

CHAPTER - V

INSPECTION

1. PROFORMA

C.L. NO. 102/H DATED 19TH SEPTEMBER, 1978

It encloses questionnaire/proforma for guidance at the time of making inspection of the various courts and offices.

[Note: For questionnaire/proforma please see Appendices.]

2. INSPECTION BY JUDGES OF THE HIGH COURT

G.L. NO. 70/H DATED 18TH OCTOBER, 1948

When Hon'ble the Chief Justice or the Hon'ble Judge in the Administrative Department is likely to inspect the civil courts at a station, his tour programme and detailed instructions are sent to the District Judge concerned in due course; but meanwhile they should have statements in the usual form prepared, three copies for each court so that all statements, explanations, etc. may be ready for the use of the inspecting Judge in good time.

3. VISIT OF ADMINISTRATIVE JUDGE

C.L. NO. 118 DATED 15TH SEPTEMBER, 1975

The following guidelines should strictly be adhered to by all the District Judges in connection with the Administrative Judge's visit: -

1. Accommodation should be reserved for him in the Circuit House, Canal Administrative Quarters or Inspection House or P.W.D. Inspection House in order of merit. In the Circuit House the best available suite should be reserved and, in case of an Inspection House, the whole of it should be reserved.
2. No police pilot should be arranged to receive him at the out-skirts of the town, but at the entrance of the town or at the first main crossing of roads near the entrance, a uniformed Chaprasi should be deputed to lead him to the place of stay.
3. The District Judge (or Additional District Judge not at the headquarters) need not be present at the place of stay, or await his arrival and certainly no judicial officer should be there to receive him.
4. There should be no garlanding and no guard of honour by the police either on his arrival or on his departure.
5. The District Judge or Additional District Judge should not spend anything on him or on his staff. They should not collect money to meet any expenditure in connection with his visit without his permission.
6. The District Judge should prepare a programme of his visit. It should include the following:
 - (1) A visit to the civil courts.
 - (2) Meeting with all the civil judicial officers at the station collectively and individual interviews for any of them who want it. At the meeting of all the judicial officers

the District Judge should have ready a statement showing the names of the officers, dates of their posting in the district and their powers. This meeting may conveniently take place in the chambers of the District Judge, also interviews granted to officers seeking them.

- (3) A visit to the Civil Court Bar Association. It must be explained to the President that it is an informal visit in which there should be no speeches or welcome address of any kind, no refreshments and no garlanding. The visit would take 30-45 minutes. The most convenient time for this visit would be during lunch interval. Otherwise it can be just after the work of the day is over or just before the work starts.
- (4) Interviews with leading members of the Bar, 5 to 8, depending upon the importance of the Bar Association. It may be better for the District Judge to get the list from the President of the Civil Court Bar Association, but he may for good reasons amend it by additions, subtraction or alteration. Each interview may be allowed 10-15 minutes. These interviews may take place at the place of stay or in the District Judge's chambers. If any member of the Bar not in the list asks for an interview it should be arranged for and five minutes may be allowed to him.

The District Judge should see that the Food Control Order, if any, in force in the district, is not infringed in connection with any function to which the Administrative Judge is invited. No permission from the District Magistrate should be obtained for any such function.

C.L. NO. 5101/IC-34 DATED 9TH MAY, 1950

Paragraph 204 of the Police Regulation is reproduced below for the information of and necessary action at the proper time by all District Judges and Additional District Judges and Munsifs not at the headquarters of the Judgeship:

“204. A guard of one head constable and three constables will be provided for the Commissioner of a Division, the Inspector General of Police and the Deputy Inspector General of Police when on tour. A similar guard may also be provided at places other than Allahabad and Lucknow for the Hon'ble Judge of the High Court and the Administrative Member of the Board of Revenue when he visits such places during the course of his tour of inspection.

Such guards may be supplied by the Superintendent of each district, which the officers on tour visit. The Superintendent of Police of such district will, if necessary, apply to the Deputy Inspector General of Police for relief from his range reserve in which allowance for such claims have been made.

4. INSPECTION BY DISTRICT JUDGE

C.L. NO. 79 DATED 15TH DECEMBER, 1960

The District Judge should inspect the work of the new Munsif posted to his district on his first appointment, within three months of his posting and should submit to the High Court the inspection note recorded by him without waiting for the compliance.

C.L. NO. 2437 DATED 27TH JULY, 1903

Court has had occasion to notice that some District Judges, in submitting their notes of inspection of subordinate courts, forwarded at the same time a report by their Munsarim on the working of certain department of the office under inspection. The Court has no objection to a subordinate official being deputed to verify points on which a District Judge desires to have fuller information but it considers that the inspection of a subordinate Court and of its office and the report thereon should be the work of the Judge himself.

C.L. NO. 71/IVF-79 DATED 31ST OCTOBER, 1964

Inspections of the subordinate courts and offices should be made by the District Judges or the officiating District Judges themselves, and not by Additional District Judges or other officers holding charges of the work of the District Judges in their absence or for any other reason as required in rule 610 Chapter XXVI of General Rules (Civil) 1957, Volume I.

C.L. NO. 130 DATED 28TH AUGUST, 1974 SUPERSEDES

C.L. NO. 66/H DATED 2ND JUNE, 1970

District Judges are required to inspect the work of Additional District and Sessions Judges. They may authorize one or two senior Additional District Judges to inspect the court of Munsifs.

C.L. NO. 12 DATED 27TH FEBRUARY, 1965

The District Judges are expected to answer the requirements of inspection contained in the Court's General letter no. 111/35(a)-2, dated January 11, 1921 by devoting one day to the Courts of Munsifs, Civil Judges not invested with sessions powers and additional courts and two days time to the courts of Civil Judges exercising sessions powers and Additional District Judges. Inspection of Nazarat, Copying Department and Record Room may be made by devoting one day to each of them.

C.L. NO. 133/ADMN. (B) DATED 20TH DECEMBER, 1969

District Judges should make regular inspections, at least once in a year, of the courts of Chief Judicial Magistrates and judicial officers doing criminal work and their offices and furnish their inspection notes with compliance reports to the Court. While making inspections of the aforesaid courts and offices, the following items should also be taken into consideration:-

1. Accommodation for courts and offices
2. Furniture
3. Notice Boards
4. Pending file
5. Diaries
6. Maintenance of registers by the office
7. Weekly cause list

8. Handling of cases with reference to :
 - (a) Granting remands
 - (b) Cases of under-trials in jail, if taken up expeditiously,
 - (c) Bail orders, if properly passed,
 - (d) Securities, if properly accepted,
 - (e) Charges, if framed properly,
 - (f) Summoning of witnesses and service on them,
 - (g) Adjournments, if properly granted,
 - (h) Commitment proceedings: -
 - (i) If all witnesses of fact and medical witnesses for the prosecution examined.
 - (ii) If calendars prepared properly,
 - (iii) Whether documents given to the accused at the proper stage as required by section 173, Criminal Procedure Code,
 - (iv) Whether proper control exercised over the proceedings and recording of evidence.
 - (v) Examination of records of about 20 pending cases of various types.

C.L. NO. 15/VIII-B-6 DATED 23RD JANUARY, 1952

While inspecting subordinate courts, District Judges should look into the manner of disposal of interlocutory applications by presiding officers and the court staff. Presiding Officers should also, when inspecting the work of their clerks, see how the office has dealt with such applications.

C.L. NO. 30/VIII-B-121 DATED 14TH MARCH, 1953

District Judges should while inspecting the courts also see whether the case diary prescribed under rule 401, Chapter XVI of the General Rules (Civil), 1957 has been properly maintained by presiding officers in their own hand.

C.L. NO. 46/VIIIB-121 ADMN.(G)(8) DATED 20TH JULY, 1983

The District Judges should ensure strict compliance of directions regarding maintenance of diary by Presiding Officers in their own handwriting while inspecting the courts; they should particularly see this matter and it should find mention in the inspection notes.

C.L. NO. 13 DATED 20TH DECEMBER, 1902

District Judges should also see whether a blank page has been inserted at the beginning of each copy of General Rules (Civil) and (Criminal) and the serial number of each correction slip received from the press has been noted thereon alongwith (a) the date of amendment and (b) the number of the rule amended; and mention in his inspection notes whether the copy of the Rules is up-to-date.

C.L. NO. 15/H-150 DATED 27TH FEBRUARY, 1950

District Judges will be allowed credit for inspection work according to the actual time spent by them provided it is considered reasonable by the High Court.

5. INSPECTION BY OFFICER-IN-CHARGE

C.L. NO. 61/VIIIB-82 DATED 20TH MAY, 1980

In all the judgeships the officer-in-charge, copying-section, should make frequent surprise visits to copying section in order to streamline its working and to remove the bottlenecks.

C.L. NO. 107 DATED 17TH OCTOBER, 1952

An annual check of the go down by the officer-in-charge and an occasional check by the District and Sessions Judge are necessary and should be made.

6. INSPECTION BY CHIEF JUDICIAL MAGISTRATES

(i) Of under trials in jail

G.L. NO. 38/ADMN. (B) DATED 9TH DECEMBER, 1968

The Chief Judicial Magistrate (Now Addl. Chief Judicial Magistrate vide C.L. No. 198/Admn. Dated 10.12.76) alone shall inspect the jail at least once in a month to ascertain the position of the under-trials and send a copy of his inspection note to the District Judge for necessary action in regard to his findings. He will be allowed half-day for this work.

(ii) Of courts and offices

G.L. NO. 1/ADMN. (B) DATED 3RD SEPTEMBER, 1974

The Chief Judicial Magistrates and Judicial Magistrates shall inspect their offices effectively in every branch once in every quarter as provided in rule 611 of General Rules (Civil), 1957.

The Chief Judicial Magistrates shall also make quarterly inspections of the courts and offices of the Judicial Magistrates including Munsif Magistrates (in so far as their criminal work is concerned) and Special Judicial Magistrates and submit their inspection note to their District Judges, Such inspections will not ordinarily take more than a day for each court inspected by them.

C.L. NO. 198/ADMN. (A) DATED 10TH DECEMBER, 1976

The Court has been pleased to allocate the Administrative work hitherto done by the Chief Judicial Magistrates as under:

The Chief Judicial Magistrates will as far as possible, assign half the officers to be inspected by him and the rest by the Additional Chief Judicial Magistrates. The inspection notes of the District Judge/Chief Judicial Magistrates/Additional Chief Judicial Magistrates will be sent to the successor-inspecting officer. Henceforth all the District Judges will also inspect the criminal work of the Judicial Magistrates and Munsif Magistrates in addition to civil work.

Jail inspections will be made by the Additional Chief Judicial Magistrates only.

C.L. NO. 82/VIIIG-38 ADMN. G DATED 18TH DECEMBER, 1981

The Chief Judicial Magistrates should while inspecting the jails make a note from the jail records about the number of under trials confined in the jail, the offence under which a particular prisoner has been charged, the date from which he is confined in jail, reasons for his continued detention and other relevant materials. If he is released during the period after the date of the last inspection then the date of release and the cause of release, e.g., disposal of case, grant of bail

etc., should also be noted. They shall also maintain proper record of these findings and send copy to District Judge.

C.L. NO. 115/ADMN. (A) DATED 3RD OCTOBER, 1979

The Chief Judicial Magistrate/the District Judge of the place where the Railway Magistrate has his headquarter is alone entitled to inspect the work of the Railway Magistrate.

C.L. NO. 58/H-ADMN. (D) DATED 26TH MAY, 1978

The Executive Magistrates and the Deputy Revenue Officers are also under the subordination of the Chief Judicial Magistrates under section 15 Cr.P.C. in so far as their judicial work is concerned, their courts should also be inspected by the Chief Judicial Magistrates like the courts of the Judicial Magistrates, Munsif Magistrates and the whole-time Special Judicial Magistrates.

C.L. NO. 15 DATED : 1ST APRIL, 1997

Inspection of Courts and Offices of Executive Magistrates etc., by the Chief Judicial Magistrates

I am directed to refer to the Court's Circular Letter No. 58/H-Admn.(D) dated May 26, 1978 on the above subject and to ascertain whether the instructions contained in the said Circular Letter are being followed now and the Chief Judicial Magistrates are inspecting the offices of the Court of Executive Magistrates and Deputy Revenue Officers, who have been appointed as Special Judicial Magistrates under Section 13 Cr.P.C.

I am, therefore, to request you to kindly inform the Court immediately whether the said Circular Letter issued by the Court is being followed or not.

C.L. No. 12 dated 24th March, 2005

Inspection of the Courts of Sub Divisional Magistrates by the Chief Judicial Magistrate.

Upon a careful consideration of the matter regarding inspection of the Courts of Sub Divisional Magistrates by the Chief Judicial Magistrates, the Hon'ble Court has been pleased to direct that the Chief Judicial Magistrates shall inspect the Court of Sub Divisional Magistrates performing duties of Judicial Magistrate in relation to offences punishable under Section 198-A of the U.P. Z.A. & L.R. Act, 1950.

Therefore, I am directed to request you kindly to bring the above to the notice of all concerned for their information and necessary compliance.

7. INSPECTION BY OTHER AUTHORITIES

(i) Inspection by Munsarims

C.L. NO. 26/2-C DATED 17TH MARCH, 1951 AND

C.L. NO. 145/VE-42 DATED 23RD NOVEMBER, 1971

It has been brought to the notice of the Court that irregularities have been committed in a number of judgship resulting, in some instances, in the defalcation of government money. It appears that the prescribed rules are not strictly followed and the assistants are able to disregard the rules because their work is not regularly inspected by the Munsarims.

The Court considers it necessary that Munsarims should inspect in detail the work of all clerks and more particularly of clerks dealing with accounts, preparation of bills and payment orders at least once every six months.

District Judges are, therefore, requested to give necessary instructions to all Munsarims in their judgship. The inspection notes should be submitted to District Judges and the Court expects them to see that inspections are made regularly and are detailed and effective.

(ii) Inspection by inspectors of offices and stamps

G.L. NO. 26/180 DATED 9TH JUNE, 1933 READ WITH

G.L. NO. 39 DATED 8TH SEPTEMBER, 1933 AND MADE APPLICABLE TO AVADH COURTS UNDER C.L. NO. 49/X-10 DATED 26TH AUGUST, 1950

The Inspectors of Stamps and Offices who check stamp duties and also look into procedure in revenue offices will be available for the inspection in the civil courts of the following:-

- (1) Official Receiver's accounts.
- (2) Nazarat
- (3) Copying Department
- (4) Library
- (5) Stationery
- (6) Record Room.

(Sanctioned by Governor under Finance Department G.O. No. A-585/X-224, dated August 17, 1933)

G.L. NO. 40/180-2(9)-2(10) DATED 1ST JUNE 1937

Inspectors of Stamps as well as Inspectors of Offices are allowed to make inspection of the offices of the civil courts.

G.L. NO. 36/180-18(7) DATED 21ST JULY, 1938

(Withdrawn by C.L.No 2 dated 18th January, 2000.)

The Chief Inspector of Offices, at the request of the High Court inspects civil courts offices in order to assist District Judges and presiding officers in maintaining proper control over them. District Judges and presiding officers are not, of course, responsible to the Chief Inspector for the action, which they take on his inspection notes but they should inform him of the final orders they pass upon those notes so that he may be able to carry out his inspections with

efficiency from year to year. The Chief Inspector of Offices is authorized to ask for this information if it is not supplied.

C.L. NO. 2 DATED 18TH JANUARY, 2000

Recall of Court's C.L. No. 36/180/18(7), dated 21.7.1938.

I am directed to inform you that the Court has reviewed its C.L. No. 36/180/18(7), dated 21.7.1938 by which the Chief Inspector of Offices were conducting inspection of Civil Courts Offices. Now the Court has recalled the aforesaid Court's circular letter No. 36/180/18(7), dated 21.7.1938.

C.L. NO. 32-180-3(7) DATED 7TH JULY, 1939

With the amalgamation of the posts of Inspector General of Registration and Chief Inspector of Stamps with effect from July 2, 1938, the respective inspectorates viz., Inspectorate of Stamps and the Inspectorate of Registration Offices were also amalgamated into a combined service.

Inspectors of Registration and Stamps should be given all possible facilities for carrying out their duties efficiently and the presiding officer of the court which is inspected should be responsible for seeing that these facilities are given.

Part-time services of one of the court peons should also be allowed to the Inspectors during the course of their inspection if and when necessary.

C.L. NO. 96/XA-4 DATED 1ST OCTOBER, 1958

If any head of department desires to get his office or any of the subordinate offices under him inspected by the Inspectorate of Offices in connection with proposals for extra staff, he should submit the proposal to Government in the administrative department concerned. Such references should in no case be made direct to the Chief Inspector of Government Offices.

(iii) Compliance of inspection report

C.L. NO. 59/XC-10 DATED 2ND MAY, 1952

The Inspector of Government Offices will, after completing, hand over or forward to the District Judge concerned, two copies of his inspection note. One of these will be forwarded by the District Judge to the Court without delay and the other will be retained in his own office for taking necessary action thereon and for submitting a report to the Court as to the action taken by him.

C.L. NO. 110/X-C-10 DATED 11TH NOVEMBER, 1953 AND

C.L. NO. 65/X-E-10 DATED 27TH APRIL, 1974

The above compliance report should be submitted to the Court in duplicate as soon as possible or positively within one month of the receipt of the inspection note and should deal with the objections separately, and not on the margin of the notes, paragraph by paragraph. No report should be sent directly to the Chief Inspector of Offices.

C.L. NO. 51/X-C-10 DATED 26TH AUGUST, 1950

District Judges shall see that the defects and irregularities brought to their notice as a result of the inspection of their offices by the Inspector of Offices are not repeated.

8. GENERAL INSTRUCTIONS

G.L. NO. 12/H-1 DATED 14TH FEBRUARY, 1948

The Court has noticed that in spite of the provisions in the rules and the instructions issued by it, District Judges have not been inspecting their subordinate courts regularly, and in the majority of cases inspections are not as detailed and exhaustive as necessary. It is perhaps not realized that inspections are intended to serve a specific purpose, and that purpose is defeated if District Judges inspect the courts subordinate to them only superficially. Inspections should be given the same attention and importance as other administrative work.

C.L. NO. 11/H-2-51 DATED 31ST JANUARY, 1915

The Court views with concern a general tendency on the part of the District and Sessions Judges to overlook the instructions issued by it from time to time, particularly in the matter of the inspection of subordinate courts. An occasional lapse may be overlooked but a repeated breach of these instructions betrays a lack of appreciation of the object of such instructions.

District Judges would be well advised to keep handy at one place a complete list of the directions issued by the Court on the subject of inspections. A cursory glance at these instructions immediately before an inspection is made would focus the attention of the inspecting officer on the points requiring his attention and would make the inspection much more methodical and useful than an average inspection is at present.

An inspection carried out in the spirit of a mere formal compliance of the instructions issued by the Court is bound to defeat the very object of such inspections and cannot lead to any useful result. The most common defects noticed in inspection notes are indicated below:

- (a) Inspections are not made regularly. To avoid this, District Judges should maintain a statement showing the dates on which various courts and offices were inspected by presiding officers or by the District Judge. This statement should be examined by the District Judge from time to time and necessary instructions issued to the presiding officers of the courts subordinate to him. It will also remind him about his own inspections.
- (b) Inspections are not done in the prescribed manner. If each officer adopts his own method, there can be no uniformity. This leads to confusion. The method indicated by the Court should be adhered to so far as practicable. Copies of inspection notes should, as a rule, be forwarded to this Court within a month from the date of inspection.
- (c) Confidential notes by the District Judge concerning the presiding officers of the courts inspected are not sent alongwith copies of inspection notes. This should be done in future. In any case the confidential notes should be forwarded to the Court as soon as after the submission of a copy of the inspection note as possible.
- (d) Full particulars of cases pending in this Court or any other court on account of which proceedings are held up in the subordinate court inspected are not always found in the inspection notes and this entails much avoidable correspondence. In future, full particulars of such cases should be given in the notes.

While inspecting a subordinate court, special care should be taken to see if the instructions issued by the Court, in the matter of arrangement of cause list, fixation of dates,

examination of parties, clearance of pleadings, proper maintenance of diary and order-sheet, settlement of issues, early preparation of decrees, issue of commissions and expeditious disposal of execution and miscellaneous cases, etc. are followed by the presiding officers.

C.L. NO. 49 DATED 22ND APRIL, 1970

In view of the fact that the annual remarks are recorded for the period April 1 to March 31 and the work of inspection by the District Judges has increased greatly, the instructions contained in Courts' General letter no. 12/1, dated February 14, 1948 and Circular Letter no. 11/H-2-51, dated January 31, 1957 in so far as they relate to the period for making inspections have been modified to the effect that a District Judge shall inspect his vernacular office and other offices under him during the period April 1 to June 30, and all courts subordinate to him during the period October 1 to March 31. In case the number of courts subordinate to him is very large, he shall inspect them during the period July 1 to March 31. The time schedule for inspections as given in the Court's Circular Letter No. 12, dated February 27, 1965 shall be strictly adhered to.

G.L. NO. 1010/H-1 DATED 22ND FEBRUARY, 1928

It sometimes occurs that the inspection notes of a court made by a District Judge or Additional District Judge do not reach the court concerned until the officer who was presiding at the time of the inspection has been transferred. District Judges should see that whenever this occurs, a copy of the note is sent to the officer concerned, wherever he may be.

C.L. NO. 49/H-ADMN. (D) DATED 25TH APRIL, 1979

The District Judges and the Chief Judicial Magistrates should personally ensure that compliance reports are invariably sent alongwith the inspection notes, to the Court.

Henceforth, the inspection notes shall be submitted to the Court within one month of the date of inspection, accompanied with compliance report.

C.L. NO. 33-H DATED 26TH MARCH, 1953

A guard file of inspection notes may be maintained for each court. All inspection notes should be pasted to these guard files and a fresh guard file should not be started until the current one has been completely used up. These guard files will enable a continuous record of inspections to be maintained in each court in the judgeship.

C.L. NO. 36/98 DATED 20TH AUGUST, 1998

Inspection of various courts and offices by the Officers and District Judges

It has come to the notice of the Hon'ble Court that the inspections made by the District Judges and the Presiding Officers are not searching. They are stereotyped. The Officers are directed to make searching inspections and may seek other informations in addition to what have been set in the proforma issued by the Hon'ble Court for the inspection of the courts. A duty is cast upon the District Judges that in the inspections they should give special attention to the disposal of the old cases. The District Judges are further directed to take care that as far as possible new cases are transferred to the courts of Civil Judge (Junior Division) initially by the parent courts. While inspecting the offices and Nazarat the District Judges must ensure that sufficient infrastructure has been provided to the court.

I am, therefore, directed that the directions contained above may be strictly complied with.

9. INSPECTION OF RECORDS

(i) Central Inspection Room

C.L. NO. 27/BUDGET DATED 15TH FEBRUARY, 1977

Each judgeship should have a centralized place for inspection and making enquiries.

At least three or four clerks must have become surplus in the copying department as a result of the provision for typewriters in that department. The District Judges should utilize the services of such surplus clerks in providing for central inspection room and enquiry office. One or two peons or orderlies may also be provided to the inspection and enquiry room. They have to inform the relevant office of the court from where records have to be obtained and the peon or orderly attached to that court may be required to take the record to the inspection room and bring it back to the relevant office.

Once a centralized inspection room and enquiry office have been established and got going, entry of everyone, namely, lawyers or their clerks or the litigants must be strictly banned from offices of the courts. All inspections, as well as enquiry work, must be done through the central rooms.

This system, however, will not apply to courts situate in outlying places.

(ii) Inspection by Government

C.L. NO. 113 DATED 5TH DECEMBER, 1958.

Rule 229, General Rules (Civil), 1957, is not meant to help an officer or representative of the Government conducting a case to which Government is a party. The proper discretion for Presiding Officers to exercise in such cases will be to decline the request for inspection of the record without payment of the requisite fee.

In case where the Government for some administrative reason want to inspect a record, the Presiding Officer should exercise his discretion under the above rules in favour of the Government.

C.L. No. 12/VIII-a-40; dated 31st January, 1953

Prosecuting Inspectors and Prosecuting Sub-Inspectors may be permitted by District and Sessions Judges to inspect the records of sessions cases.

C.L. No. 79/Admn. (D); dated 23rd October, 1980

All possible cooperation and facility should be extended to the Investigating officers of the Crime and Investigation Department for making the necessary records available to them at the earliest.

If retention of copies of the records made available to the Crime Department is considered necessary, Photostat copies thereof may be prepared and kept for record.

(iii) Application for information

C.L. No. 34/VIII-b-278; dated 4th April, 1968

Applications for information under rules 224 and 225 of the General Rules (Civil), 1957, Volume I, should be entered in a register maintained in the following form:-

S. No	Date of Application	Name of applicant	Particulars of the case	Brief description of information sought	Date when information furnished to the applicant	Signature of the recipient of information	Remarks
1	2	3	4	5	6	7	8

10. INSPECTION NOTES

C.L. NO. 29/H/Admn. (D) dated 19th March, 1990

Inspection notes recorded by the District Judges and Chief Judicial Magistrates.

I am directed to say that in spite of detailed directions contained in the various circular letters, issued by the Court on the subject, it has come to the notice of the Court that when queries are made from the District Judges regarding the compliance of the directions, issued by them during the course of inspection, the reply generally sent by them is that the official/officer concerned has noted the directions for compliance without actually obtaining the signatures of concerned officer/official and without sending the extract of the note along with the compliance report, which makes it to appear that the directions have not been complied with or noted for compliance.

It is, therefore, requested that in future such compliance reports be submitted duly noted and complied with by all concerned along with extract of the note containing the compliance report.

Your attention is also drawn to the Court's C.L. No. 102/H/Admn. (D), dated 19.9.78 and C.L. No. 49H/Admn. (D) dated 25.4.79 which contain the proforma of surprise inspection note as well but it is generally noted that surprise inspection notes are not sent on prescribed proforma with the result that certain important information are not received in the Court.

The inspection notes are also not being submitted within the prescribed time, which is only one month from the date of inspection as provided in the aforesaid Circular Letter dated 25th April, 1979.

I am, therefore, to request you to kindly send the inspection notes duly complied with well within time and in case of surprise inspection, the notes should be on the prescribed proforma and compliance thereof should also be ensured before sending copy of the inspection note to the court.

11. JOINT VISITS TO THE JAIL

C.L. NO. 82/VIIIF-9/inspection section Dated 12th September, 1994

Joint visits to the jail by the District Judge, the District Magistrate and the Senior Superintendent of Police.

In continuation of earlier Court's General Letter No. 38/Admn. 'B' dated 9.12.1968 and Court's Circular Letter No. 196/Admn. 'A' dated 10.12.1976 and C.L. No. 82/VIIIg-38 Admn. 'G' dated 18.12.1981, I am directed to say that there should be quarterly visits to the jail in each Sessions Division and such periodical visits should be conducted by the District Judge, the District Magistrate and the Senior Superintendent of Police. The visit should be made by them personally. It may please be ensured that they be not permitted to depute any one else to the jail on their behalf at such joint inspection. The District Judge will keep in touch with the District

Magistrate and Senior Superintendent of Police and start such joint visits to the jail as early as possible.

I am, therefore, to request that inspection reports of such joint periodical visits to the jail be prepared by District Judge and sent to this Court in time.

C.L. NO. 9/ADMN.'G' DATED 9TH FEBRUARY, 2000

Joint visits to the jail by the District Judge, the District Magistrate and the Senior Superintendent of Police.

In continuation of marginally noted circular letters. I am desired to inform you that National Human Rights Commission deprecated about the inhuman conditions of the under trials languishing in jails. Commission has also been appalled by the spectacle of overcrowding, insanitary conditions and mismanagement of prison administration. The problem is further compounded by lack of sensitivity on the part of the prison staff to the basic human rights of the prisoners.

It has been provided in U.P. Jail Manual that District & Sessions Judges to function as ex-officio visitors to jails within their jurisdiction so as to ensure that prison inmates are not denied certain basic minimum standards of health, hygiene and institutional treatment. Prisoners are in judicial custody and hence it is incumbent upon the Sessions Judges to monitor their living conditions and ensure that humane conditions prevail within the prison walls also. Time to time Hon'ble Supreme Court has also directed that the District & Sessions Judges must visit prisons for proper management of prison administration. He should make expeditious enquiry into the grievance of the prisoners and take suitable corrective measures.

1. **C.L. No. 82/VIII f-Inspection Section dated 12.9.94**
2. **C.L. No. 82/VIII G-38 Admn.'G' dated 18.12.81**
3. **C.L. No. 198/Admn. (A) dated 10.12.76**

Further, pursuant to the directions of Hon'ble Supreme Court, it is also essential that the joint inspection of the prisons by the District & Sessions Judge, District Magistrate and Senior Superintendent of Police be made to take necessary corrective measures so that the grievance of the prisoners is immediately attended and they are provided speedy justice, which is a facet of Article 21 of the Constitution.

I am, therefore, to request you that at regular intervals joint inspection of the jails may please be made to review the conditions of the prisoners.

C. L. NO. 34/2006 : DATED: 7.8.2006

Concern over the plight of the children living in Jails on account of arrest of their mothers for certain criminal offences.

The Hon'ble Supreme Court while disposing of the Writ Petition (C) No. 559 of 1994-R.D. Upadhyay Vs. State of A.P. & Ors. Has deprecated the plight of children living in Jails along with their incarcerated mothers in really difficult conditions and suffering from diverse deprivations relating to food, health, accommodation, education and recreation etc.

In this regard, I am directed to enclose herewith a copy of judgment and order passed by Hon'ble Apex court and to say that while making inspection of the jails, the District Judge of the concerned district shall ensure that the provisions as contained in Constitution of India, Juvenile Justice (Care and Protection of Children) Act, 2000, Jail Manual as well as other provisions of relevant rules, regulations, instructions etc. concerning children are being suitably followed in letter and spirit.

Further pursuant to the directions of Hon'ble Supreme Court, it is also essential that the joint inspection of the prisons by the District Judge, District Magistrate and Senior Superintendent of Police be made on regular intervals to take necessary corrective measures so that grievances of the children living in jails with their mothers are immediately attended to and they are provided facility as per the provisions contained in relevant rules, regulations, instructions etc.

I am, further to add that the Courts dealing with cases of women prisoners whose children are in prison with their mothers are directed to give priority to such cases and decide their cases expeditiously.

I am, therefore, to request you to kindly ensure compliance of the directions as contained in the judgment and order of Hon'ble Supreme Court aforesaid as well as in Court's Circular letter punctually and faithfully.

C.L. NO. 67/ DATED 17TH DECEMBER, 1996

Information of Jail visits by District/Sessions Judges and Report regarding Sanitary Conditions in the Jail.

Hon'ble Chairperson, National Human Rights Commission has sent a letter to Hon'ble the Chief Justice of the High Court, copy of which is being enclosed.

Hon'ble the Chief Justice has directed that the following information be obtained from all the District Judges in Uttar Pradesh.

Please provide the following information:

- How many jails exist in your district for the detention of prisoners and under trials.
- What is the capacity of the jail/Jails in your district?
- How many convicts/under-trials are in detention in the Jails?
- Whether the jail is over-crowded, keeping in view the capacity and the number of inmates in the jail?
- How are the sanitary conditions of the jail / jails in your district/
- How many times in a month/year you have visited the jail as Sessions Judge as ex-officio visitor of your jail within your jurisdiction?
- Have you prepared a note on the minimum standard of health, hygiene, institutional treatment and dispensing.
- How many times you alongwith the District Magistrate and the Superintendent of Police have visited the jail. Submit the statements of your visits.

- Have you visited the jail/ jails in compliance with the directions of the Supreme Court? Have you made enquiries into the grievances of the prisoners? Submit report about the remedy and action suggested by you?
- Whether grievance deposit box has been provided to the prisoners in the jail/ jails of your district?
- Inform whether any meeting of the District Judge, District Magistrate, and the Superintendent of Police of the districts has been arranged at regular intervals to review the conditions of the prisoners? If so, also send the reports of such meetings.

The aforesaid informations may kindly be sent to the Hon'ble Court latest by 20.12.1996.

I am, therefore, directed to request you to provide the aforesaid information at an early date.

C.L. NO. 16 VIIIH-/2006: DATED 4 MAY, 2006

Number of under trial prisoners together with the period of their detention and the status of their trial.

Recently the Court has noticed a number of instances of under trial prisoners anguishing in jails for a few decades. Such wretched cases illustrate the inconsiderateness of the justice delivery system and portray a rather dreary image of its functioning, having direct crash on human and constitutional rights of the prisoners. The Court is of the considered view that regular monitoring of the progress of the under trial prisoners by the Court itself and efficient inspection actually and meticulously investigating the number of under trial prisoners together with the period of their detention and the status of trial might help in avoiding the stoppable likelihood of having such inopportune and forgotten under trial prisoners as well expecting the trial of such prisoners.

Therefore, I am directed to request you to kindly ensure regular and valuable scrutiny of the progress of the trial of under trial prisoners by the Courts under our administrative control. I am further directed to demand that while making joint inspection of the District Jail under Court's Circular Letter No. 82/VIII-f-9/inspection Section dated 12.9.1994 make concrete and pains taking analysis of the number of under trial prisoners. Further also, the Chief Judicial Magistrate/Additional Chief Judicial Magistrate authorized to ascertain the position of the under trials under Court's G.L. No. 38/Admn. (B) dated 9th December 1968 read with Court's Circular Letter No. 198/Admn. Dated 10.12.1976 be directed to craft substantial and conscientious analysis of the number of under trial prisoners together with the period of their detention and the status of their trial. Still further, neatly typed quarterly report in regard to the number of under trial prisoners together with the period of their detention and the status of their trial as well minutiae of steps taken to accelerate the trial of such prisoners be recurrently sent so as to reach the Deputy Registrar (Administration) by the 10th day of the opening month of each next following quarter.

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ADDENDA

C.L. NO. 34/DR (S)/2005, DATED 19TH NOVEMBER, 2005

I am Directed to say that in the matter of transfer and posting of the judicial officers, the court has decided that on completion of normal tenure of posting i.e. (i) three years stay in the district including Additional Chief Judicial Magistrate (Railways) (ii) two years stay in an outlying court or at Sonbhadra upto July 31st 2006, the Judicial Officers shall be transferred subject to the following norms:

- (I) The officer will not be posted in his home town.
- (II) He will not be posted to a district where he was earlier posted within 6 years.
- (III) He will not be posted to any district falling in the zone in which he was earlier posted within 3 years.
- (IV) He will not be posted to any adjoining district of the other zone.
- (V) The bar on re-posting of an officer in the zone will not apply in cases in which the officers had been posted for a short period of less than 6 months.

I am to add that no. T.A. will be admissible to those officers whose request for premature transfer within two years of his posting to a particular station and one year in outlying courts or at Sonbhadra is accepted by the Court.

Officer posted in your Sessions Division may kindly be advised accordingly these norms shall not, however, be applicable to the District Judge, except no (I).

In this connection it is also pointed out that the Court has divided the State of U.P. into 7 zones and also formulated guide-lines in the matter of transfer and posting which are enumerated in Appendix "A" annexed herewith along with proforma of application.

This proforma regarding transfer duly filled-in, be forwarded to the Deputy Registrar (Services) on or before 31st day of January 2006.

(APPENDIX "A")

DIVISION OF U.P. IN ZONES COMPRISING DISTRICTS AS FORMULATED BY ADMINISTRATIVE COMMITTEE

(i)	KANPUR ZONE	Kanpur Nagar, Kanpur Dehat, Jhansi, Lalitpur, Hamirpur, Jalaun at Orai, Banda, Fatehpur, Mahoba, Unnao and Chitrakoot.
(ii)	GORAKHPUR ZONE	Gorakhpur, Deoria, Basti, Maharajganj, Sidharthnagar, Faizabad, Sultanpur, Pratapgarh, Kushi Nagar at Padrauna, Ambedkarnagar at Akbarpur and Sant Kabuir Nagar.
(iii)	BAREILLY ZONE	Bareilly, Pilibhit, Rampur, Budaun, Bijnor, Shahjahanpur, Moradabad and Jyotiba Phole Nagar.
(iv)	AGRA ZONE	Agra, Aligarh, Mathura, Farrukhabad, Etah, Etawah, Mainpuri, Firozabad, Hathras, Kannauj and Auraiya.
(v)	LUCKNOW ZONE	Lucknow, Hardoi, Raebareli, Gonda, Sitapur, Bahraich, Barabanki, Lakhimpur Kheri, Shrawasti at Bhinga and Balrampur.
(vi)	ALLAHABAD ZONE	Allahabad, Varanasi, Mirzapur, Sonbhadra, Ghazipur, Ballia, Mau, Azamgarh, Jaunpur, Bhadohi at Gyanpur, Chandauli and Kaushambi.
(vii)	MEERUT ZONE	Meerut, Muzaffarnagar, Saharanpur, Ghaziabad, Bulandshahar, Baghpat and Gautam Budh Nagar

2. GUIDELINES (FOR TRANSFER OF JUDICIAL OFFICERS OTHER THAN DISTRICT JUDGES)

- (I) Judicial officers will be due for transfer on completion of 3 years stay at headquarter including, Additional Chief Judicial Magistrate (Railways), 2 Years stay in an outlying courts, or at Sonbhadra.
- (II) No home town district be choiced by the Officer.
- (III) No choice of station where the officer has been posted during last 6 years be given.
- (IV) No choice of station within a zone in which the officer has been posted within 3 years be given.
- (V) No choice of adjoining stations of other Zone be given.
- (VI) The bar on re-posting of an officer in the Zone will not apply in cases in which the officer had been posted for a short period of less than 6 months.
- (VII) The officers who are serving beyond normal tenure of their posting at the same station may also send their choice of station.
- (VIII) The officers applying for stay/premature transfer may indicate choice of stations.
- (IX) As contemplated in C.L. No. I/DR(S)/75, dated 1.1.1975, no T.A. will be claimed by the officers whose request for premature transfer within 2 years of their postings at a particular station including Additional Chief Judicial Magistrate (Railways) is accepted by the Court. Besides whose request for premature transfer within one year of his posting in an out-lying court or at Sonbhadra is accepted by the Court. will not be entitled to get T.A. for the transfer.
- (X) The officers must send a list of stations in U.P. where their near and blood relations reside or carry on their professions, as also a statement of places where they received education as required under C.L. No. 25/Admn (A)/DR(S)/78. dated 16.3.1978.
- (XI) The proforma regarding transfer duly filled-in, be forwarded to the Court in the name of the Deputy Registrar (Services) on or before 31st of January 2006.

संख्या: 3670/60-3-04-(16ए0क्यू0)/2000

प्रेषक

के०एल०मीना
सचिव,
उत्तर प्रदेश शासन।

सेवा में,

1. समस्त सचिव/प्रमुख सचिव,
उत्तर प्रदेश शासन।
2. समस्त विभागाध्यक्ष,
उत्तर प्रदेश।
3. समस्त जिलाधिकारी
उत्तर प्रदेश।
4. समस्त मण्डलायुक्त,
उत्तर प्रदेश।

महिला एवं बाल विकास अनुभाग-3

लखनऊ: दिनांक 30 दिसम्बर, 2004

विषय: दहेज प्रतिषेध अधिनियम, 1961 एवं उत्तर प्रदेश दहेज प्रतिषेध नियमावली, 1999 यथासंशोधित 2004 के प्राविधानों का कड़ाई से अनुपालन कराया जाना।

महोदय,

दहेज एक सामाजिक बुराई है एवं इसको रोकने के लिए केन्द्र सरकार द्वारा दहेज प्रतिषेध अधिनियम बनाया गया है। अधिनियम के प्राविधानों के अन्तर्गत राज्य सरकार द्वारा उत्तर प्रदेश दहेज प्रतिषेध नियमावली वर्ष 1999 में प्रख्यापित की गई थी। माननीय सर्वोच्च न्यायालय में दहेज प्रतिषेध अधिनियम 1966 के प्रभावी अनुपालन हेतु एक जनहित याचिका दायर की गई, जिसमें सभी राज्य सरकारों को प्रतिपक्षी बनाया गया है। माननीय सर्वोच्च न्यायालय के निर्देशानुसार केन्द्र सरकार द्वारा वर्ष 1999 में मानक नियमावली परिचालित की गई। मानक नियमावली के अधार पर उत्तर प्रदेश दहेज प्रतिषेध नियमावली 1999 में कुछ नये प्राविधान जोड़े गये हैं, जिससे अधिनियम/नियमावली के प्राविधानों को कड़ाई से पालन हो सके एवं इस सामाजिक बुराई को दूर किया जा सके।

2. नियमावली (प्रतिलिपि संलग्न) के नियम-5 में यह व्यवस्था है प्रत्येक सरकारी सेवक अपने विवाह के सम्बन्ध में यह उल्लेख करते हुए अपने नियुक्ति प्राधिकारी/विभागाध्यक्ष को स्वहस्ताक्षरित घोषणा-पत्र प्रदान करेगा कि उसने कोई दहेज नहीं लिया है। यह व्यवस्था दिनांक 31 मार्च, 2004 से लागू की जा चुकी है। कृपया अपने स्तर से यह सुनिश्चित करें आपके विभाग में आपके विभाग में 31-3-2004 के बाद नियुक्त सभी सरकारी सेवकों ने उक्त आशय का घोषणा-पत्र दिये जाने की सूचना दिनांक 31-1-2005 तक महिला कल्याण विभाग को उपलब्ध कराने का कष्ट करें।

संलग्नक: यथोक्त।

भवदीय,
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के0एल0मीना
सचिव।

संख्या: 1107/60-3-05-3(16क्यू0ए0)/2000

प्रेषक

के0एल0मीना
सचिव,
उत्तर प्रदेश शासन।

सेवा में,

- | | |
|--|--|
| 1. समस्त सचिव/प्रमुख सचिव,
उत्तर प्रदेश शासन। | 3. समस्त जिलाधिकारी
उत्तर प्रदेश। |
| 2. समस्त विभागाध्यक्ष,
उत्तर प्रदेश। | 4. समस्त मण्डलायुक्त,
उत्तर प्रदेश। |

महिला एवं बाल विकास अनुभाग-3

लखनऊ: दिनांक 02 मई, 2005

विषय: दहेज प्रतिषेध अधिनियम, 1961 एवं उत्तर प्रदेश दहेज प्रतिषेध नियमावली, 1999 यथासंशोधित 2004 के प्राविधानों का कड़ाई से अनुपालन कराया जाना।

महोदय,

उपर्युक्त विषयक शासनादेश संख्या: 3670/60-3-04-3(16ए0क्यू0)/2000, दिनांक 30 दिसम्बर, 2004, जिसकी प्रति सुलभ संदर्भ हेतु संलग्न सहित प्रेषित की जा रही है, की ओर आपका ध्यान आकर्षित करते हुए मुझे यह कहने का निदेश हुआ है कि शासन के उक्त पत्र द्वारा आपसे अपेक्षा की गई थी कि उत्तर प्रदेश दहेज प्रतिषेध (प्रथम संशोधन) नियमावली, 2004 के नियम-5 की व्यवस्था के अनुसार प्रत्येक सरकारी सेवक जो दिनांक 31-3-2004 के बाद नियुक्त किया गया हो, उससे नियुक्ति प्राधिकारी द्वारा इस आशय का घोषणा-पत्र प्राप्त कर लिया जाये कि उसने अपने विवाह के सम्बन्ध में कोई दहेज नहीं लिया है, कार्मिकों द्वारा घोषणा-पत्र दिये जाने की सूचना से दिनांक 31-3-2005 तक शासन को भी अवगत कराये जाने की अपेक्षा की गई थी।

2. अतएव उक्त सम्बन्ध में पुनः अनुरोध है कि कृपया उक्तानुसार कार्मिकों से घोषणा-पत्र प्राप्त कर शासन को स्थिति से तत्काल अवगत कराने का कष्ट करें।

संलग्नक: यथोक्त।

भवदीय,
ह0/-
के0एल0मीना
सचिव।

शीर्ष प्राथमिका

संख्या- 1284/60.-3-2005-3(65)

प्रेषक

के0एल0मीना
सचिव,
उत्तर प्रदेश शासन।

सेवा में,

1. समस्त सचिव/प्रमुख सचिव,
उत्तर प्रदेश शासन।
2. समस्त विभागाध्यक्ष,
उत्तर प्रदेश।
3. समस्त जिलाधिकारी
उत्तर प्रदेश।
4. समस्त मण्डलायुक्त,
उत्तर प्रदेश।

महिला एवं बाल विकास अनुभाग-3

लखनऊ: दिनांक 26 मई, 2005

विषय: दहेज प्रतिषेध अधिनियम, 1961 एवं उत्तर प्रदेश दहेज प्रतिषेध नियमावली, 1999 यथासंशोधित 2004 के प्राविधानों का कड़ाई से अनुपालन कराया जाना।

महोदय,

उपर्युक्त विषयक शासनादेश संख्या-3670/60-3-04-3(16ए0क्यू0)/2000 दिनांक 3-12-04 तथा अनुस्मारक संख्या-1107/60-3-05-3(16क्यू0ए0)/2000 दिनांक 2-5-2005 का कृपया संवर्ध ग्रहण करें जिसके द्वारा यह अपेक्षा की गई थी कि दिनांक 31-3-04 के बाद तैनात प्रत्येक सरकारी सेवक अपने विवाह के सम्बन्ध में यह उल्लेख करते हुए अपने नियुक्ति प्राधिकारी/विभागाध्यक्ष को स्वहस्ताक्षरित घोषणा-पत्र प्रस्तुत करेगा कि उसने दहेज नहीं लिया है।

2. अतः इस सम्बन्ध में मुझसे यह कहने का निदेश हुआ है कि अपने अधीनस्थ दिनांक 31-3-2004 के बाद तैनात समस्त सरकारी सेवकों से स्वहस्ताक्षरित घोषणा-पत्र “उसने अपने विवाह में कोई दहेज नहीं लिया है” की सूचना महिला एवं बाल विकास को तत्काल उपलब्ध कराने का कष्ट करें।

भवदीय,
ह0/-
के0एल0मीना
सचिव।

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the governor is pleased to make the following English translation of notification no. 2457/60-3-3(65)-97, dated March 31, 2004

No. 2457/60-3-3(65)-97

March 31, 2004

In exercise of the powers under section 10 of the Dowry prohibition Act, 1961 (Act no. 28 of 1961), the Governor is pleased to make the following rules with a view to amending the Uttar Pradesh Dowry prohibition Rules, 1999:

**THE UTTAR PRADESH DOWRY PROHIBITION (FIRST AMENDMENT)
RULES, 2004**

1. **Short title and commencement** – (1) These Rules may be called the Uttar Pradesh Dowry Prohibition (First Amendment) Rules, 2004

(2) They shall come into force with effect from the date of their publication in the Gazette.

2. **Amendment of rule 5** – In the Uttar Pradesh Dowry Prohibition Rules, 1999 hereinafter referred to as the said rules for existing rule 5 set out in Column 1 below, the rule as set out in Column 2 shall be substituted namely:

<p align="center">Column 1 Existing Rules</p>	<p align="center">Column 2 Rules as hereby substituted</p>
<p>5.(1) The State Government may designate the Chief Probation Officer or any suitable Officer posted in Women Welfare Department as the Chief Dowry Prohibition Officer to administer and coordinate the work among the Dowry Prohibition Officers relating to Dowry Prohibition through out the State.</p> <p>(2) The Chief Dowry Prohibition Officer shall coordinate the work of Dowry Prohibition Officers and shall be responsible for creating consciousness and awareness to prevent dowry system among the public to set out programmes with a view to uproot the evil of dowry system.</p> <p>(3) The Chief Dowry Prohibition Officer shall be responsible for the preparation and submission of an</p>	<p>5. (1) the State Government may designate the Chief Probation officer or any other suitable officer posted in Women Welfare Department, as the Chief Dowry Prohibition officer to administer and coordinate the work among the Dowry Prohibition Officers relating to Dowry Prohibition through out the State.</p> <p>(2) The Chief Dowry Prohibition Officer shall coordinate the work of Dowry prohibition Officers and shall be responsible for creating consciousness and awareness to prevent dowry system among the public and to set out programmes with a view to uproot the evil of dowry system.</p> <p>(3) The Chief Dowry Prohibition officer shall be responsible for the preparation and submission of an Annual Report on the progress of implementation of the provisions of the Act</p>

<p>Annual Report on the progress of implementation of the provisions of the Act and related matters and of such statistics as may from time to time be required by the Government.</p> <p>(4) The Chief Dowry Prohibition Officer shall also perform such other functions as may from time to time be assigned to him by the State Government.</p>	<p>and related matters and of statistics as may from time to time be required by the Government.</p> <p>(4) The Chief Dowry prohibition Officer shall also perform such other functions as may from time to time be assigned to him by the State Government.</p> <p>(5) The Chief Dowry Prohibition Officer shall issue instructions to all the departments of the State government to the following effects:</p> <p>(a) every government servant shall under his signature furnish a declaration regarding his marriage to his Head of Department/appointing authority stating that he has not taken any dowry.</p> <p>(b) one specified day in a year shall be observed as Dowry prohibition Day.</p> <p>(c) pledge to be administered to the students in schools and Colleges and other institutions not to give or take dowry.</p>
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3. Amendment of rule 6 – In the said rules in rule 6 after sub-rule (9) the following sub-rules shall be inserted, namely:

<p align="center">Column 1</p> <p align="center">Existing Rules</p>	<p align="center">Column 2</p> <p align="center">Rules as hereby substituted</p>
	<p>(10) Where on the date fixed for hearing of the complain or petition or on any other date to which such hearing may be adjourned, the complainant or Petitioner does not appear the Dowry Prohibition officer, may in its discretion, either dismiss the complaint or petition for default or hear and come to a finding as to its merit, which shall be recorded in the case file.</p> <p>(11) The Dowry Prohibition Officer while making enquiries under the Act or when he attends any marriage for the purpose of making enquiries, take the assistance of any Police Officer or other Officers to assist him in the performance of his functions and it shall be the duty of the Police Officer to render all assistance required by the Dowry Prohibition</p>

	<p>officer.</p> <p>(12) He shall render assistance to the police in investigating the complaint filed under the Act and to the Court in the trial of the case.</p> <p>(13) The Dowry Prohibition Officer (Member-Secretary/Convener of the advisory Board) shall send a copy of the proceedings of each meeting of the Advisory Board, within a fortnight from the date of meeting to the District Magistrate with a copy to the State Government for information and necessary action.</p>
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4. Amendment of rule 9. – In the said rules for existing rule 9 set out in column 1 below, the rule as set out in Column 2 shall be substituted namely:

Column 1 Existing Rules	Column 2 Rules as hereby substituted
<p>9. Limitation and Conditions subject to which a dowry prohibition Officer may exercise Powers of Police Officer.</p> <p>Save and except of the provisions of chapter V of the Code of Criminal Procedure, namely the power of arrest of a person without warrant the Dowry Prohibition Officer shall have the powers of a Police Officer under the said Code for the purpose of investigation and submission of report before the competent magistrate.</p>	<p>9. Limitation and Conditions subject to which a Dowry Prohibition Officer may exercise Powers of Police Officer.</p> <p>(1) Save and except the provisions of Chapter V of the Code of Criminal Procedure, namely the power of arrest of a person without warrant the Dowry Prohibition Officer shall have the powers of a Police Officer under the said Code for the purpose of investigation and submission of report before the competent magistrate.</p> <p>(2) Whenever Dowry Prohibition Officer has reasonable grounds for believing that an offence punishable under the Act has been or is being or is about to be committed within his jurisdiction and that the search of any premises with warrant cannot be made without undue delay, he may after stating the grounds of his belief and having prior written permission of the District Magistrate, search such premises without a warrant.</p> <p>(3) Before making a search under sub-section (2) the Dowry prohibition Officer shall call upon two or more residents of the locality in which the place to be searched is situated to</p>

	<p>attend and witness the search and may issue an order in writing to them or any of them to do so.</p>
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(4) any person who without reasonable cause, refuses or neglects to attend and witness a search under this rule, when called upon to do so by an order in writing delivered or rendered to him shall be deemed to have committed an offence under section 187 of the Indian Penal Code (45 of 1860)

By order,
K.L. MEENA,
Secretary

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Appendix-1

QUESTIONNAIRE FOR INSPECTION OF NAZARAT BY DISTRICT JUDGE

1. Has the Officer-in-charge inspected the Nazarat in every quarter and compliance made (Give details in Proforma I).
2. (a) Whether the work distributed between the Nazir and the Assistant Nazirs is sufficient for each of them or any one officials working with dates as well as their duties.
(b) Whether proper and sufficient securities have been furnished by each of them and whether the securities have been verified? (Chapter XXIII rules 541 to 548 General Rules (Civil)).
3. (a) Whether the cash in hand of the Nazir at the time of the inspection tallies with the entries in the cash book and the Day Book ? Whether the Cash Book and the Day Book are posted up to-date?
(b) Whether the cash box is being deposited in the Treasury and received back daily along with register in Form No. 57?
[Rule 351 Central Rules (Civil)].
(c) Whether the cash in hand of the Nazir is more than half the security at the time of the inspection and has the cash in his hand during last one year been generally less than half of the security? (Check some entries from the Day Book and Cash Book from every month).
4. (a) What is the balance of permanent advance at the time of inspection ? Has any amount in excess of the permanent advance been spent from the civil deposits? If so, how much and why?
(b) How many vouchers are pending preparing bills for submission to the Treasury and for what amount? (Give the details giving dates of vouchers.
(c) How many days generally are taken by the Nazir to prepare bills after expenditure?
5. (a) Whether all the saleable forms are available and, if not, have the recoupment orders been sent to the Superintendent, Printing & Stationery* for the forms sold ?
(b) Is the permanent advance of saleable forms sufficient? If not, is there any move for enhancement of the permanent advance?
(c) Since when the Superintendent, Printing & Stationery has not sent recoupment of saleable forms? Have any steps been taken?
6. (a) Whether the excess amount in the hands of the Nazir, when it exceeds half of the security, is being remitted to the Treasury or Bank as a Misc. Deposit ? When the amount was last sent? [Rule 317, General Rules (Civil)],
(b) Whether the Nazir or the Assistant Nazirs concerned are preparing a list of payable balances of Registers Form No. 43 in Form Mo. 47 and affixing the same on the notice board every week? [Last Para of rule 294, General Rules (Civil).]
7. Whether there are proper and adequate arrangements for the protection of the building from fire? [Appendix 21, General Rules (Civil) Part II].

* NOTE: Now Director, Printing and Stationery

8. Whether all the Civil Court officials holding posts requiring security have furnished security? How many of them are making payments in instalments and if they have furnished necessary surety forms 2A and 2B?
9. Has the Nazir any intestate property in his possession and has it been kept in double lock after entering in register of intestate properties Form No. 40?

CIVIL COURT ACCOUNTS

10. Whether plus-minus memos are being submitted to the A.G. by 15th of the next month with proper certificate after verification from the Treasury?
11. (a) If not, how much time is taken and for how many months plus minus memos have not been submitted ? Give reasons (Rules 321 to 324 G.R. Civil).
(b) How many repayment applications are pending for reports and for how many days? How many of them are pending on account of non-receipt of advice list and general number?
12. (a) Whether lists of deposits about to lapse are prepared in first week of March and notice given? [Rule 327, General Rules (Civil)].
(b) Whether lists of lapsed deposits and clearance register have been prepared on first of April and sent to the A.G.? If not, when the same were prepared and sent to A.G.? [Rules 331, 328, General Rules (Civil) and para 149, F-H.B. Vol. V, Part I].

PROCESS SERVING STAFF AND SERVING OF PROCESSES

13. (a) What is the strength of the Process Servers? Is it in excess of the requirement in light of rule 123, General Rules (Civil)-750 processes per Process Server and one urgent process equal to 3 processes?
(b) How many posts are lying vacant and for what period?
(c) Whether Process Servers remain properly dressed and wear badges, belts and satchels? [Rule 124, General Rules (Civil)].
14. (a) Whether the Nazir maintains a list of inhabited places and a map of the entire district showing beats therein? [Rule 129, General Rules (Civil)].
(b) Whether the beats have been divided properly leaving a central beat within five miles [Rule 130, General Rules (Civil)].
15. (a) Whether processes within five miles radius are issued daily and returned within 24 hours after serving [Rule 131, General Rules (Civil)].
(b) Whether dates for issue of processes for each beat outside five miles limit have been fixed and processes issued on those dates? [Rule 130, General Rules (Civil)].
(c) Whether processes are being issued fairly?
(d) Whether diet money paid to the process servers is properly entered in Register No. 105 and 43 (Check some entries comparing with the entries in these registers and diary of the process servers).
(e) Whether processes are returned after service in time or are returned beyond time and without seeking extension?

(f) Are all the process servers able to give personal service up to 75%? If not, how many are below the standard and what action has been taken against them? Examine the register of percentage of personal service in light of C.L. No. 93/VI-C-4 dated 20.9.1951 and also get monthly statement prepared in the prescribed form as given in this C.L.

16. When was the Nazarat inspected by the following:-

1. Inspector of Offices
2. Audit party of the A.G.
3. District Judge.
4. Officer in-charge.

Have the inspection notes been complied with and submitted? If so, give dates? If not, why?

17. Whether service books of process servers are posted up to date?

18. (a) Have the godowns and Dead Stock been checked by the Officer in-charge within one year of the inspection ?

(C.L. NO. 107 DATED 17.10.1952)

(b) Are Register of Dead Stock and Perishable Articles being maintained in prescribed form and annually, checked and verified? [Rules 10 and 11 of para 801, M.G.O. and rule 648, General Rules (Civil)].

(c) Is the furniture sufficient, clean and in good order?

(d) Is any register of distribution of furniture maintained? (Rule 7 para 801, M.G.O.)

(e) Has the furniture been numbered and entries made in the register? (Rule 8 para 801, M.G.O.)

19. Are the duplicate keys kept in the Treasury and has annual verification been done and keys changed?

20. Whether any observations or instructions at the last inspection have remained unattended? If so, furnish reasons therefor.

PROFORMA – 1

Name of Officer	Quarter ending	Date of inspection	Date of submission to District Judge
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Appendix-2
QUESTIONNAIRE FOR INSPECTION OF NAZARAT BY
OFFICER INCHARGE

1. Has the Officer in-charge inspected the Nazarat in every quarter and compliance made (Give details in-Proforma-I).
2. (a) Whether the work distributed between the Nazir and the Assistant Nazirs is sufficient for each of them or any one of them is over-loaded with work ? Give names of the officials working with dates as well as their duties.
(b) Whether proper and sufficient securities have been furnished by each of them and whether the securities have been verified? (Chapter XXIII rules 541 to 548, General Rules (Civil)).
3. (a) Whether the cash in hand of the Nazir at the time of the inspection tallies with the entries in the cash book and the Day Book ? Whether the Cash Book and Day book are posted up to-date?
(b) Whether the stamps found in the hand of the Assistant Nazir concerned on physical checking tally with the entries in the register of stamps and dispatch book?
Whether the Nazir and the Assistant Nazir are acquainted with the postal rules and rates and have been exercising proper control over the use of stamps in accordance with various circulars of the Hon'ble High Court? [Rule 349, General Rules (Civil)].
(c) Whether there is any safe or strong box in the Nazarat for keeping some cash and important articles or papers? (Para 3 of rule 351, General Rules (Civil)).
(d) Whether the cash box is being deposited in the Treasury and received back daily along with register in Form No. 57?
[Rule 351, General Rules (Civil)].
(e) Whether the cash in hand of the Nazir is more than half the security at the time of inspection and has the cash in his hand during last one year been generally less than half of the security? (Check some entries from the Day Book and Cash Book from every month)
4. (a) What is the permanent advance of the judgeship and whether it is adequate.
(b) What is the balance of permanent advance at the time of inspection? Has any amount in excess of the permanent advance been spent from the Civil deposits? If so, how much and why?
(c) How many vouchers are pending preparing bills for submission to the Treasury and for what amount? (Give the details giving dates of vouchers).
(d) How many days generally are taken by the Nazir to prepare bills after expenditure?
(e) How many bills are pending in the Treasury for encashment and since when?

5. (a) Whether saleable forms in the stock with the Nazir tally with the balance in the register of saleable forms (prescribed form No. 144) ? (Rules 514 and 517, General Rules (Civil)).
(b) Whether all the saleable forms are available and, if not, have the recoupment orders been sent to the Superintendent, Printing & Stationery* for the forms sold ?
(c) Is the permanent advance of saleable forms sufficient? If not, is there any move for enhancement of the permanent advance.
(d) Since when the Superintendent, Printing & Stationery* has not sent recoupment of saleable forms? Have any steps been taken?
6. (a) What is the balance of various affidavit coupons in the hands of the Nazir and whether it tallies with the balance shown in the prescribed register ?
(b) Whether statement of affidavit coupons is being submitted to the Hon'ble High Court within first week and whether the affidavit coupons are requisitioned in sufficient quantity in time as to avoid shortage?
7. (a) Whether cash is being physically checked by the Munsarim every week and proper certificate being given ? (Last para of rule 326, General Rules (Civil)).
(b) Whether the excess amount in the hands of the Nazir, when it exceeds half of the security is being remitted to the Treasury or Bank as a Misc. Deposit? When the amount was last sent? [Rule 317, General Rules (Civil)].
(c) Whether the Nazir or the Assistant Nazirs concerned are preparing a list of payable balances of Registers Form No. 43 in Form no. 47 and affixing the same on the notice board every week? (Last para of rule 294 General Rules (Civil)).
(d) Whether the Presiding Officers of various courts are checking the register of petty receipts and repayment every quarter and result reported to the District Judge ? (Paras-1 and 2 of rule 326, General Rules (Civil)).
8. Whether there are proper and adequate arrangements for the protection of the building from fire ? (Appendix 21, General Rules (Civil) Part II).
9. (a) Whether all the civil court officials holding posts requiring security have furnished security ? How many of them are making payments in instalments and if they have furnished necessary surety forms 2A and 2B?
(b) Have all the securities been properly entered in Register. Form No. 2-F under Para 71(b) of Financial Hand Book Vol. V. Part I? [Rule 546 G.R. (Civil)].
10. Has the Nazir any intestate property in his possession and has it been kept in double lock after entering the register of intestate properties Form No. 40?

* NOTE: Now Director, Printing and Stationery.

CIVIL COURT ACCOUNTS

11. (a) Whether the Nazir maintains register of receipts and deposits, repayments of deposits, cash book, pass book, register of fines, stamp duty and penalty etc. in Forms No. 35, 36, 37, 38, 39, 41, 42 and 43 and whether these registers are posted up-to-date ? [Rule 280, General Rules Civil].
 - (b) Whether various cash amounts being received by the Nazir are being credited under proper heads in various registers [Rules 273 and 293, General Rules (Civil)].
 - (c) Whether the amounts are being sent to the Treasury daily after a fixed time for receipts? [Rules 279 and 289, General Rules (Civil)].
 - (d) Whether the Presiding Officer is giving quarterly certificates on the register of receipt of deposits? [Rule 325, General Rules (Civil)].
 - (e) Whether daily totals of each register are being entered in the cash book? [Rule: 316, General Rules (Civil)].
 - (f) Are the cuttings and erasures in account registers being initialed? [Rule 282, General Rules (Civil)].
12. (a) Whether the advice lists are being received from the Treasury the next day? If not, for what period the advice lists are pending and what action has been taken? [Rule 310 G.R. Civil].
 - (b) Whether the advice lists are being pasted in proper guard files?
 - (c) Whether delay extracts and monthly extracts from register of payments and deposits are being received from outlying courts and posted in the relevant registers? [Rules 315, and 321 and 322, General Rules (Civil)].
 - (d) Whether plus minus memos are being submitted to the A.G. by 15th of the next month with proper certificate after verification from the Treasury? If not how much time is taken and for how many months plus minus memos have not been submitted? Give reasons [Rules 321, to 324, G.R. (Civil)].
13. How many repayment applications are pending for reports and for how many days? How many of them are pending on account of non-receipt of advice list and general number?
14. (a) Whether lists of deposits about to lapse are prepared in first week of March and notice given? [Rule 327, General Rules (Civil)].
 - (b) Whether lists of lapsed deposits and clearance register have been prepared on first of April and sent to the A.G.? If not, when the same were prepared and sent to A.G.? [Rules 331, 328, General Rules (Civil) and Para 149, F.H.B. Vol. V. Part-I)].

DEPARTMENTAL CASH ACCOUNTS

15. Whether the Nazir maintains the following registers for departmental cash account and are these registers posted up-to-date? [Rule 355, General Rules (Civil)]:-
 - (i) A day book (Form No. 58)
 - (ii) A stationery register (Form No. 59)

- (iii) A register of contingent charges (Form No. 68) for outlying courts and Form No. 101 for D.J. court),
 - (iv) Register of Travelling Allowance Bill.
 - (v) A separate Register for T.A. Bill of the Amin and his peon ? (Check these registers).
16. Whether the Nazir maintains the following registers as required by various provisions mentioned in front of these entries?
- (i) Register of Bicycles-G.O. No. U-1065/l-258dated 28.12.1940 and G.O. No. 922/XV1III-220 dated 15.3.1935.
 - (ii) Register of Typewriters - Chapter IV Printing & Stationery Manual.
 - (iii) Register Form No. 26 Register of land and plans (para 265 F.H.B. Vol. V Part I).
 - (iv) Register Form No. 27 Register of building para 265 F.H.B. Vol. V Part 1 and G.L. No. 53/10-SC-2(ii) dated 14.5.1936.
 - (v) Register Form No. 29 (Register of rent of Buildings and land para 286 F.H.B. Vol. V Part I.
 - (vi) Register Form No. 29-A Rate of rent, cost of repairs revised rent para 281 F.H.B. Vol. V part I.
 - (vii) Register Form No. 30-(Rent statement) Para 287-F.H.B. Vol. V Part I.
 - (viii) Compliance of para 289 of F.H.B. Vol V part 1 (Quarterly certificate).
 - (ix) Register of petition writers para 12 of Appendix 22 of G.R. (Civil) Part II.
 - (x) Register of Registered clerks of Vakil (rules 603 and 609 G.R. (Civil) Part-I.
 - (xi) Register of duty and penalty (Form No. 39).
 - (xii) Register of fine on process servers or other class IV employees.
 - (xiii) Register of income from court compound including licence fees from petition writers, typists and clerks of Advocates.

PROCESS SERVING STAFF AND SERVING OF PROCESSES

17. (a) What is the strength of the process servers? Is it in excess of the requirement in light of rule 123 General Rules (Civil)-750 processes per process server and one urgent process equal to 3 processes?
- (b) How many posts are lying vacant and for what period?
- (c) Whether process servers remain properly dressed and wear badges, belts and satchels? (Rule 124, General Rules (Civil)).
18. (a) Whether the Nazir maintains a list of inhabited places and a map of the entire district showing beats therein? [Rule 129, General Rules (Civil)].
- (b) Whether the beats have been divided properly leaving a central beat within five miles [Rule 130, General Rules, (Civil)].

19. Whether there is a pigeon hole almirah in the Nazarat and the processes received are kept beatwise as well as according to nature, urgent or ordinary? [Rule-130, para 3, General Rules (Civil)].
20. (a) Whether processes within five miles radius are issued daily and returned within 24 hours after service [Rule 131, General Rules (Civil)].
- (b) Whether dates for issue of processes for each beat outside five miles limit have been fixed and processes issued on those dates [Rule 130, General Rules (Civil)].
- (c) Whether processes are being issued fairly?
- (d) Whether process servers are maintaining diaries properly in the prescribed form and obtain the signatures of Lekhpal, Pradhan, etc. when they visit the villages? [Rule 134, General Rules (Civil)].

Whether diaries of process servers being checked by the Nazir or Assistant Nazir every week?

- (e) Whether diet money paid to the process servers is properly entered in Register no. 105 and 43? (Check some entries comparing with the entries in these registers and diary of the process servers).
- (f) Whether processes are returned after service in time or are returned beyond time and without seeking extension?
- (g) In how many cases processes were not served in time and (a) extension was sought, and (b) no extension was sought? (Check two weeks entries of Register Form No. 105 in light of rules 130, 131 and 132 General Rules (Civil) especially in light of instructions contained in C.L. NO. 93/V1-C-4 dated 20.9.1951 and comment.
- (h) Are all the process servers able to give personal service upto 75%. If not, how many are below the standard and what action has been taken against them? Examine the register of percentage of personal service in light of C.L. No. 93/V1-C-4 dated 20.9.1951 and also get monthly statement prepared in the prescribed form as given in this C.L.
21. When was the Nazarat inspected by the following:-

1. Inspector of Offices.
2. Audit party of the A.G.
3. District Judge.
4. Officer in charge.

Have the inspection notes complied with and submitted? If so, give dates? If not why?

22. Whether service books of process servers are posted up-to-date?
- 23 (a) Have the godowns and dead stock been checked by the officer-in-charge within one year of the inspection? (C.L. No. 107 dated 17.10.1952).
- (b) Are Registers of Dead Stock and Perishable Articles being maintained in prescribed form and annually checked and verified? [Rules 10 and 11 of para 801 M.G.O. and rule 648, General Rules (Civil)].

- (c) Is the furniture sufficient, clean and in good order?
 - (d) Is any register of distribution of furniture maintained? (Rule 7 para 801, M.G.O.)
 - (e) Has the furniture been numbered and entries made in the Register? (Rule 8 Para 801 M.G.O.).
24. Are the duplicate keys kept in the Treasury and has annual verification been done and keys changed?
 25. Whether guard file for inspection notes is being maintained?
 26. Whether any observations or instructions at the last inspection have remained unattended? If so, furnish reasons therefor.

PROFORMA – I

Name of officer	Quarter ending	Date of inspection	Date of submission to District Judge
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Appendix-3

QUESTIONNAIRE FOR INSPECTION OF COPYING DEPARTMENT BY DISTRICT JUDGE

1. Who is the Officer in-charge of the Copying Department and since when?
2. Has the Officer in-charge inspected the Copying Department every quarter? Give details in Proforma I and comment.
3. Who is the Head Copyist and since when?
4. Is the staff over-manned or under-manned (Rule 269 and 270, General Rules (Civil))?
5. Check the almirah and the box of the Head Copyist and examine all the prepared copies, rejected applications and folios, etc. and comment after getting statements in form no. III, IV, VI, prepared).
6. How many typewriters (Hindi/English) are allotted to the Copying Department and how many are out of order and since when? Are the Typewriters being fully utilized?
7. Whether Register Form No. 31 is properly maintained and entries of urgent and ordinary applications being made in red and blue-black ink? [Rule 265, General Rules (Civil)].
8. Does the Munsarim or the Head Copyist comply with the provisions of rule 254(a) at the time of presentation of application for copies?
9. Are urgent and ordinary copies being prepared within 24 hours and within a week respectively and if not, what is the average duration for these copies? (Give separate average for the last three months preceding the date of inspection.
10. Give number of pending urgent and ordinary applications in proforma II (Discuss reasons of delay in disposal of 12 applications mentioned in the last column).
11. Whether printed forms for preparation of decrees and formal orders are being used for issue of copies? If not why? (Last para of rule 257, General Rules (Civil).
12. Are copies of judgments in appeals, sessions trials and revisions being received from various courts concerned? In how many cases these copies have not been received? Quote the number of cases with name of courts of which copies were not received.
13. Whether copies involving more than 1500 words are being prepared without realizing the excess fees? If so, in how many cases during the last two months?
14. Are copies on payment being prepared on stamp papers? [Rule 255, General Rules, (Civil)].
15. (a) In how many cases free copies have been issued to any other person except prisoner, Government Law Officer and Heads of Departments of the Government of India, any High Court, in India or any other authority exercising similar jurisdiction, any court subordinate to the High Court at Allahabad or any particular court in any foreign country? Check applications for inspection [Rules 248, 251 and 252 G.R. (Civil)].
(b) How many free copies prepared on applications under rules 248, 251 and 252 General Rules (Civil) read with G.O. No. 113 dated 5.12.1958 and C.L. No. 75/VIII a-51 dated 3.12.1960 remained undelivered within the prescribed time during one year period preceding the date of inspection ?

16. (a) Whether unused stamps in cases of rejected applications are being returned within 30 days after intimation to the applicant or his counsel and if un-returned stamps are being destroyed and necessary entry made in register form No. 31 ? Give details of such applications in Proforma III in respect of rejected applications during the period of three months one month prior to the date of inspection. (Rule 254, paras V to IX).
- (b) Examine some rejected applications to see if reports and orders are correct.
17. Whether copies remaining undelivered after 15 days of the notice are being disposed of after obtaining orders of the Judge? Send a statement prepared in Proforma IV. Examine pending undelivered copies with the Head Copyist on the date of inspection as well as the entries in Register Form No. 31 in respect of undelivered copies at least for three months, one month prior to the date of inspection? (Para 2 of rule 260 G.R. (Civil).
18. Whether copies are being prepared legibly, accurately, properly noting the number of words correctly and are being properly certified as true copies duly and legibly signed by the Copyist and Head Copyist? Check some of the copies pending with the Head Copyist undelivered, preferably prepared before the date of intimation of the inspection and prepared by each Copyist with G.L. No. 29/A dated 1.8.1929, G.L. No. 43 dated 10.8.1934 G.L. No. 59/Ve 65 dated 22.9.1950 and G.L. No. 41/Ve-65 dated 6.5.1957.
19. Whether the consolidated register of Karguzari and distribution of work in form no. 33-A referred to in rule 268, is being put up before the Officer-incharge copying department fortnightly (G.L. No. 56/A-17(l) dated 1.11.1935 as amended by G.L. No. 7/A-2(l) dated 27.1.1936).
20. Are records being received in and returned back from the Copying Department within 24 hours of the sending of the application or the preparation of the Copy. Get a statement prepared in Proforma VI. (Rules 246, 254 (a) Para 3 and (b) (ii) and C.L. No. 3/Ve-81 dated 27.2.1952).
21. Whether strict rule of priority is being maintained by the Head Copyist? (Examine some ten days in the register form No. 31).
22. Are provisions of rules 250 and 253 being followed in the case of applications for copies by strangers or in cases under hearing?
23. (a) Whether copies of maps and registers etc. are being prepared after preparing estimates and whether registers in form No. 28 and 29 are maintained ?
- (b) Whether copies of maps and registers etc. are being prepared by the Copyist or by some special copyist?
24. Whether fortnightly statement (Progress Report) is being maintained and put up before the District Judge?
25. Whether the Copyist are maintaining a register of Karguzari in form No. 33 properly?
26. Whether rejected applications are sent to the court concerned or the record room soon after rejection?
27. Whether the Head Copyist maintains a guard files of:
 - (i) Inspection Notes
 - (ii) For orders of the District Judge,
 - (iii) For C.L. and G.L. and
 - (iv) For orders of the officer in-charge Copying Department?

28. Does the Head Copyist work intelligently and in a business like manner?

PROFORMAS REGARDING INSPECTION OF COPYING DEPARTMENT

PROFORMA – I

Name of Officer	Quarter ending	Date of inspection	Date of submission to the District Judge after compliance
1	2	3	4

PROFORMA – II

Nature of application Civil or Criminal	Urgent 78 77	Ordinary 78 77	3 Oldest of each types
1	2	3	4

PROFORMA – III

Particulars of application	Date of rejection	Value of folio	Date of return	Date of destruction
1	2	3	4	5

PROFORMA – IV

Particulars of application	Date of notice	Date of Order of Officers incharge Copying Department	Remarks
1	2	3	4

PROFORMA – V

Name of Copyist	Particulars of application	Words shown	Actual Wards found	No. of words in excess
1	2	3	4	5

PROFORMA – VI

Name of official	Particulars of application	Date of handing over to official concerned	Date of production of record	Date of preparation of copy	Date of return of record given in column number 8 of register no. 31	Date of return given in Register Form No. 84
1	2	3	4	5	6	7

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Appendix-4

QUESTIONNAIRE FOR INSPECTION OF AMINS

1. Who is the Officer in charge Amins and since when?
2. Has the Officer in charge inspected the work of Amins?
3. How many posts of Amins in I Grade and II Grade are sanctioned for the district and who are the Amins working on these posts and since then? (Proforma II).
4. Are the Amins qualified and satisfy the condition laid down in rule 522 General Rules, (Civil)?
5. Have the Amins furnished security? If so, of what amount and whether it is sufficient? (Rule 541 G.R. Civil).
6. Are there any others officials in the judgship who have received training of Amins? Give their names and year of training.
7. Have circles of Amins been divided into beats and dates fixed for each beat? (Give details) [Rule 527, General Rules (Civil)].
8. Have Amins been supplied the necessary instruments for their work (Rule 523, General Rules, Civil).
9. (a) Are the Amins substituting their weekly programme to the Officer in charge Amins and to all the courts of whose writs they execute? [Rule 531, General Rules Civil].
(b) Are the Amins planning their tour in accordance with rule 527 (c). General Rules (Civil) and fix sufficient work every day.
10. How many parwanas are pending with the Amins unexecuted on the date of inspection (Give details beatwise three oldest parwanas of each beat in proforma II-A with reason?)
11. How many parwanas were received by the Amins for execution during the year under inspection and how many of them were returned unexecuted (Give list of unexecuted Parwanas in Proforma No. III).
12. In how many cases the Amin sought extension for execution of the Parwanas during the year under inspection)
13. What is the percentage of parwanas returned unexecuted during the year under inspection? (Give comparative figures in Proforma IV for the current year and the corresponding previous year).
14. Give the number of writs returned unexecuted according to the following classification during the year under inspection:
 - (i) For shortage of time or late receipt.
 - (ii) Sudden increase in work.

- (iii) Due to absence of the decree holder or his representative or due to unwillingness of the decree holder to get the writ executed.
 - (iv) Due to nature of work and labour involved.
 - (v) Due to stay orders from the courts issuing the writ or from the appellate courts.
 - (vi) For want of Police help.
 - (vii) Incomplete particulars in the writ.
 - (viii) For want of self addressed P.C. of D.H.
 - (ix) For want of requisite material.
 - (x) On account of unjustified and lame excuses.
15. Whether the Amins have sufficient work to do? If not are their services being utilized in the office some where else?
 16. Are the Amins over-loaded with work and the work is being evenly distributed? Is any additional help required? [Rule 524, General Rules (Civil)].
 17. Are the Amins taking proper interest in executing survey commissions and execute the same in accordance with the instructions contained in rule 533, General Rule (Civil)?
 18. Are the Amins submitting monthly statements with proper certificate of the work done as required by rule 535, General Rules (Civil). Is that statement being submitted to the District Judges after scrutiny by the Officer in charge by the 10th of the next month [Rule 536, General Rules (Civil)]?
 19. Whether the Amins are maintaining registers in Form no. 107, 108, 109 and 110 properly and make entries in the cash register immediately [Rules 335 and 407, General Rules (Civil)].
 20. How many movable properties are lying attached for more than a year? (Give details in proforma V).
 21. In how many cases, he released movable properties on the spot during the year under inspection?
 22. Whether the Amin is issuing payment orders in Form No. 111 in case of sale of immovable property? [Rule 334, General Rules (Civil)].
 23. Whether the Amin is issuing receipts for cash payment received by him [Rule 333, General Rules (Civil)].
 24. Whether the Amin is paying the cash amounts received by him into the Treasury through pass book Form no. 112 the same day or latest the next day and sending the extracts of the pass book to the courts concerned? [Rules 337 and 338 General Rules (Civil)].
 25. Whether the Amins are submitting weekly return in Form no. 113 and 114 to the courts concerned and the same are being checked by the Munsarim of the courts concerned? [Rules 339 and 340 General Rules, (Civil)].

26. Whether poundage money is being realised on all the sales conducted by the Amin? [Rules 369, 371 and 373, General Rules (Civil)].
27. Is fee for Amin being realized in accordance with rules 375, 376, 377 and 378 General Rules (Civil) read with notification no. 99/VIIIb-135 dated 23.3.1959 and correction slip no. 27 dated 9.6.1962?
28. Has the Amin given priority to some writs over the others received earlier with permission or without permission of the Officer in charge? Was there any justification for giving such priority?
29. Does the Amin exercise his discretion properly in accepting bids in public auctions?
30. Does the Amin take interest and pain in his work? Is he methodical and systematic?
31. What is the opinion of Presiding Officers of various courts about the quality of his work and conduct? (It may be obtained, confidentially from various officers)
32. Whether guard file for inspection notes is being maintained?
33. Whether any observations or instructions at the last inspection have remained unattended? If so, furnish reasons therefor.

PROFORMA FOR INSPECTION OF AMINS

PROFORMA – I

Name of Officer	Quarter ending	Date of inspection	Date of submission to District Judge
1	2	3	4

PROFORMA – II

Name of circle	Name of Amin	Grade I or II	Date from which he was posted in the circle	Date from which working as Amin	Date of confirmation	Remarks
1	2	3	4	5	6	7

PROFORMA - II A

Name of Amin	Name of Beat	No. of pending parwanas	Date of 3 oldest of each beat	Reason for delay If first date of return expired
1	2	3	4	5

PROFORMA – III

Sl.No	Circl e Beat	Name of Court	No. of writ with descript ion	Date of recei pt	Date fixed for return	Date fixed for executi on	Date of return	Extend ed date if extenti on sought for	Reason s for returni ng unexec uted	Remar ks
1	2	3	4	5	6	7	8	9	10	11

PROFORMA – IV

Period	Number of Parwanas received	Parwanas executed	Percentage
1	2	3	4
1.1.77 to 31.12.77			
1.1.78 to 31.12.78			

PROFORMA – V

Sl. No. of Reg. No. 109	Date of attachment	Name of Beat	Suit No. and court	Execution case no.	Name of parties
1	2	3	4	5	6

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Appendix-5

QUESTIONNAIRE FOR THE INSPECTION OF ADMINISTRATIVE OFFICE

1. When was the office last inspected and by whom? Has the compliance report been submitted? If so, when?
2. What is the distribution of work between the Sadar Munsarim, IInd. Clerk (Administrative Clerk and the Assistant Miscellaneous Clerk. (Give their duties separately).
3. Is the dak from the Post Office being received in locked bag and being opened in presence of the Presiding Officer or the Sadar Munsarim ?
4. Whether any observations or instructions at the last inspection have remained unattended? If so, furnish reasons therefor.
5. Has guard file for inspection notes of the office been maintained?
6. On what date or dates the administrative office was inspected by the Sadar Munsarim?
7. Whether the statements and returns required to be submitted monthly, quarterly and annually by various courts and offices are being received in time? If not, give list giving the names of courts and offices and the dates of receipt showing the delay.
8. Whether the statements and returns, monthly, quarterly and annual are being submitted to the Hon'ble High Court, Accountant General, U.P., and the Government etc. in time on the required dates and if not, give details of the delayed statements and reasons.
9. Are quarterly inspection notes being recorded by Presiding Officers of various courts being submitted in time after compliance and are they properly kept in Guard Files.
10. Have orders been passed on the Quarterly Inspection Notes received from various courts, communicated and compliance received? If not, why? Has any register for receipt of quarterly inspection notes from various courts giving dates of receipt, communication of orders and receipt of compliance been maintained?
11. How many Inspection Notes (by Inspector of Offices, Inspector of Stamps) concerning the entire judgship are pending compliance and are they entered in a proper register?
12. from which courts compliance of above mentioned Inspection Notes have not been received and for how long?
13. How many audit reports and objections concerning Nazarat are still pending undisposed and for how long?
14. Are registers for inward and outward correspondence being maintained in Form Nos. 62 and 63 and cross references being noted? [Rules 431 and 432 General Rules (Civil) Part I].
15. In register of pending files maintained in the prescribed amended form and entries made up to date? (Rule 444(2) General Rules (Civil) Part 1 read with Correction Slip No. 36 Notification No. 56/VIII (b)-I, dated March 10, 1964).
16. (a) Is the register of pending files placed before the District Judge or the Officer Incharge, Administrative Office once a week? [Rule 444(2) General Rules (Civil) Part I].

- (b) Is a list of all returns and reports hung near the seat of the Munsarim and in the Chamber of the Presiding Officer and is corrected up to date. Rule 444 (a) General Rules (Civil) Part I.
17. Is a Despatch Book in Form No. 66 for local dak being properly maintained? [Rule 445 General Rules (Civil) Part I].
18. Are letters properly classified and filed opened under proper heads and letters properly arranged and marked? (Rules 429, 430, 433 and 434 General Rules (Civil) Part I).
19. Are the closed files kept in bundles and pending files kept in correspondence press? (Rules 437 and 438 General Rules (Civil) Part I).
20. Have file indices been properly maintained about the files entered? [Rule 439 General Rules (Civil) Part I].
21. (a) Is register for G.Ls., C.Ls. and G.Os. maintained in Form no. 62 and kept in separate Guard Files? [Rule 441 of the General Rules (Civil) Part I].
(b) Are copies of important C.Ls. G.Ls. and G.Os. being issued to other courts and are all other C.Ls., G.Ls. and G.Os. circulated to all the Courts?
22. Are separate files being maintained for correspondence originating from a Circular? [Rule 443 General Rules (Civil) Part I].
23. Is the weeding of the administrative correspondence up to date? When was the last weeding done? (Rule 449 General Rules (Civil) Part I).
24. (a) Whether a register in Form no. 24 of all the requisitions received from the Hon'ble High Court is being maintained properly ?
(b) How many requisitions received from the Hon'ble High Court have remained uncomplid and for how long? To which courts these were sent a when? Have any reminders been sent?
25. (a) How many preliminary and final enquiries for loss of records are pending and with whom and for what period ?
(b) How many disciplinary enquiries are pending against the officials and class IV employees and since when?
(c) In how many enquiries charges are to be framed? When orders for framing of charges were passed in those cases?
26. Have annual entries for the last year been given to the entire staff?
27. (a) How many persons are to be retired during the next six months and in how many such cases preparation of pension papers has been taken up?
(b) How many pension cases are pending incomplete due to the fault of Accounts Clerks and how many due to the fault of the retired official?
(c) How many pension cases are pending in the Accountant General's Office for finalization and how many cases are under objection?
(d) In how many cases 3/4th gratuity and provisional pension has been sanctioned out of those whose pension cases have not been finalized?

- (e) In how many cases of retired employees payment of General Provident Fund has not been sanctioned and why?
28. (a) Are General Provident Fund Deductions of all the employees being entered in the relevant registers in proper columns every month and the interest being added every year ?
- (b) Are General Provident Fund Account Slips being issued to the employees regularly every year?
- (c) Is C.D.S. Account being maintained properly and payment being made?
29. Have all the loans and advances granted during the last one year's period from General Provident Fund been entered in the relevant columns of the register and are monthly deductions being made regularly?
30. (a) Is leave account of Gazetted Officers drawing pay up to Rs. 1,000/- being kept correctly and properly?
- (b) Are the Service Books of the officials of the judgship re-attested every five years and are the leave accounts and other entries in the Service Books complete?
- (c) Have the entries of encashment leave been made in the Service Book of those who have taken encashment leave during the last one year?
31. Is the pay of the officials and class IV employees being disbursed on the first of every month and if not, why?
31. (a) Whether the condition of electrical wiring and installation in the court buildings is safe and satisfactory?
32. Is Establishment Order Book maintained? [Rule 346 G.R. Civil Pt. I].
33. (a) Is separate register for bills of Amins and his peons being maintained?
- (b) How many Travelling Allowance Bills are pending for checking and disposal on the date of inspection and for how long and why?
- (c) Are Establishment Bills being prepared at the end of the third week and sent to the Treasury by 24th of the month? If not, Why? [Rules 345 and 354 General Rules (Civil) Part I].
- (d) Is any arrears of pay allowances of any official and class IV employee for any period not drawn? If so, why? (Give details).
- (e) Are applications for leave being put up before the District Judge for orders promptly and orders passed communicated to the employees concerned promptly?

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Appendix-6

QUESTIONNAIRE FOR THE INSPECTION OF LIBRARY

1. Who is the Officer-in-charge Library and since when?
2. Whether the Officer-in-charge Library inspected the Library quarterly and inspection notes have been complied with? (Prepare statement in Proforma-1).
3. Who is the Librarian and since when?
4. Is the Library room in good order with sufficient space and furniture?
5. Are all the books entered in the catalogue as prescribed by rule 450, General Rules (Civil) read with Notification No. 10/VIIIb-272 dated 13.1.1964 and properly classified in accordance with rule 451, General Rules (Civil)?
6. Has the Librarian stamped, seal of the Court as required and affixed 'Government Property' labels on each book? [Rule 453, General Rules (Civil)].
7. Has a certificate as to condition of books in the Library been sent to the Registrar, High Court, every year. If so, quote the date (Rule 453(3) General Rules (Civil)).
8. Has there been any loss of any book from the Library in the current year? If so, has the loss been reported and what action taken? (Rule 453 (4 and 6) and 456, General Rules (Civil)).
9. Do lawyers including Government Advocates and penal lawyers use the Library? If so, is there sufficient space to accommodate, lawyers to sit there and read law books and journals? [Rule 452 and 454, General Rules (Civil)].
10. Have books been supplied to courts individually? If so, has any entry been made showing books supplied to each court?
[Rule 457 General Rules (Civil)].
11. Whether books issued temporarily to an officer are returned before the close of the day? If not, given instances? [Rule 454, General Rules (Civil)].
12. Have books been issued to lawyers on slips, to be taken out of the Library? [Rule 454, General Rules (Civil)].
13. Has any book remained out side the Library for more then three months? If so, were quarterly lists of such books submitted to the District Judge as required by rule 455, General Rules (Civil)?
14. Are correction slips received in the Library regularly? If not, why? If no correction slips have been received. What steps have been taken to procure them?
15. (a) Have all corrections and amendments in various Acts from time to time promptly been incorporated in all copies of the relevant Acts and rules etc.? (C.L. No. 120/L-34 dated 13.12.1951, G.O. No. 7 dated 5.6.1894 and C.L. No. 13 dated 20.12.1902).
(b) Whether any register for correction slips and amendments received is maintained?
16. Whether all necessary books and enactments have been supplied to all the courts including diglot editions? (Rule 457, General Rules (Civil)).

17. What are immediate requirements of books and enactments etc. for various courts and the Central Library and what amount is required?
18. Whether there are sufficient number of English and Hindi dictionaries approved by the Hindi Department of U.P. Government or Central Government of Bhasha Vibhag and sufficient copies supplied to each Court?
19. Whether register for a journal is being maintained and whether all the journals are being received regularly?
20. Whether important Notifications, Acts and Bills are being placed before the Distt. Judge by the Librarian?
21. Whether journals, gazettes and extra-ordinary gazettes are being circulated?
22. Whether the price of the books lost or journals lost has been realised or any inquiry started?
23. Are there unbound books in the Library requiring binding? If so, what steps have been taken to get them bound? (C.L. No. 55-X dated 19.4.1952 and C.L. No. LB-12 dated August 1976).
24. Whether gazettes have been bound and maintained as required by rule 461 General Rules (Civil)? (Cl. No. 77/VIIIb-119 dated 11.9.1956).
25. Has the weeding of books taken place in the Library? If so, when? If not, are there any books in the Library which may require weeding in view of rule 465, General Rules (Civil) rules 462 to 464, General Rules (Civil) read with C.L. No. 5 dated 13.1.1959).
26. Whether the bills of books purchased and subscribed during the previous year have been paid and grant fully utilized?
27. Whether indents for stationery and non-saleable forms have been received from various courts in time and whether a consolidated indent has been submitted in time, State Form No. 173? [Rule 512, General Rules (Civil)].
28. Whether all the required stationary and forms have been received? If not, what are the items not received and if any reminder has been issued?
29. Whether the stationery being supplied is sufficient for the judgeship? If not, how much more is required?
30. Is the stock of paper and stationery in accordance with the entries in the Stationery Register on physical checking?
31. Whether guard file of inspection notes is being maintained?

PROFORMA – I

Name of Officer	Quarter ending	Date of Inspection	Date of submission to the District Judge after compliance
1	2	3	4

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Appendix-7

QUESTIONNAIRE FOR INSPECTION OF RECORD ROOM

1. Name of officer-in-charge, Record Room, date from which he is in charge.
2. Has the officer-in-charge, Record Room, inspected in every quarter and compliance made (Give details in proforma 1).
3. What is the strength of the Record Room staff? Is the staff over-worked? Is the distribution of work among the A.R.Ks. even? (Give details in proforma 1A).
4. Whether there are adequate arrangements for extinguishing fire? (Appendix 21, Central Rules (Civil), Part II). Whether fire-extinguishers are in working order? When those were last tested? Whether the condition of electrical wiring and installations in the record room is safe and satisfactory.
5.
 - (a) Whether records are kept in separate racks for each court ? [Rule 110 General Rules (Criminal) and rule 179, General Rules (Civil)].
 - (b) Whether different colours for Bastas of different courts have been assigned? If so, give details, rule 194 General Rules (Civil) last para.)
 - (c) How many Bastas require re-colouring, relabelling or replacement?
 - (d) Whether bundles have been properly labelled giving details of records? (Para 2 of rule 194, General Rules (Civil).
 - (e) Whether records in bundles have been kept in accordance with date of institution in the court of first instance and serial register no. and according to rule 192, General Rules (Civil)? [Rules 180 and 194, General Rules (Civil)].
6.
 - (a) Whether dates for consignment of records and registers from various courts to the Record Room have been fixed and whether records are being received within time ? Give details in Proforma II, (Rule 181, General Rules (Civil) and 108, General Rules (Criminal).
 - (b) Whether registers are also being consigned by various courts according to Rules within the time prescribed? If not, since when the registers have not been received and from which court?
 - (c) Whether records and registers are accompanied by list and invoice and lists are being properly stitched? Rules 182, 184 and 190 General Rules (Civil) and 109, General Rules (Criminal).
 - (d) How many Goshwaras are kept unbound? Give number of courts and the years for which Goshwaras have not been bound?
 - (e) Are sufficient number of decided records and registers being retained by the court concerned? if so, are reasons given in the accompanying list and requisitions sent? How many of these are retained on account of nonpreparation of decrees? (Para 3 of rule 181, General Rules (Civil). Each A.R.K. to give statement for 3 months preceding the date of inspection in Proforma II-A).

- (f) Whether certificate of consignment are being submitted by Munsarim of each court to the District Judge by 28th of every month? Name of the courts from which the certificate have not been received during the last one year (Para 2 of rule 181 G.R. (Civil).
7. (a) Whether monthly consignments have been examined and second punching done within one month from the date of receipt and certificate given? (Rules 187, 188, 189 and 191 of General Rules (Civil) and rule 111, General Rules (Criminal).
- (b) Whether there are any arrears for examination with any A.R.K. or Record keeper? If so, give details in proforma III).
- (c) How many defective (Badar) files were found during checking? Give details in proforma IV.
- (d) Whether the defective files are being corrected in accordance with paras 2 and 3 of rule 188, General Rules (Civil).
- (e) How many defective files are pending corrections in Record Room or various courts and for how much time? Give figures in proforma IV.
- (f) Whether examination of records is properly done in light of rules 142, 150, 153, 157, 159, 181 and 187 and G.Ls. and C.Ls. reproduced on pages 547-553 of the Circulars of the Hon'ble High Court? (Take out a few records from bundles of each A.R.K. and examine them in light of rules 187, 188 and 191 of General Rules (Civil).
- (g) Whether examined records have been restored to the bundles the same day or next day of examination? In case of arrears give details of records received last month in proforma V.
- (h) Whether records received back from Copying Department or appellate courts or other courts are restored as soon as they are received ?
- (i) Whether the files of miscellaneous cases and papers received, are being restored to the proper records? (Rule 193, General Rules (Civil) and 112, General Rules (Criminal).
8. (a) Whether all the records and registers required to be weeded upto the date of inspection, have been weeded? If in arrears, give details in proforma VI and VII.
- (b) Whether records have been weeded in accordance with rules 193 to 201, General Rules (Civil) and rules 177 to 184, of General Rules (Criminal) ? (Some weeded records and registers should be taken out checked for compliance of rules 199, 200 and 201 of General Rules (Civil).
9. (a) How many ordinary requisitions from courts for records have been complied with more than a week delay during the year under inspection? Give details of such requisitions in proforma VIII for the last three months.
- (b) How many urgent requisitions from courts and requisitions from Copying Department have been complied with after more than 24 hours during the year under inspection? (Give details of such requisitions in proforma VIII for the last three months).
- (c) In how many cases records had not been sent at all?

- (d) How many requisitions are pending for compliance with each A.R.K. and Record Keeper? (Give dates of the three eldest requisitions.)
- (e) Are entries of register Form No. 24 being properly made in accordance with rules 211, 212 and 214 General Rules (Civil) for civil records and in Form No. 5 in accordance with rule 130, General Rules (Criminal) for criminal records (check some continuous 25 entries from the registers).
10. (a) How many records have not been returned from various courts for more than a year and from how many courts? Has any action been taken by the Record Keeper and the A.R.K. concerned.
- (b) Have the quarterly lists been prepared and sent to the courts concerned and received back after verifications? (Give information in proforma IX).
11. Has monthly statement provided by para 2 of rule 210 General Rules (Civil) been submitted? if so, on what dates during the last one year ?
12. Whether the applications for inspection and search are satisfactory? (Give comparative figures in proforma X).
13. Whether guard file for inspection notes is being maintained.
14. Whether any observations or instructions at the last inspection have remained unattended to? If so, furnish reasons therefor.

PROFORMAS FOR INSPECTION OF RECORD ROOM

PROFORMA – I

Name of Officer	Quarter ending	Date of inspection	Date of submission to the District Judge
1	2	3	4

PROFORMA – IA

Sl.No.	Designation	Name	Date from which working	Courts & work allotted	Remarks
1	2	3	4	5	6

PROFORMA - II

Name of A.R.K.

Name of Court	Nature of cases	Due date for consignment	Date of actual consignment				Remarks
			Jan.	Feb.	Mar.	etc.	
1	2	3	4	5	6	7	8

PROFORMA - IIA

Name of Courts.....

No. of decided records for consignment	No. of records consigned	No. of records detained		No. of registers not consigned with reasons
		On account of non-preparation of decree	For other reasons	
January				
February				
March				

PROFORMA - III

STATEMENT OF ARREARS OF EXAMINATION

Name of Court	Name of month of Basta	Nature of the records	Date of receipt	No. of files received	No. of files examined within time	No. of files remained unexamined	Reasons for arrears of examinations
1	2	3	4	5	6	7	8

PROFORMA-IV

STATEMENT OF BADAR FILES

Name of Court	Nature of the cases	No. of files received and examined	No. of defective files	Date on which files sent to the court concerned for removing defects	No. of files received with date of receipt
1	2	3	4	5	6

PROFORMA V

Name of Court	Nature of the cases	No. of files lying un-restored to the bundles	Date of examination	Remark
1	2	3	4	5

Appendix-8

QUESTIONNAIRE FOR INSPECTION OF CIVIL COURTS BY DISTRICT JUDGE

1. Give the name(s) of the Presiding Officer who worked since the last inspection with duration.
2. Whether the quarterly inspection by the Presiding Officer and the last inspection by the District Judge have been complied with and submitted? (Give details in Proforma I).
3. Are the inspections of the P.O. practical and effective?
4. Whether the staff is adequate or under-manned and whether the distribution of work is even and proper? Give the names of the members of the staff with posts and duration.
5. Whether the accommodation is sufficient and in good condition?
6. Whether furniture supplied is sufficient and in good condition?
7. What is the territorial jurisdiction, pecuniary jurisdiction and other jurisdiction being exercised by the Presiding Officer?
8. Is the weekly cause list being posted on each Saturday and are all the cases for a particular day and adjourned cases within the same week entered therein in proper columns? [Rule 16 G.R. Civil Part I].
9.
 - (a) What is the pending file of all types of cases on the first day of the month of the inspection and the corresponding day last year? Give details in proforma II and also give reasons for increase or decrease.
 - (b) Give the number and date of institution of ten oldest cases of each type in the remarks column of proforma II.
 - (c) Give an yearwise break-up of pending files of Regular Suits, Appeals, Revisions, Execution cases as well as miscellaneous cases shown in Proforma II in comparative form for both the dates?
10.
 - (a) How many contested cases have been decided by the Officers during the last one year?
 - (b) Give the yearwise break-up of all the contested cases decided of all types.
 - (c) How many cases were decided ex parte or in default and what is the percentage of these cases to the contested cases?
 - (d) How many cases were decided otherwise?
11.
 - (a) Is the Presiding Officer's diary and the Reader's diary properly maintained? Are the dates to which cases are adjourned, the purpose for which fixed and the work done on that day, entered in the diary? [Rules 401 and 18-A, G.R. (Civil)].
 - (b) Are the cases fixed for particular days in the diary of the Presiding Officer in such a manner as to facilitate hearing of all the cases fixed on that day and disposal of old cases?

- (c) Are cases taken strictly in accordance with priority rule and are also entered in the diary in that manner?
- (d) Does the Presiding Officer fix and does sufficient work on each day?
- (e) Are cases taken up day to day or are unnecessarily adjourned.
- (f) Are the witnesses present on a particular day examined before adjournment?
- (g) Are arguments heard promptly and judgments pronounced within 30 days of the first hearing of arguments?
- (h) Are cases adjourned for sufficient reasons .by passing detailed order?
- (i) Are decrees prepared in time and in accordance with rule 98 G.Rs. (Civil).
- (j) How many cases are adjourned in a week on the personal ground of the counsel, for no time and on account of no objection by the opposite party?

NOTE: For answers to the above questions, a complete statement of the work fixed and done date-wise for full one week (Monday to Saturday) two weeks before the notice of inspection should be got prepared in proforma III and a statement in proforma IV in respect of all the contested decided cases in the month preceding the month in which instruction of inspection has been given).

- (k) Whether decrees are being prepared in light of instructions contained in C.Ls. reproduced on pages 391, 393 to 395 of Circular letters and Order 20 rule 21 C.P.C. and rule 98, G.R. (Civil)?
12. Are the parties and witnesses being examined in suits before framing issues? (Give a statement in Proforma V for the same week in note above).
 13. Whether notices of appointment of guardian are issued to minors also when the age of the minor is more than 12 years?
 14. (a) Whether Commissioners submit reports within the time allowed. If not, how much time is taken generally and whether extensions are sought?
 (b) How many old cases are lying undisposed on account of non-submission of report by the Commissioner for more than three months and for how long? What action has been taken against Commissioner?
 (c) Whether Amins are submitting survey reports within time or are seeking extension?

EXECUTION

15. What is the number of execution cases pending over six months?
16. What is the total number of execution cases disposed of and the number of in fructuous application? What is the proportion of in fructuous applications to the total of cases disposed of during one year preceding the date of inspection?
17. Are the orders in the Hindi order sheet of the execution cases dated by the Presiding Officer himself (Rule 163, General Rules (Civil).
18. Whether proper dates for service of proclamation and sale are fixed?

19. Are the writs of attachment and sale promptly issued to the Amin within three days of the order and properly entered in register Form No. 106?
20. Are the execution cases not allowed to hang on for taking steps for more than a week?
21. (a) How many suits have been stayed by the court under section 10 C.P.C.? Give details in the given proforma.
(b) Whether full particulars of the connected case with name of the court and copy of pleadings of that case were given by the parties?
(c) Has the fact of stay communicated to the court in which the connected proceedings is pending?
(d) Has any attempt been made to know the stage and the result of the connected proceeding?
22. How many suits, execution cases and miscellaneous cases have been stayed by the appellate courts or the records have been sent to them? Give a list in the prescribed proforma VI. Have any inquiries been made during the last three months. ?
23. Whether the proceedings by which trial court matters are stayed or in which records are called for, are disposed of expeditiously to enable the courts to proceed with pending matters?
24. Are the decided records consigned on the dates fixed? If not, what is the arrear?
25. Have the monthly, quarterly and annual statements have been submitted on the dates fixed? If not, with how much delay and why?
26. Whether the number of inspections and search applications is satisfactory? Give comparative statement in prescribed proforma VII.
27. Whether all the reports of Inspector of Stamps have been complied with and disposed of? If any reports are pending, for what period and why?
28. How many requisitions from other court including Hon'ble High Court and the Copying Department are pending on the date of inspection and for how many days?
29. Have all the amendments in the General Rules (Civil) and G.R. (Criminal) been incorporated and are those books upto-date.?
30. Has the Munsarim carried out the half-yearly inspection during the last year? Are the inspections practical and effective? Have the defects pointed out by the Munsarim been removed?
31. Is the P.O. satisfied with the handwriting and work of various officials of his court and office?
32. Are the books supplied to the court sufficiently in good condition and entered in a register ?
33. Are non-saleable forms indented in time, supplied and used?
34. Examine some records of each category and examine the files detailed in statements III and IV from the point of view of compliance of the following provisions of law and rules and other matters mentioned hereinafter:

- (i) Order 1 rule 8 C.P.C.
 - (ii) Compliance of
 - (a) Order 3 rule 2.
 - (b) Order 3 rules 3, 4 and 5.
 - (c) Order X rules 1 to 4.
 - (d) Order XIV- rules 1 to 5.
 - (iii) Service of processes by substituted service.
 - (iv) Rules 2, 3, 4, 6, 10, 11, 14, 15, 16, 17, 18 (for checking efficiency of the Munsarim).
 - (v) Order 7 rules 3, 7, 14, 15, 16, 17, 19, 20, 23 and Order 8 rules 11 and 12.
 - (vi) Order 13 rules 4, 5, 6, 7 and 8.
 - (vii) Summoning witnesses under order 16 C.P.C.
 - (a) Promptness and delay in issue of processes.
 - (b) Contents of issue of summons to produce documents,.
 - (c) Mode of service.
 - (viii) Appointment of guardians of minors or lunatics, as plaintiffs or defendants.
 - (ix) Attachment orders and temporary injunctions or stay orders.
 - (a) Compliance of, promptness and delay in putting applications for orders.
 - (b) Promptness and delay in issuing processes.
- (2) Examine some oldest execution cases and some cases more than a year old for:
- (a) Checking compliance of orders passed, issue of processes, i.e., notices, precepts, seal warrants, etc. with particular reference to compliance of rules 166, 167, 169, 172, 173 of General Rules Civil and compliance of G.D. No. 3020/19-0-20 dated 4th September, 1920 and G.L. No. 10/VIIIh-19 dated 12.9.1951 as well as compliance of orders of the Hon'ble High Court contained in various C.Ls. and G.Ls. reproduced on pages 273 to 275 of circular letters of the Hon'ble High Court.
 - (b) Checking of execution and return of parwanas of attachment and sale by Amins extension of time, ground for return of unexecuted parwanas and reports of the process servers etc.
- (3) Checking of compliance of rules 31, 35, 37, 41, 42, 44, 45, 51, 52, 56 to 61, 142 to 156, 150 and 155 to 159, General Rules (Civil) in the above files or some of them.
35. When carrying out inspection, District Judges would particularly see:-
- (a) Whether the P.O. is business like and intelligent in handling the cases.
 - (b) Whether he exercises efficient supervision on the day-to-day working of his officials.

- (c) The manner of framing issues.
- (d) Whether interests of minors and persons of un-sound mind are properly looked after?

PROFORMA FOR INSPECTION OF CIVIL COURTS

PROFORMA – I

Name of Officer	Quarter ending	Date of inspection	Date of submission to District Judge
1	2	3	4

PROFORMA – II

Sl.No.	Name of Case	Pending on 78	Pending on 77	No. and dates of oldest cases	Remarks
1	2	3	4	5	6

PROFORMA – III

No. of Case	Names of Parties	Nature of cases	Purpose	Work done	Remarks
1	2	3	4	5	6

PROFORMA – IV

No. of Cases	Name of parties	Nature of suit	Date of dates on which evidence was recorded	Date of hearing of arguments	Date fixed for Judgment	Actual date of delivery of Judgment	Date of preparation of decree	Date of signing of decree by P.O.	Date of certification of decree of Judgment to the L.C.	Remarks
1	2	3	4	5	6	7	8	9	10	11

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Appendix-9

CIVIL

QUESTIONNAIRE FOR INSPECTION OF CIVIL COURTS BY PRESIDING OFFICERS

1. Whether the quarterly inspection by the Presiding Officer and the last inspection by the District Judge have been complied with and submitted? Give details in Proforma I.
 - (a) Have guard files for inspection notes of the P.O., D.J., and the Hon'ble High Court been maintained and all the inspection notes properly posted?
 - (b) Has the Munsarim carried out the half-yearly inspection during the last year? Are the inspections practical and effective? Have the defects pointed out by the Munsarim been removed?
 - (c) Whether all the reports of Inspector of Stamps have been complied with and disposed of? If any reports are pending, for what period and why?
2. Whether the staff is adequate or under-manned and whether the distribution of work is even and proper? Give the names of the members of the staff with posts and duration.
3.
 - (a) What is the pending file of all types of cases on the first day of the month of the inspection and the corresponding day last year ? Give in proforma II and also give reason for increase or decrease.
 - (b) Give the number and date of institution of ten oldest cases of each type in the remarks column of proforma II.
 - (c) Give yearwise break-up of pending files of regular suits, appeals, revisions, execution cases as well as miscellaneous cases showing in proforma II in comparative form for both the dates.
4. How many old cases are lying undisposed on account of non-submission of report by the Commissioners and Amins for more than three months and for how long? What action has been taken against the Commissioner and the Amin?
5. Whether books of account are produced at the time of presentation of plaint and copies verified by the Munsarim in suits on the basis of account books? (0.7 r. 17 C.P.C.)
6. Whether endorsement as required by 0.13 rule 4 C.P.C. is duly made?
7. Are the original documents which are the basis of the suit, kept in sealed cover with the Munsarim? (Rule 159(3) G.R. Civil).
8. How many suits have been stayed u/s 10 or 151 C.P.C. ?
9. Are processes returned from Nazarat after service within the time fixed?
10. How many suits, execution cases and miscellaneous cases have been stayed by the appellate courts or the records have been sent to them? Give a list in the prescribed proforma III. Have any inquiries been made during the last three months?
11. Are the decided records consigned on the dates fixed? If not, what is the arrear?

12. Have the monthly, quarterly and annual statements been submitted on the dates fixed? If not, with how much delay, give reasons for delay.
13. Whether the number of inspection and search applications is satisfactory? Give comparative statement in prescribed proforma IV?
14. Have all the defective files received from the record room for correction been returned back after correction? If not, how many, and for what period are pending?
15. Whether repayment applications are being disposed of within 3 days or at the most within 7 days? (Give details of all pending applications of more than one week).
16. How many requisitions from other courts including Hon'ble High Court and Copying Department are pending on the date of inspection and for how many days?
17. Have all the amendments in the General Rules (Civil) and G.R. (Criminal) been incorporated and are these books upto-date?
18. Whether intimation of the order of release of attached property has been communicated to the Amin concerned in all cases.
19. Examine over two years old execution and miscellaneous cases to satisfy yourself, whether they have been promptly put up for your orders by the clerk concerned.

EXECUTION

20. (a) What is the number of execution cases pending over six months ?
- (b) Are orders and processes being prepared in strict rotation? (Rule 162 G.R. Civil)?
- (c) Are decrees transferred from other courts for execution duly entered in the relevant register ? Whether such decrees are returned to the transferring court at the end of one year if no applications are made? (Rule 164 G.R. Civil).
- (d) Are sale certificates properly issued and copies thereof sent to the sub-registrars without delay? (Verify entries in the register and note cases of a delay of more than 15 days from confirmation of sale).
- (d) Whether sale certificates are issued without delay?
- (f) Whether applications for execution are entered in register form no. 68 immediately after receipt? [Rules 162, 164, 167 G.R.Civil)].
- (h) Are the writs of attachment and sale promptly issued to the Amin within three days of the order and properly entered in register form no. 106?
21. Whether compliance of orders regarding issue of processes, parwanas has been prompt? (Examine 5 cases of each type).
22. Whether returns and statements have been submitted at due time and correspondence promptly attended to. Give details of matters pending since long ?

PROFORMA – I

Name of Officer	Quarter ending	Date of inspection	Date of submission to District Judge
1	2	3	4

PROFORMA – II

Sl. No.	Nature of case	Pending on	Pending on	No. and date of ten old cases	Remarks
1	2	3	4	5	6

PROFORMA – III

Details of the cases	Court under whose orders the case is lying stayed	No. of cases and the date of the order of stay	Whether an enquiry was made if so, give dates of inquiries during the last one year.
1	2	3	4

PROFORMA – IV

From To From To
Number Amount Number Amount
Inspection applications
Search applications

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Appendix-10

POINTS FOR SURPRISE INSPECTION BY PRESIDING OFFICER OF CIVIL COURTS

1. Are all the notices provided by rules 17, 19, 63, 201 and 639 G.R. Civil duly posted?
2. Is the weekly cause-list being posted on each Saturday and space is provided for entering adjourned cases etc. and are adjourned cases being entered?
3. The diary maintained by the Reader and in the office be checked and it should be specified if the diaries are being properly maintained as required by rules and various C.Ls?
4. Whether refund applications are being disposed of within 3 days at Head Quarter and within one week at outlying courts?
5. Whether applications are being put up the same day for orders?
6. Whether Amins and Commissioners submit reports in time?
7. Check up delays in compliance of inspection notes recorded by D.J., P.O., Inspector of Stamps and Inspector of Offices.
8. Checkup the Memorandum Books of Dates maintained in the office and the Reader's Diary to see if the entries are complete.
9. Check up the cancellation, punching and noting of stamps [Rules 384 and 385 G.R. (Civil)].
10. Checkup the entries of applications received as well as value of stamps etc., in Siaha Register.
11. Whether records are being properly prepared in compliance with the provision of rules 17, 31, 35, 41, 42, 45, 50 to 61, 142 to 146, 150 to 159 General Rules (Civil).
12. Whether execution files are being put up without delay?
13. Whether preparation of decrees and formal orders are upto-date and in proper form?
14. Whether Munsarim's reports on plaint and Memorandum of appeal are prompt and correct?
15. Checkup whether all the registers, specially in Form Nos. 3, 67, 73, 74 and 108 are upto-date and entries are being properly made.
16. Whether summons, notices and processes are being issued in time, i.e., within 3 days of the orders passed?
17. Whether requisitions from the Copying Department are complied with the same day?
18. Whether requisition received from High Court and other courts are complied within 3 days in urgent matters and within a week in ordinary matters?
19. Whether separate Guard Files for G.Os. and C.Ls. are being maintained and if the index is upto-date?

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Appendix-11

CIVIL

QUESTIONNAIRE FOR INSPECTION BY MUNSARIM

1. Whether stamps are being cancelled, punched and endorsed and entries made in the Siaha Register Form No. 103 [Rules 384 and 408 G.R. Civil)].
2. Whether the number of stamps and their values are noted on the documents bearing stamps? [Rule 385 G.R. (Civil)]?
3. Whether rules 31, 35, 37, 41, 42, 44, 45, 51, 52, 56 to 61, 142 to 146, 150, 155 to 159 and 518 General Rules (Civil) are followed and complied with? Examine some pending and decided files to check the above compliance.
4. Are the papers on presentation properly examined by the receiving official and endorsement of presentation made?
5. Are processes returned from Nazarat after service within the time fixed?
6. Are prayers in the plaints and cause of action as well as details of properties properly entered in Register No. 3?
7. Are memorandum of books properly maintained by the suits clerk? Misc. Clerk and the execution clerk? (Rule 404 G.R. (Civil).
8. Are the decisions of suits entered in register form no. 67 immediately and in correct columns?
9. Are orders and processes being prepared in execution cases in strict rotation? (Rule 162 G.R. (Civil).
10. Are decrees transferred from other courts for execution duly entered in the relevant register? Whether such decrees are returned to the transferring courts at the end of one year if no applications are made? (Rule 164 G.R. (Civil)
11. Are sale certificates promptly issued and copies thereof sent to the sub-registrars without delay? (Verify entries in the register and note cases of a delay of more than 15 days from confirmation of sale).
12. Whether sale certificates are issued without delay?
13. Whether applications for execution are entered in Register Form No. 68 immediately after receipt? (Rules 162, 164, 167, G.R. (Civil).
14. Are the result of execution cases properly and promptly entered in the relevant register form no. 69?
15. Are the writs of attachment and sale promptly issued to the Amin within three days of the order and properly entered in register form no. 106?
16. Whether all the reports of Inspector of Stamps, Inspector of Offices have been complied with and disposed of? If any reports are pending for what period and why?

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Appendix-12

INSPECTION OF CRIMINAL COURTS OF MAGISTRATES QUESTIONNAIRE FOR INSPECTION BY DISTRICT AND SESSIONS JUDGE

1. Give the names of the Presiding Officers who worked since the last inspection with duration.
2. Whether the quarterly inspection by the Presiding Officer and the last inspection by the District Judge, have been complied with and submitted? Give details in proforma I.
3. Whether the staff is adequate or under-manned and whether the distribution of work is even and proper? Give the names of the members of the staff, posts and duration.
4. Whether the accommodation is sufficient for the court as well as the office?
5. Whether furniture supplied is sufficient and in good condition.
6. What is the territorial jurisdiction and other jurisdiction being exercised by the Presiding Officer?
7. Whether the Presiding Officer exercises summary powers?
8. (a) What is the pending file of all types of cases on the first day of the month of the inspection and the corresponding day last year ? Give in Proforma II and also give reasons for increase or decrease.
(b) Give the number and date of institution of ten oldest cases of each type in the remarks column of Proforma II.
(c) Give yearwise break-up of pending files of each type of cases shown in Proforma II and comparative form for both the dates :-
(d) Give the total number of Special Act cases, e.g., D.I.R. M.V. Act, Excise Act, Arms Act, Gambling Act etc., in two columns more than 6 months old and more than a year old.
9. (a) How many contested cases have been decided by the Officers during the last one year?
(b) Give the year-wise break-up of all the contested cases decided of all types.
10. What are the institutions, disposals and pendency of the year under inspection as well as for the previous year? (Special Act cases only).
11. What are the institutions, disposals and pendency of the cases for the one year period covered by the inspection (details shown in Proforma II).
12. Are endorsement of admission and denial obtained from the accused or his counsel on the documents filed and relied upon by the Prosecution? (Sec.294 Cr.P.C.).
13. (a) Are surrender and bail applications disposed of the same day and orders communicated to the Superintendent of Jail immediately ? Give details for one week (to be specified) in Proforma IV.
(b) Are verifications of status of sureties by advocates accepted? If so, upto what amount?

- (c) Whether the bail bonds are being accepted the very day they are furnished? State three cases within the month of inspection when this was not done and why?
- (d) Whether release orders are being dispatched to the jail authorities the same day. State three cases of the quarter in which this was not done and why?
- (e) Whether during the quarter under review bails were granted by the Magistrate in any case exclusively triable by the Court of Session?, if so, particulars be given?
14. Are the F.I.Rs. received, initialled and dated by the P.O. and entered in the register?
15. Are the statements of the complainants being recorded the same day under section 200 Cr.P.C.? (Submit statement in Proforma IV A)
16. (a) Examine the Fine Register and state :-
Is register of fine correctly maintained and the amounts entered by the Presiding Officer in his own hand and initialled? Rules 71, 79 and 82 G.R. (Criminal)?
- (b) Are receipts of fine immediately issued and signatures of the person, obtained on the counterfoil? (Rule 79 G.R. (Criminal)?
- (c) Is the realization of fine communicated to the Superintendent, Jail immediately? (Rule 77 G.R. (Criminal).
- (d) Are the amounts of fine received sent to the treasury immediately or to the Nazarat the same day? [Rule 76 G.R. (Criminal)].
- (e) What is the total amount of fine pending recovery on the date of inspection and what are the 5 oldest items?
- (f) What steps have been taken for the recovery of the out standing fine?
- (g) How much fine and how many items have been stayed from the appellate courts? (Give a list)?
- (h) (How much amount is fit to be written off being irrecoverable? What efforts have been made for its recovery?
- (i) Is the Fly-leaf to check receipt book being completed and the fine receipt book sent to the Treasury for checking every month? (Rule 80 G.R. (Criminal).
- (j) Are refund vouchers prepared promptly?[Rule 81G.R. (Criminal)].
- (k) Is proper certificate being appended at the end of each month after due verification of fine, to the pending items of fine?
17. (a) Is the Presiding Officers' diary properly maintained? Are the dates to which cases are adjourned, the purpose for which fixed, the work done on that day, entered in the diary? (Rule 5-B G.R.(Criminal).
- (b) Are the cases fixed for particular days in the diary of the Presiding Officer in such a manner as to facilitate hearing of all the cases fixed on that day and disposal of old cases ?
- (c) Are cases taken strictly in accordance with priority rule and are also entered in the diary in that manner?

- (d) Does the Presiding Officer fix and does sufficient work on each day?
- (e) Are cases taken up day to day or unnecessarily adjourned?
- (f) Are the witnesses present on a particular day examined before adjournment?
- (g) How many cases are adjourned in a week on the personal ground of the counsel, for no time and on account of no objection by the opposite party?
- (h) Are judgments delivered promptly within 14 days from the close of arguments? Are arguments heard soon after the close of the evidence? (Give statement in proforma III for last two months before the inspection).
- (i) Have adjournments been frequently granted? Are they granted on sufficient grounds and reasons for adjournments are noted in the order sheet?
- (j) How many witnesses are summoned by the court every day on average? How many of them are examined and discharged and how many are ordered to come again?
- (k) Whether cases had to be adjourned for non-receipt of process within time. State three cases in which necessary steps were taken by the Presiding Officer?
- (l) Whether cases had to be adjourned for non-attendance of accused. State three cases and the steps taken by the Presiding Officer to ensure attendance?
- (m) Whether cases had to be adjourned for non-attendance of prosecution witnesses. State three cases in which this delay took place, its frequency and the steps taken to ensure attendance.
- (n) Whether cases were adjourned for want of time or otherwise despite availability of the prosecution witnesses, without examining them. State three cases setting out the reasons for not examining such witnesses?
- (o) Whether cases were frequently adjourned on any other ground or grounds, if so, what are the justifications?

NOTE: For answers to the above questions a complete statement of work fixed and done (date wise for full one week (Monday to Saturday) two weeks before the notice of inspection should be got prepared in proforma V. One more statement in Proforma III be also got prepared for all contested cases of the month previous to the month in which notice of inspection is given.

- 18. Is proper use being made of the provisions of sections 203, 239 and 227 of the Cr.P.C? How many cases under these provisions disposed of during the last one year preceding the inspection?
- 19. How many cases have been compounded during the last one year?
- 20. In how many cases benefit of sections 3 and 4 of the U.P. First Offenders Probation Act has been given during the year under inspection?
- 21. Out of the contested cases, how many cases ended in acquittal and how many in conviction and their percentage during the last one year?
- 22. How many cases have been tried summarily during the last one year?

23. Has register of requisition of records in Form No. 5 as amended been maintained (Rule 130 G.R. (Criminal).
24. Whether free copies are issued to the accused in cases of convictions immediately? If not, is rule 146 G.R. (Criminal) complied with?
25. In how many cases compensation and costs have been awarded during the last one year and what amounts?
26. How many cases are stayed under orders of the appellate court? (Give details in a proforma statement VI). Whether any enquiries were made and when was the last reminder sent?
27. Whether the number of Inspection and Search applications is satisfactory? Give the comparative figures in Proforma VII.
28. Whether monthly, quarterly, annual statements have been submitted in time? If not, how much delay? Give a detailed list of those statements submitted late in proforma VIII.
29. Examination of Criminal files (2 oldest of each category as given below).
 - (I) Police challani cases:
 - (a) Inquiry cases
 - (b) Warrant trials
 - (c) Summons trials
 - (d) Summary trials
 - (II) Complaint cases:
 - (a) Inquiry cases
 - (b) Warrant trials
 - (c) Summons trials
 - (d) Summary trials

NOTE: These files have to be checked especially on the point of compliance of orders passed by the court, on the point of issue of summons, notices and warrants to the accused and witnesses, noting down of their presence or absence in the Hindi order sheet, issue of notices to sureties, execution of personal bonds, existence of bail and personal bonds on the record and preparation of record with reference to rules 22, 23, 26, 27, 29 and 61 of General Rules (Criminal).

30. PERIODICAL RETURNS:
 - (a) Whether a list of periodical returns, yearly, six-monthly, quarterly and monthly and so on is maintained in the court, and is the same upto-date?
31. When examining records as in 29 the following points would also be noted.
 - (a) Whether remands are being properly given.
 - (b) With whom the remand papers are kept?
 - (c) Whether appropriate and correct charges are framed?
 - (d) Whether appropriate sentences are passed?

PROFORMA – IV

DETAILS OF DISPOSAL OF BAIL APPLICATIONS DURING.....

Particulars of cases	Section of offences	Date of application	Date of disposal	Date of communication to the Superintendent of Jail
1	2	3	4	5

PROFORMA – V

No. of cases	Name of parties	Section & Act or nature of offence	Purpose	Work done	Remarks
1	2	3	4	5	6

PROFORMA – VI

Details of the case	Court under whose order the case is lying stayed	Date of stay order and particulars of the case in which the stay order was passed	Whether any enquiry was made? If so, give date of enquiries made during the last one year
1	2	3	4

PROFORMA – VII

From To From To

Inspection applications	applications	Search	Number	Amount	Number	Amount
1			2	3	4	5

PROFORMA – VIII

Details of statement	Due date	Date on which submitted
1	2	3

PROFORMA – IX

Month	No. of files decided	No. of files consigned	No. of Badar files received	No. of files returned after removing defect	No. of files not returned after removing defects with reasons
			Date of receipt	Date of return	
1	2	3	4	5	6

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Appendix-13

QUESTIONNAIRE FOR THE INSPECTION OF CRIMINAL COURTS BY CHIEF JUDICIAL MAGISTRATE

1. Is weekly cause list being prepared and posted in accordance with rule 5 G.R. (Criminal)?
2.
 - (a) Is the Presiding Officer's diary properly maintained? Are the dates to which cases are adjourned, the purpose for which fixed and the work done on that day, entered in the diary? (Rule 5-B G.R. (Criminal).
 - (b) Are the cases fixed for particular days in the diary of the Presiding Officer in such a manner as to facilitate hearing of all the cases fixed on that day and disposal of old cases?
 - (c) Are cases given priority strictly in accordance with priority rule and are also entered in the diary in that manner?
 - (d) Are cases taken up day to day or are unnecessarily adjourned?
 - (e) Are cases adjourned for sufficient reasons by passing detailed orders?
 - (f) How many cases are adjourned in a week on the personal ground of the counsel, for no time and on account of no objection by the opposite party despite availability of prosecution witnesses and without examining them?
 - (g) Whether cases had to be adjourned for non-receipt of processes within time. State three cases in which consequential steps were taken by the Presiding Officer.
 - (h) Whether cases had to be adjourned for non-attendance of accused ? State three cases and the steps taken by the Presiding Officer to ensure attendance.
 - (i) Whether cases had to be adjourned for non-attendance of the prosecution witnesses. State three cases in which it resulted in delay, its frequency and the steps taken to avoid it.
 - (j) Are arguments heard promptly after the close of evidence and judgments pronounced within 14 days of the first hearing of arguments?
 - (k) How many witnesses are summoned by the court every day on an average? How many of them are examined and discharged and how many are ordered to come again?
 - (l) Whether the Presiding Officer fix and does sufficient work on each day?
 - (m) Are endorsements of admission and denial obtained from the accused or his counsel on the documents filed and relied upon the prosecution? (Sec. 294 Cr.P.C.)
 - (n) Are the indices of prosecution, defence and material exhibits prepared separately and exhibits mark noted and initialed by the Presiding Officer (Rules 23 and 27 G.R. Criminal).

(For answers to the above questions, a complete statement of the work fixed and done and decided cases for full one week (Monday to Saturday) two weeks before the notice of inspection should be got prepared in Proforma I and II giving reasons for adjournments in the remarks column. Cases fixed for attendance and orders need not be mentioned in the statement).

(2) (a) Examine oldest criminal files (two of each category as given below) from the files shown in statements Form No. I and II.

(I) Police challani cases:

- (a) Warrant trials
- (b) Summons trials
- (c) Summary trials

(II) Complaint cases:

- (a) Warrant trials
- (b) Summons trials
- (c) Summary trials

NOTE: These files have to be checked especially on the point of compliance of orders passed by the Court, on the point of issue of summons, notices and warrants to the accused and the witnesses, noting down of their presence or absence in the Hindi order sheet, issue of notices to sureties, existence of personal bonds on the record and preparation of record with reference to rules 22, 23, 26, 27, 29 and 61 of General Rules (Criminal).

3. (a) Are surrender and bail applications disposed of the same day and orders communicated to the Superintendent of Jail immediately? Give details for one week to be specified in Proforma III.
(b) Whether the bail bonds are being accepted the very day they are furnished. State three cases within the month of inspection when this was not done and why?
(c) Whether personal bonds are being received from Jail and filed in court? (Check some files and mention result).
4. Are the statements of the complainants being recorded the same day under section 200 Cr.P.C.
5. Is proper use being made of the provisions of Sections 203, 239 and 227 of the Cr.P.C.? How many cases under these provisions were disposed of during the last one year or six months preceding the inspection? (Examine one or two files of each type and state the result.)
6. How many cases have been compounded during the last one year/six months?
7. In how many cases benefit of sections 3 and 4 of the First Offenders Probation Act has been given during the year under inspection? (Check one or two files and state the result).
8. In how many cases amicus curie have been appointed for defending the poor accused during one year under inspection? (Check one or two files to see if proper discretion has been exercised).
9. Out of the contested cases how many cases ended in acquittal and how many in convictions and their percentage during the last one year? (Give separate figures for I.P.C. and Spl. Act cases).
10. How many cases have been tried summarily during the last one year (Give separate figure for I.P.C. and Spl. Act cases).

11. In how many cases compensation and costs have been awarded during the last one year and what amount? (Examine one or two cases and state if proper discretion has been exercised).
12. Whether the Reader maintains the Diary in the prescribed form? Rules 5-A G.R. (Criminal).
13. How many cases are stayed under orders of the appellate court? (Give details in a proforma statement IV. (Checkup files lying stayed for more than a year and comment).
14. Whether the number of inspection and search applications is satisfactory? Give the comparative figures in proforma V.
15. Whether free copies are issued to the accused in cases of convictions immediately? If not, is rule 146 G.R. (Criminal) complied with?
16. Whether copies on applications are promptly issued and entered in register in Form No. 87 (Rules 145, 147 and 154 G.R. (Criminal).
17. Has register of requisition of records in Form no. 5 as amended been maintained? [Rule 130 G.R. (Criminal)].
18. Whether decided records are consigned to R.R. twice a week as prescribed? If not, how many times a month? How much is the arrears of consignment and of what period?
19. Whether the first information reports are being received, initialed and dated by the Magistrate on the day of presentation and entered in the register of the first information report the same day? Instances of undue delay may be specified.
20. Is register of compliance of orders of the Hon'ble High Court in form no. 3A and of the appellate courts in form 3-B, properly maintained and compliance reported?
21. Are register of criminal miscellaneous cases in form Nos. 11, 12 and 12A being maintained and proper entries made?
22. Statement of Badar files in form given below be prepared and commented upon:-
 1. Month
 2. Total number of files consigned.
 3. Total number of Badar files received/date of receipt.
 4. No. of files returned after removing Badars with date.
 5. No. of files still not returned.
23. (a) Is register of fine correctly maintained and the amounts entered by the Presiding Officer in his own hand and initialed ?[Rules 71, 79 and 80 G.R.(Criminal)].
(b) Are receipts of fine immediately issued and signatures of the person obtained on the counterfoil? [Rule 79 G.R. (Criminal)].
(c) Is the realization of fine communicated to the Superintendent, Jail immediately (Rule 77 G.R. (Criminal)).

- (d) Are the Amounts of fine received sent to the Treasury immediately or to the Nazarat the same day. [Rule 76 G.R. (Criminal)].
- (e) What is the total amount of fine pending recovery on the date of inspection and what are the 5 oldest items.
- (f) What steps have been taken for the recovery of the out standing fine?
- (g) How much amount is fit to be written off being irre-coverable? What efforts have been made for its recovery?
- (h) Is the Fly leaf to cheque book receipt book being completed and the fine receipt book sent to the Treasury for checking every month? [Rule 80 G.R. (Criminal)].
- (i) Are refund-vouchers prepared promptly? [Rule 81 G.R. (Criminal)].

PROFORMA - I

No. of cases	Name of parties	Nature of, Sec. of, offence	Purpose	Work done	Remarks
1	2	3	4	5	6

NOTE: In this statement Number of PWS or DWS including the complaint should be mentioned in columns 4 and 5 both for each case and in col. 5 pages of evidence or total words recorded in each case should also be mentioned. In col. 5 time taken during argument may roughly be mentioned.

PROFORMA – II

No. of cases	Name of parties	Nature of case or section of offence	Date or dates on which		Dates fixed for Judgement	Actual date of delivery of judgement
			Evidence was recorded	Arguments heard		
1	2	3	4	5	6	7

PROFORMA - III

DETAILS OF DISPOSAL OF BAIL APPLICATIONS DURING.....

Particulars of cases	Sec. of offence	Date of application	Date of disposal	Date of communication to the Superintendent of Jail	Remarks
1	2	3	4	5	6

PROFORMA – IV

Details of the cases	Court under whose orders the	No. of the cases and the dates of the	Whether an inquiry made? If so, give dates of inquiries during the

	case is lying stayed	order of stay	last one year
1	2	3	4

PROFORMA - V

Comparative statement of number of inspection and search applications

From.....To.....From.....To.....

No. Amount. No. Amount

Inspection applications
Search applications

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Appendix-14

QUESTIONNAIRE FOR THE INSPECTION OF CRIMINAL COURT BY PRESIDING OFFICER

1. Whether proper guard file is being maintained in the office for the inspection notes of the Presiding Officer, Chief Judicial Magistrate and the Sessions Judge?
2. (a) What is the pending file of all types of cases on the first day of the month of inspection and the corresponding day last year? Give in proforma I and also give reasons for increase or decrease.
(b) Give the number and date of institution of ten oldest cases of each type in the remarks column of proforma I.
(c) Give an year wise break up of pending files of each type of cases shown in proforma I in comparative form for both the dates?
(d) Give total number of Special Act cases e.g., D.I.R. M.V. Act, Excise Act, Arms Act, Gambling Act etc., in two columns more than 6 months old and more than a year old.
3. (a) How many contested cases have been decided by the officers during the last one year?
(b) Give the yearwise break up of all the contested cases decided of all types.
4. (a) Check the fine register in light of the following:-
Is the realization of fine communicated to the Superintendent, Jail immediately? [Rule 77 G.R. (Criminal)].
(b) Are the amounts of fine received sent to the Treasury immediately or to the Nazarat the same day. [Rule 76 G.R. (Criminal)].
(c) How much fine and how many items have been stayed from appellate courts? (Give a list with dates of stay orders).
(d) How much amount is fit to be written off being irrecoverable? What efforts have been made for its recovery?
(e) Is the Fly leaf to check receipt books being completed and the Fine Receipt Book sent to the Treasury for checking every month [Rule 80 G.R. (Criminal)].
(f) Are refund vouchers prepared promptly? [Rule 81G.R. (Criminal)].
5. Has register of requisition of records in form no. 5 as amended been maintained (Rule 130 G.R. (Criminal)).
6. Are all the witnesses summoned, examined and discharged, whether paid or not entered in register in form no. 18 ?
7. How many defective Badar files have been received for correction from the Record Room and how many have been returned after correction? How many are pending for correction and for what period? Give a statement.
8. Checking of consignment of records. A statement of consignment of records of three months should be got prepared in every quarter as below:-

- 1) Month.
- 2) Nature of case.
- 3) No. of cases decided.
- 4) No. of cases consigned.
- 5) Due date/actual date of consignment.
- 6) No. of files not consigned.
- 7) Reasons for not consigning.
- 8) Statement of Badar files in Form XI as below:-

- 1) Month
- 2) Nature
- 3) Total number of files consigned
- 4) Total number of Badar files received/date of receipt
- 5) No. of files returned after removing Badars with date
- 6) No. of files still not returned.

9. How many cases are stayed under orders of appellate court? (Give details in a proforma statement II. Whether any enquiries were made and when was the last reminder sent?)
10. Give information regarding under trials of your courts in proforma, a cause of delay in three oldest cases of more than six months be also given.
11. Are orders for issue of processes, i.e. summons, warrants, and notices being complied with the same day or within 3 days at the most (Examine 10 records and discuss in detail).
12. How many requisitions and of which courts are pending on the date of inspection and why?
13. How many applications for copies are pending and for how long?

NOTE: P.O. should check up some points covered by instructions for Surprise Inspections.

PROFORMA –A

STATEMENT UNDER-TRIALS

Over one year	Over six months	Over three months	Less than three months
On charge sheet			
Without charge sheet			

PROFORMA – I

Sl. No.	Name of cases	Pending on	Pending on	Number and dates of 10 oldest cases

- (i) Police challani cases
 - (a) Inquiry cases
 - (b) Warrant trials
 - (c) Summons trials
 - (d) Summary trials
 - (e) Petty Cases
- (ii) Complaint cases
 - (a) Inquiry cases
 - (b) Warrant trials
 - (c) Summons trials
 - (d) Summary trials
 - (e) Petty Cases

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Appendix-15

POINTS FOR SURPRISE INSPECTION BY PRESIDING OFFICERS OF CRIMINAL COURTS

1. Are all the notices required by rules to be posted have been posted properly?
2. To scrutinize if the refund vouchers are being prepared promptly and in time.
3. Is register of compliance of orders of the Hon'ble High Court in Form No. 3A and of appellate courts in Form No. 3B properly maintained and compliance reported?
4. Has register of requisition of records in Form No. 5 as amended been maintained and compliance made within time?
5. Are complete entries in register Form No. 9 made in various columns? (Check some entries).
6. Are register of criminal miscellaneous cases in Form Nos. 11, 12 and 12A being maintained and proper entries made?
7. Are all the witnesses summoned and whether paid or not are entered in the register form No. 18?
8. Whether registers of disposal in Form No.20 and 21 maintained and correct entries made in all the relevant columns (check some entries in both the registers from decided cases)?
9. Are the indices of prosecution, defence and material exhibits prepared separately and exhibit marks, noted and initialed by the P.O. (Rules 23 and 27 G.R. (Criminal).
10. Whether in cases of conviction copies of judgment and order of conviction have been issued to the accused as required by law.
11. Whether papers are indexed on the date they are brought on the relevant record.
12. Are court fee stamps duly punched and cancelled and their number and value noted on the documents in compliance with rule 34 G.R. (Criminal)?
13. Whether the bails are being put up for
 - (a) Acceptance the very day they are furnished?
 - (b) Whether release orders are being dispatched to the Nazarat for onward communication to the jail authorities the same day when orders are passed?
 - (c) Whether personal bonds are received from Jail and filed in respective files?
 - (d) Check if the surety bonds, furnished by the sureties have been kept in the file concerned?
14. Checkup the compliance of orders of issue of processes, notices, warrants etc., to the accused and witnesses.
15. Checkup Shamlati, that is, pending papers with the clerk in the office as well as the Readers.
16. Checkup if records are being consigned twice a week.

17. Whether warrants for realization of pending fine are being issued?
18. Whether copies are being issued promptly and without delay and entered in register form no. 87 [Rules 145, 147 and 154 G.R. (Criminal)].
19. Is the weekly cause list being prepared and posted on Saturday and space is provided for adjourned cases and adjourned cases are also being entered?
20. Is register of processes in prescribed form being maintained? (Rule 11-A G.R. (Criminal)).
21. Whether guard files for G.Os. C.Ls. etc. are being separately maintained and the index is upto-date? [Rule 163 G.R. (Criminal)].

[Note: The rules of G.R. (Criminal) referred to in appendices no 12, 13, 14 having been amended by Notification no. 504/Vb-13 dt 5.11.1983 The amended rules have mentioned for the old rules in the said appendices-Ed.]