("Contested in nature", for application means whether same application has been disposed of after hearing both sides)

I. For earning complete units on order passed on application under section 249-A or 265-K Cr.PC, it shall be mandatory that such order has resulted in complete disposal of the case and not otherwise. In cases, where such order has not resulted in final disposal of the case, the presiding officer shall earn 1 unit similar to that of deciding a criminal miscellaneous application.

J. Above instructions for disposal of cases with respect to "contested in nature" shall also apply on disposal of Civil and Family cases and applications.

K. Likewise above instructions for disposal of cases with respect to "contested in nature" shall also apply for Appeal, Revision, Review in Criminal, Civil or Family jurisdiction.

L. Where Appellate court, after hearing Appeal in Criminal, Civil, Family or Rent matters remands the matter to the trial court, then such disposal shall be rewarded with half of the allocated units as indicated in the chart.

M. If any Appeal (Civil, Criminal, Family or Rent) is decided and disposed of on merits within 3 months of its institution, then such disposal shall be rewarded with complete units allocated for such category. Merits means that points for determination are recorded and reasoning is assigned for arrival of findings on such points for determination.

N. Substantial Units specified to be earned per day shall be 2.88 (i.e. $75/26=2.88$)

O. Where the Presiding Officer avails leave during a month, substantial units for availed leave days shall be deducted from his/ her required substantial units account and it shall be adjusted accordingly. However, such unit deduction and adjustment for availed leave days shall not exceed from 3 days during a single month. For instance, if a presiding officer avails 5 causal leaves in a month, then only 3 days' units will be deducted from his/her required compulsory units account.

P. If a Presiding Officer avails earned leave in a month, then required compulsory units shall be calculated for remaining working days.

Q. It may be noted that if any entry is made in CFMS wrongly, the same shall be taken seriously, as such the Presiding Officers should ensure that the units are properly calculated and disposal of cases is entered in the CFMS record under their supervision. No explanation in this regard shall be entertained.
