

CHAPTER 1

Superintendence and Control

Part A SUPERVISION AND CONTROL

1. Preamble—In subsequent chapters, instructions are given on various matters connected with the supervision and control to be exercised by Judicial Officers generally over the ministerial establishments attached to their Courts, and by controlling officers over subordinate Judicial officers. A few general directions on the subject are here given for observance.

2. Supervision by Controlling Courts in executive matters—Controlling Courts are required to exercise an active and continuous supervision over subordinate Courts in regard to all matters affecting the judicial administration and are not relieved of responsibility in regard to anything which may be found to be in an unsatisfactory state, unless they can show that they have done all that may reasonably be expected of them to have the directions of the High Court enforced and to prevent the occurrence of irregularities.

3. Supervision by controlling Courts in judicial work—In regard to judicial business District Magistrates and District Judges are not responsible merely for a proper distribution of work amongst the Courts, and for the disposal of appeals, but are required to see that subordinate Courts follow the prescribed procedure in all their proceedings and are not left without guidance in matters in which they may be found to be at fault or to be in want of instruction. The supervision to be exercised over inexperienced officers and officers in training should be specially vigilant and thorough, and their work should be watched with kindly interest, guidance being afforded them on all paper occasions.

4. Appellate Courts should point out to lower Courts errors and irregularities—It is very desirable that appellate Courts should, apart from disposing of appeals judicially, bring to the notice of subordinate Courts errors or irregularities in procedure which may be observed in the course of hearing appeals. Unnecessary adjournments; undue delay in disposing of cases; omission to hear cases on the days fixed; too harsh a use of the summary procedure allowed by law in cases in which defaults in attendance, or in producing evidence or the like, occur; failure to examine thoroughly the parties and to arrive at an intelligent appreciation of the points in dispute, and similar matters should always be brought to the notice of officers concerned in a note or memorandum separate from the judgment.

5. Presiding officer to acquaint himself with the Rules and Orders of High Court and to exercise supervision over the staff—Every Judicial officer is required to make himself acquainted with the law which he has to administer, and with the Rules and Orders of the High Court, and also to supervise the work of the ministerial officers attached to his Court.

6. Presiding Officers of Courts should observe regular Court hours; serious notice will be taken of habitual unpunctuality. The attention of District and Session Judges and District Magistrates is drawn to the necessity of seeing that the officers subordinate to them are punctual in attending Courts and to paying surprise visits, where necessary, to satisfy themselves. Periodical reports will not be made and a reference to the High Court will not be required if a report about a particular officer is necessary.

7. Court hours for Honorary Magistrates—Honorary Magistrates or Benches of Honorary Magistrates in Delhi shall hold Court during the hours prescribed by the District Magistrate, Delhi and which should ordinarily be within the hours fixed for the sittings of Stipendiary Magistrates. These hours shall not be changed without the previous sanction of the District Magistrate. A copy of the order of the District Magistrate fixing the Court hours shall be affixed to the notice board outside the Court house for the information of the public.

Part B
PECUNIARY CONTROL

1. Responsibility of presiding office for proper accounting and application of money and property received—The presiding officer of every Court is responsible that the Registers and Accounts of his Court are regularly and correctly kept, and that money and property passing through his hands or dealt with under his orders, are duly accounted for and applied. Controlling officers should be careful to bring home this responsibility to officers serving under them. See also in this connection paragraph 7 of Volume I, Chapter 12-A.

2. Receipt of money orders during absence of presiding officer—It is the duty of the presiding officers of Courts to make adequate arrangements for the receipt of money orders during their absence on casual or vacation leave and they will be held responsible for seeing that money so received is duly brought to account in the treasury.

3. Prohibition against receipt of cheques from private persons—Presiding officers are prohibited from accepting cheques from private persons in lieu of cash as cheques are not legal tender. The State Bank of India can accept cheques on clearing banks only for credit of Government accounts.

4. Supervision of pecuniary transactions by controlling officers—Special vigilance is necessary in supervising the pecuniary transactions of the Courts, on the accounts and registers of subordinate Courts should be frequently and carefully inspected by controlling officers.

5. Defalcation in accounts or loss of public money should be reported—(a) Whenever a defalcation in the accounts of any Court is brought to light or any loss of public money is discovered the fact should be forthwith reported and an inquiry instituted. When the matter has

been fully inquired into, a further and complete report should be submitted explaining the nature, and extent of the loss and the prospects which exist of effecting a recovery of the amount, whether in part or in whole. The report should further state the nature of the error or neglect of rules by which such defalcation was rendered possible and the names of the officers directly or indirectly responsible.

(b) Reports will be submitted by the Senior Sub-Judge, or Judge, Small Cause Court (as the case may be), through the District and Sessions Judge, and by the latter (in regard to their own Courts direct) to the High Court. Copies of such reports will also be forwarded to the Accountant-General, Punjab, when the loss involved exceeds Rs. 200 or presents important features which merit detailed investigation and consideration, as required by Rule 2.34 of the Punjab Financial Rules, Volume I.

6. Directions as to receipt of money and property. Security to be taken from officials—It should be remembered that the Government is responsible to the public for the proper application and disposal of all money and property received by public officers in the discharge of their duties as such. It is therefore desirable that money and property should in every case be received by or in the presence of a Judicial officer competent to deal with it, and that the person who delivers such money or property to the Court, or from whom it is taken in due course of law, should be granted a proper acknowledgment, on the prescribed form, signed by such Judicial officer or by a responsible officer authorized by Government in that behalf. The Government cannot hold itself liable for claims based on receipts on manuscript forms granted by unauthorized or irresponsible subordinate officials. Clerks of District Courts, Registrars of Small Cause Courts and Civil Nazirs and authorized to conduct certain pecuniary transactions, under the supervision and on the responsibility of the Judicial officer under whom they serve, but their action should be closely watched. The orders in regard to the security to be taken from all ministerial officers of the Judicial Department entrusted with duties of a pecuniary nature should be rigidly enforced. If any official is not able to furnish security in a lump-sum, it can be deducted from his pay in instalments as provided in paragraph 3 of Chapter 18-C of High Court Rules and Orders, Volume I.

7. Cancellation of stamps. Detection of fraud to be reported to High Court—It is the duty of the presiding officers of every Court to supervise the cancellation, according to law of Court-fee stamps and labels attached to plaints, appeals, complaints, petitions and applications filed in his Court or received on account of process-fees. Section 30 of the Court-fees Act provides that no document requiring a stamp shall be filed or acted upon in any proceedings in any Court or office until the stamp has been cancelled. Cancellation is to be effected by punching out the figure head, so as to leave the amount designed on the stamp untouched, and the part removed by punching must be burnt or otherwise destroyed. The rules on the subject made by the High Court will be found in Chapter 4 of this volume. These rules must be strictly observed in order to prevent fraud. Unless labels are properly cancelled, they may be removed from the documents to which they are attached and used again. Several instances have come to light in which Court-fee labels have been removed from records, or otherwise tampered with, and controlling officers should exercise vigilant supervision in the matter. Where any frauds come to light, they should be forthwith brought to the notice of the High Court.

8. Instructions regarding deposit of money received by a Government servant—Attention is drawn to Article I, Civil Account Code, Volume I, as amended by correction slip No. 8, dated the 1st April, 1935 read with Treasury Order 7, reproduced in Appendix 8-C *ibid*, under which all moneys received by a Government servant in his official capacity as dues of Government, or for deposit in the custody of Government, must without undue delay be paid into the Treasury on the same day or on the morning of the next day at the latest as a Revenue or Civil Court deposit according to rules applicable to such deposits.

9. Responsibility for loss on account of over-payment of pay, etc.—Attention is drawn to the orders contained in Article 17 of the Civil Account Code, Volume I, under which drawers of bills and controlling officers can be called upon to make good the losses incurred by Government on account of over payments of pay and allowances caused by lack of supervision.

10. Rules relating to the supply of liveries, summer clothing, belts, cross belts, badges and warm clothing are contained in Appendix 16, Punjab Financial Rules, Volume II (1940 edition).

For the supply of belts and badges to bailiffs and process servers, *see* paragraph 8 of Chapter 6-A of this Volume.

Part C
INSPECTION OF SUBORDINATE COURTS

(The Instructions contained in this Part do not apply to the Union Territory of Delhi.)

Part D
REPORTS ON THE WORK OF JUDICIAL OFFICERS

(The Instructions contained in this Part do not apply to the Union Territory of Delhi.)

Part E
ASSUMPTION AND RELINQUISHMENT OF CHARGE OF APPOINTMENTS BY JUDICIAL OFFICERS

1. Report of assumption and relinquishment of charge—The assumption and relinquishment of charge of judicial appointments should invariably be reported to the High Court and the Accountant-General, Punjab, without delay.

2. Relieving officer should see that public money and property is duly taken over—Relieving officers should in all cases satisfy themselves, at the time of taking over charge, that all public money or property (including books supplied) pertaining to the office or in the custody of the officer relieved or the ministerial officers of his Court, is duly taken over and accounted for.

3. Transfer of charge report and key of the safe—When a District and Sessions Judge is transferred, the transfer of charge report sent to the High Court should contain a note stating that the key (and the Treasurer’s receipt for the duplicate key) of the iron safe provided for the custody of Wills has been taken over by the relieving officer.

4. Relieving officer’s responsibility for deficiency—Unless the relieving officer reports, at the time of taking charge, that any money or property is deficient, he will be held responsible for the deficiency.

5. Certificate to accompany the relinquishing charge report—Relinquishing charge report submitted to the High Court by District and Sessions Judge, Judges and Registrars of Courts of Small Causes, and Subordinate Judges should invariably be accompanied by certificates to the effect that they have written judgments in all cases in which they had heard arguments.

6. Cases in which charge reports to be submitted to Government—On the posting or transfer of a District and Sessions Judge, an Additional District and Sessions Judge, an Assistant Sessions Judge, a Judge or Registrar of a Court of Small Causes, or an Assistant Commissioner undergoing judicial training, a charge report will also be submitted promptly to the Chief Secretary to Government, Punjab.

Part F

ACQUISITION AND DISPOSAL OF IMMOVABLE AND OTHER VALUABLE PROPERTY BY JUDICIAL OFFICERS AND THE SUBORDINATE CIVIL COURTS ESTABLISHMENT

1. Rules governing acquisition of immovable property—Rules relating to the acquisition and disposal of immovable and other valuable property by Government servants under the rule making powers of the Punjab Government are contained in Rules 8, 9 and 10 of the Government Servants Conduct Rules, 1955, which are reproduced below :—

“8. *Buying and selling houses and other valuable property*—Save in a case of a transaction conducted in good faith with a regular dealer or when permitted under Rule 9, a Government servant who intends to acquire or dispose of any movable or immovable property exceeding in value of Rs. 200 from or in favour of any person residing, possessing immovable property or carrying on business within the local limits of the official authority of such Government servant shall declare his intention to the Government. The declaration shall state fully the circumstances, the price offered or demanded, and in the case of an acquisition or disposal otherwise than by purchase or sale, the method of acquisition or disposal, and the Government servant shall thereafter act in accordance with such orders as may be passed by the Government.

Provided that a Government servant who is about to leave the local limits of his official authority may, without reference to the Government, dispose of any of his movable property by circulating lists of it among the public generally or by causing it to be sold by public auction.

9. *Acquiring immovable property*—No Government servant shall, directly or indirectly acquire any immovable property except with the previous sanction of the Government.

10. *Control over movable and immovable property held or acquired by Government servant*—Subject to any general or special order of the Government every Government servant shall make to the Government through the usual channel, a declaration of all movable and immovable property from time to time held, or acquired by him or by any member of his family as defined in Rule 2(2). The declaration shall contain such information as the Government may by general or special order require. The term movable property shall mean the following items :—

(1) Cash, Jewellery, bullion, bank deposits, Insurance policies, shares, securities, and debentures

(2) Loans advanced whether secured or not. If secured, nature of the security, *i.e.*, ornaments, simple pronote or mortgage deeds with or without possession.

(3) Motor cars, motor cycles, horses, and/or any other means of conveyance.

(4) Refrigerators.

(5) Milch cattle.”

2. Acquisition of property for making profit amounts to misdemeanour—In connection with the acquisition of immovable property, it may be pointed out that if a person who is employed or concerned in the collection of revenue or the administration of justice buys one or more properties for the purpose of making a profit by selling or letting it to others, he is guilty of misdemeanour; and the State Government and authorities empowered by the State Government in this behalf, have been warned against the exercise of the discretion given by Rule 9 of the Government Servants Conduct Rules, 1955, in such a way as to give their sanction to a misdemeanour. The previous sanction of the Punjab Government, or the authorities empowered by Punjab Government in this behalf must, therefore, be obtained in all cases of acquisitions of property by Government servants, whether for residential or other purposes, in order that the sanctioning authority may satisfy itself that the proposed action of the Government servant, in acquiring land or other property, would not amount to a misdemeanour.

*(Punjab Government Circular Endorsement No. 28656-H-Gaz.,
dated the 9th October, 1928)*

3. Previous sanction of the Hon’ble Judges to be obtained for acquisition of property—Attention is drawn to Rule 9 of the Government Servants Conduct Rules, 1955, which requires that the previous sanction of the Government shall be obtained before any immovable property is acquired by a Government servant. Subordinate Judges and members of all judicial establishments are, therefore, bound to obtain the previous sanction of the Honourable Judges in all cases of acquisitions of immovable property, the purpose of acquisition being clearly stated in the application. Officers holding listed posts serving in the Judicial Department must obtain the sanction of the Punjab Government through the High Court.

Note—Power to convey sanction in the cases of Subordinate Judges and judicial establishments has been vested in the Honourable Judges (*Punjab Government Notification No. 21175-Home Department-Gazette-Powers, dated the 17th July, 1928*).

4. Mortgages of a permanent nature on immovable property requires previous sanction—

For the purposes of Rule 9 of the Government Servants Conduct Rules, 1955 the Punjab Government has decided that the term “Immovable Property” includes a mortgage of a permanent nature, and, therefore, the acquisition of such a mortgage requires the previous sanction of the competent authority. A “mortgage of a permanent nature” is one in which there is not likelihood of the mortgaged property being redeemed by the mortgagor. Each case of this kind will be dealt with on its merits, and normally permission will be given. Where, however, there are suspicious circumstances, *e.g.*, such as might suggest that undue influence has been brought to bear, or the conditions of the mortgage are unusually favourable to the mortgagee or, if the mortgaged land is in the district in which an officer is serving or has recently served, permission will normally be refused.

(Punjab Government Circular Letter No. 19431 (H-Gaz.), dated the 21st May 1935, and No. 7990-A.G. 36/1940 (H-Gaz.), dated the 18th January, 1937.)

5. Declarations of movable and immovable property—Rule 10 of the Government Servants Conduct Rules, 1955, require every Government servant to make through proper channel, declaration of movable and immovable property acquired by him or any member of his family as defined in Rule 2(2) *ibid* {see paragraph 6 below). The following instructions should be observed in the submission of returns of movable and immovable property so far as Government servants under the rule making powers of Punjab Government are concerned:

(1) (a) *Declaration of movable property*—The items which are included in the term ‘movable property’ have been detailed in Rule 10 *ibid*. A declaration of movable property in the form prescribed at Annexure I should be made by every Government servant annually.

(b) *Declaration of immovable property*—The declaration of immovable property was also required to be submitted by every Government servant under the old Government Servants Conduct Rules. A declaration of immovable property in the form prescribed at Annexure II should be made by every Government servant annually.

(2) According to Rule 10 *ibid*, the declarations of movable and immovable property are to be submitted to Government through usual channel. It has been decided that these declarations should be maintained by the appointing authority. If the Head of Office/Department is the appointing authority the declarations of the Government servants concerned should be collected by him by the 1st of May each year and should cover the preceding financial year. In case of those Government servants whose appointing authority is Government the declaration should be collected by the Head of Office/Department by the 7th April each year and submitted to Government by the 1st of May. In the case of the P.C.S. Officers working in districts the declarations should be submitted by the Deputy Commissioners on the 7th April each year to the Commissioners of Divisions and by the latter to Government by the 1st of May.

(3) These declaration forms should constitute a separate file in respect of each Government servant which should be appended to the personal file of the official concerned.

(4) These returns should be scrutinised as they are received so that particular enquiries if considered necessary, may be made from the Government servant concerned.

To be treated as confidential documents—These instructions should be carefully observed by all concerned. The declarations both for movable and immovable property should be taken from all the Government servants covered by these instructions regularly and should be treated as confidential documents.

Declaration of officers of P.C.S. (Judicial Branch)—The declarations submitted by the members of the P.C.S. (Judicial) should be maintained in the High Court as heretofore.

Members of All-India Services governed by separate instructions—The members of All-India Services are governed by the All-India Services (Conduct) Rules, 1954. Necessary instructions in respect of them for the submission of such declarations have been issued separately (*see* paragraph 8).

(Punjab Government Circular Letter No. 637-G-56/19033,
dated the 16th March; 1956.)

6. "Members of a Government servant's family" defined—Rule 2(2) of the Government Servants Conduct Rules, 1955, is as follows :—

"2 In these rules—

* * * * *

(2) "Member of a Government Servant's family" includes—

(a) his wife, child or step-child, whether residing with him or not, and

(b) any other relative of his or his wife's dependent on and residing with him, but does not include a wife legally separated from the Government servant, or a child or step-child who is no longer in any way dependent upon him or of whose custody the Government servant has been deprived by law.

7. Annual declaration by Judicial officers and members of Subordinate Civil Courts establishments—The Punjab Government has decided that every officer serving in the Judicial Department and member of the Subordinate Civil Courts' establishment should write up his declaration annually or record certificate thereon that there have been no additions to his immovable property during the previous year or to that of his relative referred to in paragraph 6. Each District and Sessions Judge will, therefore, submit to the High Court not later than the 1st of May each year the prescribed declarations in respect of himself and of all judicial officers serving in his Sessions Division. He will obtain the declarations of members of the Subordinate Civil Court's establishments serving under his control and keep them with the service books or the character rolls of the persons concerned.

8. All India Services Conduct Rules, 1954. Declaration under the Rule 15(3)—Sub-rule (3), of Rule 15 of the All-India Services (Conduct) Rules, 1954, enjoins that every member of the Service, on first appointment to the service and thereafter at the interval of every twelve months shall submit a return of immovable property owned, acquired or inherited by him, in such from

as the 'Government' may prescribe under this rule. The Government of India have accordingly prescribed the form given in annexure III of the declaration to be submitted under this rule by officers of the All-India Services serving in connection with the affairs of the Union or serving under a foreign Government or outside India.

The Government of India have decided in this connection that officers serving in connection with the affairs of the Union or serving under a foreign Government or outside India should submit their returns in duplicate, one copy of which will be forwarded to the State Government concerned. Officers serving in connection with the affairs of a State should also submit the return in duplicate, one copy being forwarded to the Government of India in the Ministry of Home Affairs.

It is also the intention of the Government of India that there will be no regular and continuous scrutiny of the returns received by them. The returns will be preserved, and the returns of a particular officer will be scrutinised only when an occasion for such scrutiny arises. The State Governments may consider adopting the same course in respect of the returns of officers serving under them. In order to ensure this, officers should submit the returns in separate sealed covers superscribed as follows:—

“Statement of immovable property furnished under Rule 15(3) of the All-India Services (Conduct) Rules, 1954, on first appointment/for the year.....”

“Name (in block letters)

Service, Cadre and designation of the officer.”

{Government of India, Ministry of Home Affairs, Letter No. 8/2/54-A.I.S. (II), dated the 8th November, 1955, and Punjab Government Letter No. 15355-G-55/1521, dated the 7th January, 1956}.

9. Benami transactions—The Punjab Government have decided that benami transactions in which Government servant appears as the nominal purchaser should also be reported to Government or the authorities competent to sanction such acquisitions, and sanction obtained from them in accordance with the orders in paragraphs 2 to 4. Any acquisition of property which a Government servant makes in another's name should also be similarly reports. All such transactions should also be shown in the annual declarations mentioned in paragraphs 5 and 7.

(Punjab Government Circular Letter No. 6123-G-40/40509 (H- Gaz.), dated the 15th October, 1940.)

ANNEXURE I

[See paragraph 5(1)(a)]

Declaration form for movable property under Rule 10 of the
Government Servants Conduct Rules, 1955.

Name and designation of the Government servant. Address
.

Statement made on. (date)

- (a) (i) Cash, jewellery, bullion, Bank deposits, Insurance Policies, shares, securities and debentures.
- (ii) Motor Cars, Motor cycles, horses, and/or any other means of conveyance.
- (iii) Refrigerators
- (iv) Milch cattle.

Serial No.	Description of Items	Values	*Name of the member of the Government servant's family and Benamidar (if any) in whose name the asset is held	Date and manner of fresh acquisition during the year	Remarks

- (b) Loans advanced, whether secured or not. If secured nature of the security, *i.e.*, ornaments, simple pronote or mortgage.

Serial No.	Amount of loan	If loan is secured one nature of the security with its approximate value	*Name of the member of the Government servant's family who has advanced the loan	Name with description of the loanee	State with other particulars of the loan	Remarks

* Note— The expression "member of a Government servant's family" is to be interpreted according to the definition in Rule of the Government Servants Conduct Rules, 1955.

ANNEXURE II

[See paragraph 5(1)(b)]

Declaration by of the immovable property held by him and members of his family.....

Notes—(1) All interests in land of a permanent nature, whether ownership, mortgage, or hereditary, occupancy, should be entered; also dwelling houses in towns.

(2) Members of a Government servant's family are those mentioned in Rule 2(2) of a Government Servant's Conduct Rules, 1955; and in showing the holding of each, if a holding is Benami, the name of the Benamidar should also be mentioned.

(3) Particulars in regarding to family holdings should be indicated separately.

In what district, tahsil and village situated	Description of holding with area and assessment	How and when acquired (e.g., by inheritance, regift, purchase, etc.)

--	--	--

ANNEXURE III

[See paragraph 8]

Statement of immovable property on* first appointment/for* the year

1. Name of officer (in full) 3. Cadre of the State on which borne

and service to which the officer belongs

2. Present post held 4. Present pay

Name of district, sub-division, tahsil, and village in which property is situated	Name and details of property+		Present value	If not in own name, state in whose name held and his/her relationship to the member of the service	How acquired whether by purchase, lease, mortgage, inheritance, gift or otherwise with date of acquisition and name with details of person/ persons from whom acquired	Annual income from the property	Remarks
	Housing and other building	Lands					
1	2	3	4	5	6	7	8

--	--	--	--	--	--	--	--

Signature

Date

* Inapplicable to be struck out.

In cases where it is not possible to assess the value accurately the approximate value in relation to present conditions may be indicated.

+ Includes short-terms lease also.

Note—This declaration form is required to be filled in and submitted by every member of the I.A.S./I.P.S. under Rule 15(3) of the All-India Service (Conduct) Rules, 1954, on first appointment to the Service, and thereafter at the interval of every twelve months giving particulars of all immovable property owned, acquired or inherited by him on lease or held by him or mortgage, either in his own name or in the name of any member of his family or in the name of any other person.

Part G
POSITION OF ADDITIONAL DISTRICT AND SESSIONS JUDGES

1. It has been brought to the notice of the Judges that some misunderstanding exists regarding the position of Additional Judges in relation to the District Judge of the district to which they are attached. To remove this misunderstanding, they consider it necessary to bring to the notice of Additional Judges and Additional Sessions Judges the exact position which they occupy both in administrative and in judicial matters.

2. Additional Judge is subordinate to District Judge in administrative matters—In administrative matters, the position of the District Judge is defined in Section 33 of the Punjab Courts Act, 1918. Subject to the general superintendence and control of the High Court, the District Judge is to have control over all Civil Courts under that part of the Act and within the local limits of his jurisdiction; and the Court of an Additional Judge is included among such Courts by the earlier Section 18. It follows that for purposes of administrative control such as the grant of casual or other leave, appointment of ministerial staff and general discipline, the Additional Judge is subordinate to the District Judge; and that all correspondence with the High Court should ordinarily be addressed through the District Judge.

3. District Judge may assign any of his judicial functions to the Additional Judge—In judicial matters, Section 21 of the Act provides that an Additional Judge shall discharge any of the functions of a District Judge which the District Judge may assign to him; and by Section 34 of the District Judge may distribute civil business among the Courts under his control in such manner as he thinks fit. Once the functions of a District Judge have been assigned to an Additional Judge, the Additional Judge exercises, in the discharge of those functions, the same powers as the District Judge himself. It is only in respect of the functions actually assigned to him, however, that the Additional Judge enjoys these powers; and the functions so assigned will, as a general rule, be purely judicial functions.

4. Position of Additional Sessions Judge—There is no similar statutory provision defining the administrative position of Additional Sessions Judges : but their position is analogous to that of Additional Civil Judges and they should be regarded as under the general control of the Sessions Judge. Under Sections 193, 409 and 438 (Sections 193, 194, 381 and 400 of new Code) of the Code of Criminal Procedure, the Sessions Judge is empowered to make over cases to them for trial or hearing.

5. Additional Judge to be acquainted with the orders passed by the District Judge—All officers who may be posted from time to time as Additional Judges or as Additional Sessions Judges may be made acquainted with these orders by their District and Sessions Judges.

Part H

APPEARANCE OF LEGAL PRACTITIONERS IN COURTS IN WHICH THEIR RELATIVES HELD OFFICIAL POSITIONS.

1. No legal practitioner should appear professionally before any judicial officer to whom he is nearly related, or in any Court where a near relative of his holds the post of Superintendent, Reader, or Stenographer to the Presiding Officer, or any other position which necessitates his presence in Court, during the hearing of cases.

2. The term ‘near relative’ includes father, brothers, sons, nephews and uncles on either side, brother-in-law, sons-in-law and father-in-law.

3. These orders do not apply to cases of relationship between Public Prosecutors and other members of the Bar.

4. If any breach of the instructions contained in paragraph 1 above is brought to the notice of the District Judge or District Magistrate, the matter should at once be reported to the High Court for orders.

(High Court Letter No. 4592-G, dated the 18th June, 1927, and No. 8448-G, dated the 5th December, 1927).

Part F
RULES UNDER SECTION 3 OF DESTRUCTION OF RECORDS
ACT, 1917

Notification

Rules made by the High Court of Punjab under Section 3 of the Destruction of Records Act 1917, with the previous sanction of the State Government for the disposal, by destruction or otherwise, of such documents in the possession or custody of the Courts of civil and criminal jurisdiction subordinate to the High Court as are, in the opinion of the High Court, not of sufficient public value to justify their preservation.

Rules

A. General

1. Timely destruction of records—All judicial records and registers which, under these rules, become liable to destruction, shall be destroyed as soon as the period for their retention has expired:

Provided that the District Judge in the case of Civil Judicial records, the Sessions Judge in the case of records of the Court of Sessions and the District Magistrate in the case of Magisterial records may order, for reasons to be specified, that any particular paper or the record of any particular case be preserved beyond such period.

2. Manner of destruction and disposal of waste paper—The destruction of such records and registers shall be carried out under the supervision of the Record Keeper and shall be effected by tearing, care being taken that all court-fee stamps have been duly cancelled. The paper shall then be sent to the nearest paper-making jail [list given in note (II) below after ascertaining from the jail concerned whether it does require the waste paper. The paper should be sold in the open market if the reply of the Jail is in the negative; the sale proceedings being credited to the head “XXI—Administration of Justice—Miscellaneous Fees and Fines-Judicial Record Room Receipts”.

Notes (i) In the case of Small Cause Courts the work of destruction shall be carried out under the supervision of the Registrar.

(ii) The following are the paper-making jails:

(1) Ambala District Jail.

(2) Hissar District Jail.

(3) Gurdaspur District Jail.

2-A. Documents of a secret or confidential nature should not be sold but destroyed by being burnt under proper supervision.

3. Arrangement of certain civil records in three parts—The following Civil Records shall be arranged in three parts A, A(i) and B, namely, those of—

(1) suits involving the title to immovable property as defined in Section 3, clause 25 of the General Clauses Act, 1897, other than suits for arrears of rent, or for a share in the produce, when the right is not disputed and only the amount contested;

(2) suits relating to succession to an office, or to establish or set aside an adoption, or otherwise determine the status of an individual, and all suits relating to trusts or religious endowments;

(3) Proceedings under the Indian Succession Act, 1925 and under the repealed Acts entered in Schedule 9 of that Act;

(4) Proceedings under the Indian Divorce Act, 1869.

Part A shall contain the following papers:

(1) The index of papers.

(2) The order sheet or chronological abstract of order.

(3) The plaint together with any schedule annexed thereto.

*Note—*In miscellaneous cases the petition or written application of the party setting the Court in motion will take the place of the plaint.

(4) The written statements and pleadings of the parties.

(5) The memorandum of issues with amended or additional issues, if any.

(6) All depositions of witnesses.

(7) All documents received by the Court during the trial, as evidence between the parties other than copies of Civil, Revenue or Municipal records.

(8) Commissions' proceedings held thereunder, and reports of Commissioners.

(9) Applications to refer to arbitration, the award of other final return of the arbitrators, with the proceedings, dispositions and documents submitted therewith and, any application to set aside the award with the Court's orders thereon.

(10) Instruments of withdrawal, compromise or confession of judgment.

(11) The Judgment or other final order.

(12) The decree and all documents relating to the preparation or amendment thereof.

- (13) All notes in the handwriting of the Judge.
- (14) Any order by the Court accepting an application for review of judgment or for a new trial.
- (15) Judgments and decrees of Appellate Courts, if any.
- (16) All orders passed in execution proceedings with applications, objections, writs of which service has been effected, notices, reports and returns relating thereto.
- (17) All receipts and acknowledgements filed in execution proceedings.
- (18) Processes by which service is effected on the defendants in civil suits decided *ex parte*.
- (19) Powers of attorney of Counsel or agents of parties.

Part A (i) shall contain the following papers:

- (1) Copies of Civil, Revenue and municipal record received by the Court during the trial as evidence between the parties.
- (2) Applications of parties who are strangers to the suit with the Court's orders thereon.
- (3) Reports furnished by the Record Department.
- (4) Orders of arrest or attachment before judgment with all documents relating thereto.
- (5) Applications for review of judgment or for a new trial, with the Court's orders thereon, other than orders accepting such applications.

Part B shall consist of all papers not included in Parts A and A(i)

B. Judicial Records

4. Records to be divided into two parts A and B—All other Civil records and proceedings under the Delhi Rent Control Act, 1958 and all Criminal records shall be arranged in two parts—A and B.]

5. Papers included in parts A and B of Civil record.—In the case of such other Civil Records Part A shall contain the following paper:

- (a) In original cases, other than those to which Rule 3 applies, heard by any Court other than a Court of Small Causes.

Those papers specified in Rule 2 as contained in Parts A and A(i)

- (b) In cases heard by a Court of Small Causes—

- (1) The index of papers.
 - (2) The order sheet or chronological abstract of orders.
 - (3) The plaint with the papers annexed thereto.
 - (4) Any cross-claim set up by the defendant by way of set-off.
 - (5) All documents received by the Court during the trial as evidence between the parties.
 - (6) Any award of arbitrators, or deed of withdrawal, compromise or confession of judgment.
 - (7) The judgment or other final order.
 - (8) The decree.
 - (9) All notes in the handwriting of the Judge.
 - (10) Any application for review of judgment, or for a new trial, with the Court's orders thereon.
 - (11) Any order passed by the High Court as a Court of reference or revision.
 - (12) All orders passed in execution proceedings with all applications, writs of which service has been affected, notices, reports and returns relating thereto.
 - (13) All receipts and acknowledgements filed in execution proceedings.
 - (14) Written statements of parties.
 - (15) Processes by which service is effected on the defendants in suits decided *ex parte*.
 - (16) Powers of attorney of Counsel or agents of parties.
- (c) In appeals cases—
- (1) The index of papers.
 - (2) The order sheet or chronological abstract of orders.
 - (3) The petition of appeal.
 - (4) Copies of judgments and decrees of Lower Courts.
 - (5) Any cross-objection filed by the respondent under Order XLI, Rule 22 of the Code of Civil Procedure.

- (6) Issues referred for trial by the Appellate Court, with the evidence and findings thereon.
- (7) Commissioner's proceedings held thereunder, and reports of Commissioners.
- (8) Any additional evidence, oral or documentary admitted by the Appellate Court under Order XLI, Rule 27, of the Code of Civil Procedure.
- (9) Application to the Appellate Court to refer to arbitration, references, the award or other final return of the arbitration with the proceedings, despositions and documents submitted therewith and any applications to set aside they award, with the Court's order thereon.
- (10) Deeds of withdrawal, compromise or confession of judgment.
- (11) The judgment or other final order.
- (12) The decree of the Appellate Court.
- (13) All notes in the handwriting of the Judge.
- (14) Applications for review of judgment, with the Court's orders thereon.
- (15) Any judgment and decree of a superior Court of appeal.
- (16) Powers of attorney of Counsel or agents of parties.

Part B shall consist of all papers not included in Part A.

6. Papers included in Parts A and B of Criminal record—In the case of criminal records Part A shall contain the papers noted below:

- (a) In original cases tried by a Court of Session—
 - (1) The index of papers.
 - (2) The order sheet or chronological abstract of order.
 - (3) The charge, original and as amended by the Sessions Judge.
 - (4) All depositions of witnesses and statements of accused persons, including depositions and statements transferred from the file of the Committing Magistrate.
 - (5) All documentary evidence.
 - (6) The final order.
 - (7) The verdict of the jury.

- (8) All notes in the handwriting of the Judge.
 - (9) The judgment or order of the High Court as a Court of Appeal, reference or revision.
 - (10) Warrants returned after execution of sentence.
 - (11) All proceedings relating to the realization of fines.
- (b) In Magisterial inquiries and trials—
- (1) The index of papers.
 - (2) The order sheet or chronological abstract of orders.
 - (3) The final Police report (Challan), or petition of complaint.
 - (4) All depositions of witnesses and statements of accused persons.
 - (5) All documentary evidence.
 - (6) The charge, where a formal charge is drawn up.
 - (7) The final order of the Court.
 - (8) All notes in the handwriting of the Magistrate.
 - (9) The judgment of the Appellate Court, if any.
 - (10) The judgment of the High Court in revision, if any.
 - (11) Warrants returned after execution of sentence.
 - (12) All proceedings relating to the realization of fines.
 - (13) Bonds for good behaviour taken under Section 110 of the Code of Criminal Procedure.
- (c) In appeal cases—
- (1) The index of papers.
 - (2) The order sheet or chronological abstract of orders.
 - (3) The petition of appeal.
 - (4) Copy of the judgment of the Lower Court.

- (5) Any additional evidence taken under Section 428 of the Code of Criminal Procedure.
- (6) The final order of the Court.
- (7) All notes in the handwriting of the Judge.

Part B shall consist of all papers not included in Part A.

7. Records to be preserved in perpetuity—The following records shall be preserved in perpetuity:

(1) Part A of all suits and appeals involving title to immovable property as defined in Section 3, clause 25, of the General Clauses Act, 1897.

Note—In suits for arrears of rent or for a share in the produce, when the right is not disputed and only the amount is contested clause 1 of Rule 12 will apply.

(2) Part A of all suits and appeals relating to the succession to an office or to establish or set aside an adoption or otherwise determine the status of an individual and of all suits and appeals relating to trusts or religious endowments.

(3) Records of attachment, sale and delivery of immovable property in execution of decrees, including all objections, proceedings and orders thereon.

(4) Part A of proceedings under the Indian Succession Act of 1925, and the repealed Acts entered in Schedule 9 of that Act.

(5) Part A of proceedings under the Indian Divorce Act, 1869.

(6) Records relating to the disposal of immovable property forfeited to Government under Section 62 of Indian Penal Code.

(7) Insolvency proceedings under the Provincial Insolvency Act, 1920, where the Court has decided a question of title to immovable property under Section 4 of the Act.

(8) Correspondence with other offices on matters connected with the administration of justice, including annual reports and the statements appended thereto: provided that heads of offices may, with the previous sanction of the District Judge, order the destruction after three years, of any correspondence of a merely formal or ephemeral character, after personally satisfying themselves, in regard to each paper ordered to be destroyed, that its retention is no longer necessary.

Also, annual confidential reports on the work of Magistrates and subordinate Judges, stipendiary and honorary, may be destroyed five years after the end of the year of which they relate.

(9) Part A of proceedings under the Indian Lunacy Act IV of 1912.

(10) Part A proceedings under the Companies Act, 1956 (No. I of 1956) or under the Banking Companies Act (X of 1949).

Note—A list of all papers which it is proposed to destroy under this clause must be prepared and, in the case of a subordinate office, be submitted to the District Court for sanction. This list will be preserved in perpetuity.

8. Records to be preserved for 60 years—The following records shall be preserved for sixty years and shall then be destroyed:

(1) Part A of proceedings under Sections 1 and 8 of Regulation XVII of 1806.

9. Records to be preserved for 50 years—The following records shall be preserved for fifty years and shall then be destroyed:

(1) Part A of proceedings under the Guardians and Wards Act, 1890, and under Act XL of 1858 and IX of 1861, other than those in which the petitions have been rejected.

(2) Records of Insolvency proceedings under all Acts other than those falling within Rule 7(7) which have not been destroyed previously under Rules 11 and 13. The period of fifty years shall be taken in run from date of the order of adjudication.

(3) Part A of the cases relating to any of the offences specified in Section 44 of the Code of Criminal Procedure, as offences of which all persons are bound to give information, in which any of the suspected persons have escaped apprehension: provided that, whenever it is known that the offender or offenders on whose account such records are kept, are dead, the records may be destroyed.

(4) Part A of criminal cases in which the offence is punishable with death, and it is not known who the offender is.

Note—The records specified in clauses 3 and 4 when the time comes, when under ordinary circumstances they would be liable to destruction, shall be removed to a separate bundle of cases of absconding and unknown offenders.

(5) Part A of criminal cases in which a lunatic is concerned, unless the lunatic shall have been subsequently tried or have died.

10. Records to be preserved for 20 years.—The following records shall be preserved for twenty years and shall then be destroyed:

(1) Part A(i) the Civil records specified in Rule 3 above.

(2) The charge, finding and sentence in cases in which conviction has been had of an offence for which enhanced punishment is provided on a second or subsequent conviction.

(3) Part A of cases in which any public servant has been tried, whatever may have been the result of the case.

(4) Part A of all Civil suits and appeals, other than suits and appeals falling under Rule 7, where one of the parties is a minor suing or sued through a guardian under Order XXXII of the Code of Civil Procedure.

(5) Part A of Criminal cases relating to any offences other than those specified in Section 44 of the Code of Criminal Procedure in which any suspected persons have escaped apprehension provided that, whenever it is known that the suspected offender or offenders on whose account such records are kept, are dead, the records may be destroyed.

[(6) Part A of all proceedings under Delhi Rent Control Act, 1958 seeking possession including Sections 14, 14A, 14B, 14C, 14D, Sections 21, 22, 24 of the Act and all proceedings for fixation of standard rent under Section 6 and Section 9(4) of the Delhi Rent Control Act].

11. Records to be preserved for 12 years—The following records shall be preserved for twelve years and shall then be destroyed unless their preservation for a longer period is necessary on the special grounds noted below:

(1) Part A of Sessions cases: provided that, if the sentence has not been fully executed, the record shall be preserved until the return of the warrants, and then destroyed.

(2) Part A of cases under Chapter XXXVI of the Code of Criminal Procedure in which maintenance is awarded.

(3) Insolvency proceedings under the Provincial Insolvency Acts where immovable property is involved. The period shall be taken to run from the date of the order of the Court declaring the insolvent discharged from further liability in respect of the scheduled debts.

(4) Part A of proceedings under the Guardians and Wards Act, 1809, and under Act XL of 1858 and IX of 1861 in which the petitions have been rejected.

12. Records to be preserved for 6 years—The following records shall be preserved for six years and shall then be destroyed unless their preservation for a longer period is necessary on any of the special grounds noted below:

(1) Part A of all Civil suits and appeals other than suits and appeals falling under Rule 7: provided that, if the decree has not been fully executed or become incapable of further execution. Part A must be preserved until such time as the decree has been fully executed or become incapable of further execution.

Note 1—A note of all cases destroyed in District offices under this clause shall be made at the time of destruction in the list of cases put up with the village bundle.

Note 2—In January, April, July and October, each the record-keeper will receive from Civil Courts vide paragraph 1 of Chapter 16-A, Part III, Rules and Orders, Volume IV, lists of execution cases in respect of records which are six years' old or about to become six years' old in which decrees have been fully executed or have become incapable of further execution. On the receipt of these lists, the record-keeper should make a note to this effect on each file and he should not destroy and file unless it contains this note without ascertaining whether the decree has been fully executed or has become incapable of further execution.

Note 3—Only such portion of the record, if any, as relates to the attachment, sale and delivery of immovable property in execution of decrees, including all objections, proceedings, and orders thereon should be taken out and preserved permanently as required by Rule 7 when the record is destroyed under Rule 12.

(2) Part A of cases trial by the Magistrate of the District under Section 30 of the Code of Criminal Procedure, in which he has inflicted a heavier punishment than might have been inflicted by a Magistrate of the first class: provided that, if the sentence has not been fully executed, the record shall be preserved until the return of the warrant and then destroyed.

(3) Records relating to the realization of fines of Criminal Courts.

[(4) Part A of proceedings under Delhi Rent Control Act, 1958 other than proceedings mentioned under Rule 10(6) including proceedings under Sections 13, 23, 26, 27, 31, 34,44 and 45 of Delhi Rent Control Act, 1958]

13. Records to be preserved for 3 years—The following records shall be preserved for three years and shall then be destroyed:

(1) Insolvency proceedings under the Provincial Insolvency Acts where no immovable property is involved. The period shall be taken to run from the date of the order of the Court declaring the insolvent discharged from further liability in respect of the scheduled debts.

(2) Records of Criminal cases inquired into or tried by Magistrates and not otherwise provided for in these rules.

(3) Part A of appeals from orders passed by the Magistrates.

(4) All correspondence between the District Magistrate or District Judge and Subordinate Courts, and other records, periodical statements, reports, proceedings, applications, etc., not expressly provided for in these rules: provided that, in respect of records falling under this clause, heads of offices must exercise their discretion in preserving reports, returns and proceedings likely to be useful in the future, as containing the result of inquiries or other information, or the opinions of experienced officers on matters connected with the general administration of justice.

14. Records to be preserved for 1 year—The following records shall be preserved for one year and shall be destroyed:

(1) Part B of all civil and [proceedings under the Delhi Rent Control Act, 1958 and] criminal cases and appeals provided that papers relating to deposits and payments thereof shall be separated and preserved until such time as the accounts of the deposits and repayments concerned have been audited and any objections raised in connection therewith have been finally settled and that Part B of civil cases, and civil appeals in which a first or a second appeal lies to the High Court, shall not be destroyed until the period of limitation for instituting such an appeal has expired or until the appeal, if instituted, is decided by the High Court.

(2) Proceedings of other Courts and officers forwarding notices, proclamations, calling for records, etc.

15. Mode of reckoning period—The periods prescribed above shall except in the case noted below, be taken to run from the date of the final order of the Court of first instance, or, in the event of an appeal, from that of decision of appeal.

In cases under Chapter XXXVI of the Code of Criminal Procedure, in which maintenances is awarded the period shall be taken to run from the date of the last order passed for the enforcement of the award.

16. Notes of destruction—(i) When under the above rules the whole of the papers of Part A of the record are destroyed, a note to the effect shall be made at the time of destruction, against the entry of the case in the Goshwara. In the case of the record offices of District and Sessions Courts where no Goshwaras are kept, the note shall be made against the entry of the case in the General Register.

(ii) When some only of the papers of Part A of the record are destroyed and some are retained, a note of the papers destroyed shall be made, at the time of destruction, on the fly index of the case.

(iii) All notes made under the above instructions (i) and (ii) shall be attested by the Record-keeper.

(iv) No note whatever need be made of the destruction of Part B of a record. Such destruction will be presumed to have been effected in accordance with Rule 14 above.

17. Preservation of papers belonging to Government or private persons—Before destroying Part A of any judicial proceedings, care must be taken to separate and remove from the record all documents belonging to private persons or to Government, as a party to the proceedings, which have not been superseded by the decree or impounded in the case in which they were produced. These documents shall be preserved and tied up in a separate parcel, and notice shall, whenever practicable, be given to the persons who produced them in Court, requiring them to take them back into their own keeping within six months from the date of the notice, and warning them that they will be kept at their risk, and that the Court declines all responsibility for them. Copies of this notice should also be put up in conspicuous place of the Court-house of the Deputy Commissioner of the district and of the Court in which the suit was tried or, if such Court has been abolished of such other Court or Courts as may be exercising jurisdiction in lieu of it.

Heads of offices must make the best arrangements for the custody of these documents that the circumstances admit of. In District offices it will probably be most convenient to keep them with the appropriate village bundles.

C. Registers

18. Registers to be preserved in perpetuity—The following judicial registers shall be preserved in perpetuity:

Civil Register Nos. I, II, III, IV, V, XV and XXIV.

Criminal Registers Nos. VII, VIII and XVI.

19. Registers to be preserved for 50 years—The following judicial registers shall be preserved for fifty years from the date of the last entry and shall then be destroyed:

Civil Registers Nos. XXVI and XXVIII.

Criminal Register No. IX.

Miscellaneous Registers G and I.

20. Registers to be preserved for 20 years—The following judicial registers shall be preserved for twenty years from the date of the last entry and shall then be destroyed:

Civil Registers Nos. X, XI and XIII.

Criminal Register Nos. II and X.

Miscellaneous Registers Nos. A and H.

21. Registers to be preserved for 12 years—The following judicial registers shall be preserved for twelve years from the date of the last entry and shall then be destroyed:

Civil Registers Nos. VI and XIV.

Criminal Registers Nos. I, III, VI and XIV.

22. Registers to be preserved for 6 years—The following judicial registers shall be preserved for six years from the date of the last entry and shall then be destroyed:

Civil Registers Nos. XVI, XVIII, XXI-A, XXI-B and XXV.

Criminal Register No. XV.

Miscellaneous Register B.

Provided that Civil Register No. XVIII and other registers mentioned in this Rule shall be preserved for a longer period, if necessary. Such registers shall be preserved for a period of at least 3 years after the date on which all dues in respect of deficiencies in stamp duty and Court-fees pointed out by Stamp Auditors are recovered or written off.

23. Registers to be preserved for 3 years—The following judicial registers shall be preserved for three years from the date of the last entry and shall then be destroyed:

Civil Registers Nos. VII, VIII, IX, XII, XVII, XXI-C, XXII and XIII.

Criminal Registers Nos. V, VI, XI, XII and XIII.

Miscellaneous Registers C, D, E and F.

24. Instructions regarding destruction of Civil Register No. XX and Miscellaneous Register M.—Civil Register No. XX and Miscellaneous Register should be treated as follows:

When a book is full, the names of the peons still in service or of the petition-writers still holding licences should be copied into a new register and the old register destroyed.

25. No Judicial register to be destroyed.—No Judicial Registers shall be destroyed except as directed above.

D. Other Papers

26. Regarding personal file of officers, and ministerial and menial servants—Personal files of all officers and ministerial and menial servants of Government:

(a) who die while in service, shall be preserved for three years after their death and then destroyed, provided there are no outstanding claims on the part of their heirs; and

(b) who have retired, shall be preserved until their death and then destroyed, provided that no file shall be destroyed before three years from date of retirement when death occurs within three years of retirement.

27. Destruction of vouchers relating to contingencies—Vouchers relating to contingencies should be preserved for 3 years and then destroyed, this period being reckoned from 1st January following the date of payment.

28. Preservation of records relating to Sheriff's Petty and Civil Court Deposit Accounts—The records relating to Sheriff's Petty and Civil Court Deposit Accounts shall be preserved for the period noted against each in the subjoined statements.

Civil Court Deposit Accounts Registers and Forms	<i>Period for which it is proposed to preserve the</i>
---	--

<i>Number</i>	<i>Heading</i>	<i>registers etc.</i>
Form No. 1	Note Book of Execution Bailiff	3 years
Form No. 2	Register of Receipts (Cash system)	Permanently
Form No. 3	Register of Receipts (Voucher system)	Do
Form No. 4	Register of Disbursement (Cash system)	12 years
Form No. 5	Cash Book (Cash system)	Permanently
Form No. 6	Receipt Form (Cash system)	6 years
Form No. 7	Voucher Form (Cash and voucher systems)	One year from the date of last audit
Form No. 8	Cheque Form (Cash system)	3 years
Form No. 9	Challan Form (Cash and voucher systems)	6 years
Form No. 11	Treasury Pass Book (Cash system)	Permanently
Form No. 12	Extract register of receipts (Cash system) (From 28 Civil Account Code, Volume I).	6 years
Form No. 13	Clearance Register (Cash system)	Do
Form No. 14	List of repayments (Cash system) (Form No. 47, Civil Account Code, Volume II)	3 years
Form No. 15	Lapsed Deposits (Cash system) (Form No. 29, Civil Account Code, Volume I)	Permanently
Form No. 16	Refund of lapsed deposit (Cash and Voucher system) (Form No. 30, Civil Account Code, Volume I).	3 years

Civil Court Deposit Accounts Registers and Forms		<i>Period for which it is proposed to preserve the registers etc.</i>
<i>Number</i>	<i>Heading</i>	
Form No. 17	Intermediate Register of money-orders, etc.	One year from the date of last audit.
Form No. 18	Stock Book of Forms of Receipt Books/Cheque Books.	One year from the date of last audit.

SHERIFFS' PETTY ACCOUNTS

Sheriffs' Petty Accounts Registers and Forms

<i>New Number</i>	<i>Heading</i>	<i>Old Number</i>	<i>Heading</i>	<i>Period for which it is proposed to preserve the Registers</i>
Form No. 1	Register of Receipts	Register A	Register of Receipts	Permanently
Form No. 2	Register of Disbursement	Register B	Showing payments	12 years.
Form No. 3	Cash Book	Register C	Showing receipts and disbursements and cash balance in hand of Agent each day	Permanently
Form No. 4	Treasury Pass Books			Permanently
Form No. 5	Receipt Form	Form G	Receipt Book	Six years from the date of last entry in the cash book
Form No. 6	Register of processes including warrants, etc.	Register D	Register of processes and warrants etc.	Three years from the date of its last entry, but subject to the condition mentioned against Form 8.
Form No. 7	Note Book of Process Servers	Form H	Note Book of Process Servers	As Against Form No. 6
Form No.	Payment Order	Form I	Court Payment	One Year from the date of last audit and if at the last audit any objection was raised in connection

<i>New Number</i>	<i>Heading</i>	<i>Old Number</i>	<i>Heading</i>	<i>Period for which it is proposed to preserve the Registers</i>
8	Form		Order	with any documents or records they should be retained until the next audit, and should not be destroyed until one year has elapsed since the removal of the objection originally raised.
Form No. 9	Challan Form	Form J	(a) Memo to accompany remittance of surplus money to the treasury	6 Years
	Form K	(b) Of monthly balance to the treasury		
	Form L	(c) Consolidated Memo of remittance to the treasury.		
Form No. 10	Cheque Form			3 years
Form No. 11	Statement of lapsed deposit (Form 29, Civil Account Code, Volume I)			Permanently
Form No. 12	Voucher for Refund of lapsed deposits Form No. 30, Civil Account Code, Volume I			3 years
Form No. 13	Stock Book of Form of Receipt Books and Cheque Books	Form M	Stock Book of Forms	As against Form No. 8

Note— The main principle which should guide the destructions of accounts records should be that so long as an objection is outstanding and the accounts have not been completely checked

and accepted in audit, they and the supporting documents should not be destroyed even though the period of preservation prescribed in the rules may have expired.

(Punjab Government letter No. 8026-FR-53/8147, dated the 4th November, 1953)

1 Substituted vide Notification No. 205/Rules/DHC dated 16-10-2003.

1. Inserted vide Notification No. 205/Rules/DHC dated 16-10-2003.

1. Inserted vide Notification No. 205/Rules/DHC dated 16-10-2003.

2. Inserted vide Notification No. 205/Rules/DHC dated 16-10-2003.