

CHAPTER - IX

MISCELLANEOUS ADMINISTRATIVE

1. TEMPORARY COURTS

G. L. No. 123/7-H-5, dated 12th January, 1915 as explained by

G. L. No. 2259/-B-190, dated 26th June, 1917

When a particular case is expected to be so heavy that it will seriously dislocate the judicial work in a judgeship, a report should at once be made with the necessary details to the High Court to enable assistance to be sent, if possible.

A District Judge should, before sending up any such proposal, satisfy himself that the apprehension is well founded and that help is really necessary.

G. L. No. 10/67-4, dated 1st May, 1941

When assessing the need for additional help in any form in his district, the District and Sessions Judge or the Additional District Judge in independent charge, should take into account not only the state of criminal work in the district but also the state of civil work. And before recommending the abolition of any temporary court he should satisfy himself that its abolition will not result in undue accumulation of either criminal or civil work. District and Sessions Judges and Additional District Judges in independent charge are responsible for doing all that lies in their power to keep the criminal and civil work in their districts under reasonable control.

Where a temporary court has been established in a district, the request for the renewal of the term of such temporary court should reach the High Court at least two weeks before the temporary court is due to terminate. Every proposal for the extension of the term of such court or for its termination should be accompanied by figures showing the pending work in the judgeship.

G. L. No. 17/B-1, dated 17th March, 1948

The following instructions should be carefully observed when any proposal for the extension of the term of an additional court is forwarded to the Court:

- (1) Figures should be supplied not only of the number of cases disposed of after full trial by the additional court but also by other courts of the same status during the last sanctioned term of the additional court (or so much of the term as has elapsed at the time of making the proposal).
- (2) Number of days on which the presiding officer of such courts actually worked during each month or part of the month.
- (3) Explanation, if any, for insufficient out turn.

G. L. No. 18, dated 17th March, 1958

While applying for extension of the term of a temporary court of Additional District Judge, the District Judge should not omit to mention particularly the number of cases that would

be left part-heard by the presiding officers of such court if the court were to be abolished on the date on which the sanctioned term expires.

The letter recommending the extension of the term of such court should also mention whether there is justification for extending the term of the temporary court by reason only of undisposed or part-heard cases. The letter should contain as much information as possible about the necessity of extending the term of the temporary court.

The presiding officers of such court should, so far as practicable, arrange their work in such a manner, that no part heard cases, specially big ones in which the major part of the hearing has been concluded, remain undiposed of by the time the sanctioned term expires. This has to be particularly borne in mind when the work is light.

C. L. No. 28, dated 12th March, 1969

District Judges should see that the quarterly statements showing the institution, disposal, pendency, and the person-days required for the disposal of pending cases are furnished in respect of each temporary court functioning in the Judgeship.

C. L. No. 12-B, dated 18th January, 1952

All District Judges should submit a report to the Court by the end of October each year, whether, so far as can be foreseen, they are likely to need any additional help in the shape of Additional District & Sessions Judge during the financial year following the year under report. If no help is required the court should be so informed.

In case additional help is needed a rough estimate of the details regarding salaries, establishment charges and contingencies including rent for court building, where necessary, should be given.

G. L. No. 3827-B-1-49, dated 26th April, 1949 as modified by

C. L. No. 15/B-4-60, dated 23rd February, 1960

All District Judges, while proposing creation of temporary courts, should state whether or not the court building is electrified. Where the court building is electrified but fans are required to be taken on hire the amount of such hire charges should also be stated.

The contingent grants for temporary courts of Additional District Judges, Civil Judges, and Munsifs are to be at the following rates, namely:

1. Rs. 25 per mensem for court fitted with electric fans,
2. Rs. 60 for mensem for courts not fitted with electric fans and where either pankha pullers are employed or electric fans are taken on hire for the period 16th April to 15th October, and at Rs. 25 per mensem for the rest of the year.

C. L. No. 115, dated 24th December, 1957

While forwarding proposal for the creation of the temporary court of Additional District Judge, necessary requirements of typewriters, furniture's, accommodation, etc., for the court should also be furnished to the High Court for transmission to Government.

C. L. No. 102, dated 5th August, 1971

District Judges should ensure that proposals for extension of the term of temporary courts should reach the Court three months in advance of the date of expiry of their term positively with fully justification.

C.L.No.27/JR(I),Dated: August 3, 2002

In continuation of other earlier Court's circular Letter No. 24/JR(I) dated 25.7.2001, I am directed to say that the court has been pleased to order that point NO.(i)&(ii) of the said Circular Letter be treated as withdrawn. Now, not only the postings hereinafter but also the earlier postings and appointments made to the Fast Track court by promotions shall be against the court's sanctioned by the government for the purpose.

I am, therefore to say that the regular H.J.S. officers who are posted in the fast Track courts be transferred/posted in the regular courts and the officers promoted against fast Track courts be transferred/posted in the Fast Track Courts.

(i) Monthly statement of pendency of disposal in Fast Track Courts in your District.

C.L. No. 17 /FTC (Monitoring Cell) Allahabad; Dated: 4th May, 2006

In super session of earlier Court's Letter No. 11389 dated: 22.08.03. I am directed to request you to submit consolidated statement of all Fast Track Courts in prescribed proforma on monthly basis instead of fortnightly basis. The same should be sent to this court by means of Fax/Special messenger latest by 5th day of every succeeding month.

Enclosure: Prescribed proforma.

PROFORMA

Monthly Statement of Pendency, Institution and Disposal of cases by Fast Track Courts in District for the period....

Sl. No.	Name of presiding Officers of Fast Track Courts	Fast Track Court No.	Total Number of Sessions Trial pending in fast Track Courts on First day of month	Number of Sessions Trials transferred to Fast Track Courts during the month	Total number of Sessions Trials disposed of by Fast Track Courts during month	Closing Balance at the end of the month	Reasons, if any where 14 Sessions Trials have not been disposed of during the month

Prepared by

(Name & Designation of official)

Date.....

District & Sessions Judge

(Name & designation of Official)

(ii) Regarding functioning of Human rights courts.

C.L.No.18/ 2006/ Admin.(A-3)/Dated: 10th May, 2006

I have been directed to say that after consideration of the matter regarding functioning of Human Rights courts, the court has been pleased to observe that the functioning of the Human Rights Courts will be treated from the date on which Notification has been published by the State Government, Specifying the Court of Human Rights under section 30 of the Protecting of Human Rights Act, 1993, I.e. 25.9.1995 and the special court/ designated court cannot take

cognizance directly and it can take cognizance only after the cases has been committed to the court of sessions.

Necessary steps in the matter be taken accordingly.

2. NORMS FIXED BY THE COURT IN THE MATTER OF ESTABLISHMENT OF NEW COURTS AT NEW PLACES

C.L. No.C-12/DR(S), dated 28 February, 1995

In the matter of setting up of new courts the Hon'ble Chief Justice and Hon'ble Judges have been pleased to decide, as a matter of policy, that the setting up of a court at a new place of posting shall not be considered unless:

- (a) The work load justifies the setting up of at least two courts;
- (b) Government owned requisite accommodation as per norms laid down by the High Court, including chambers for lawyers, is made available for the setting up of at least one court;
- (c) Government residential accommodation for Judicial Officers as also employees of the court is made available.

The above norms are being communicated for information and necessary action. Recommendations for establishment of new courts be made only if the above-referred norms are satisfied.

(i) Hearing of cases pending in Varanasi Judgeship relating to the cases of Jurisdiction of new Judgeship Bhadohi at Gyanpur.

C.L.No.42/1D/Admin.A-3, Dated: 25th September, 1997

I am directed to say that the District Judge, Varanasi has made a request to the court for obtaining the orders/directions of the court in the matter of hearing of case pending in Varanasi Judgeship relating to the cases of jurisdiction of new Judgeship-Bhadohi at Gyanpur and on consideration of the matter the court has been pleased to order that at the event of bifurcation of the District/ Judgeship on account of creation of new Judgeships the case, in which the cognizance has already been taken by the existing courts, will not be transferred to the newly created Judgeship and the existing-courts would continue to hear the case for which the cognizance had already been taken by them.

I am, therefore, to request you that the order of the court, as aforesaid be complied with if the situation so arises.

(ii) Establishment of debts Recovery Tribunal at Jabalpur (M.P.)

C.L.No.49/ Admin dated 9th September, 1998

Government of India (Department of economic Affairs) (Baking Division) vide Notification No.GSR/181 (E) dated April 7 1998 published in THE GAZETTE OF INDIA EXTRA ORDINARY under part II Section 3(i) whereby Debts Recovery Tribunal has been established to exercise Jurisdiction within the area of the State of Madhya Pradesh and Utter Pradesh, under Section 3 of the recovery of Debts Dues of Bank and financial Institution Act, 1993 (Act 51 of 1993). As per the provisions of Section 1 (4) read with Sec. 17 Act ibid, the Dues Recovery tribunal Jabalpur from the appointed date (i.e.7-4-98) has been empowered to

exercise jurisdiction powers and authority to entertain and decide the applications/suits from the Banks and Financial Institutions for recovery of debt dues to such Banks and Financial Institutions where the amount of debts due to the Bank/Financial Institution is Rs. 10 lacs and above. Further section 18 of the Act envisages that from the appointed date no court or other authority shall or be entitled to exercise any jurisdiction, power or authority (excepting the Supreme Court High Court exercising Jurisdiction under Article 226 and 227 of the constitution) in relating to the matter.

You are therefore required to transfer all the applications/suits filed by Bank and Financial Institutions for recovery of debts due to Bank and Financial Institution of the valuation of Rs. 10 lacs and above to the Debts recovery Tribunal Jabalpur (M.P.).

(iii) Extension of the term of temporary 04 Additional Special Courts/Posts of Special Judges, Anti Corruption of CBI, at Lucknow and 02 Additional Special Courts/Posts of Special Judges, Anti Corruption of CBI, Ghaziabad.

No. 1770/Main-B/Admin.(A-3) dated 29.01.2011

I have been directed to say that vide Government's Order No. 1532/VII-Nyay-2-2010-167-G/2009, dated 26.10.2010, the Government have been created the term of temporary 04 Additional Special Courts/Posts of Special Judges, Anti Corruption, at Lucknow and 02 Additional Special Courts/Posts of Special Judges, Anti Corruption, Ghaziabad alongwith necessary staff for trying the cases investigated by CBI in the State of Uttar Pradesh.

The term of aforesaid temporary Special Courts/Posts along with staff have been extended up to 28.02.2011 vide the aforesaid Government Order No. 1532/VII-Nyay-2-2010-167G/2009, dated 26.10.2010.

It is necessary in the public interest to extend the term of aforesaid temporary Special Courts/Posts alongwith staff in the State of Uttar Pradesh, for a further period of one year more w.e.f. 1.3.2011 to 29.02.2012 with usual contingent grants, etc.

I am, therefore, to request you kindly to move the Government for obtaining necessary orders regarding extension of the term of the above mentioned temporary 04 Additional Special Courts/posts of Special Judges, Anti Corruption of CBI at Lucknow 02 Additional Special Courts/Posts of Anti Corruption of CBI, at Ghaziabad for one year more i.e. w.e.f. 1.3.2011 to 29.02.2012 alongwith necessary staff with usual contingent grants, etc. and orders so obtained may kindly be communicated to the Court, at the earliest.

(iv) Extension of the term of the temporary Courts/Posts of Additional District and Sessions Judge at Bareilly, Meerut, Lucknow, Varanasi & Gorakhpur for trying the pending cases of Vigilance Bureau at Commissionerate level under Prevention of Corruption Act, 1988

No. 1784/Main-B/Admin.(A-3) dated 29.01.2011

I have been directed to say that by the Government's Order No. 3246/VII-Nyaya-2-2000-332(G)/91, dated 24.02.1995, the above mentioned five courts/posts of Additional District and Sessions Judges, one in each district i.e. Bareilly, Meerut, Lucknow, Varanasi & Gorakhpur alongwith staff have been created for trial of cases in regard to the Prevention of Corruption Act, 1988 (Act No. 49 of 1988) instituted by the Uttar Pradesh Vigilance establishment constituted

under the Uttar Pradesh Vigilance establishment Act, 1965 (U.P. Act No. 7 of 1965), Anti Corruption Organization in the criminal investigation Department of Uttar Pradesh and Vigilance Cell of Uttar Pradesh State Electricity Board as Special Judge.

The term of aforesaid temporary Special Courts/posts of Additional District & Sessions Judges alongwith staff was lastly extended up to 28.02.2010 vide Government letter no. 3919/VII-Nyaya-2-2008-332(G)/91TC; dated 30.03.2009.

It is to inform you that the extension of the term of temporary Special Court of Additional District and Sessions Judges, one in each district i.e. Bareilly, Meerut, Lucknow, Varanasi & Gorakhpur alongwith staff for the period from 1.3.2010 to 28.02.2011, as desired vide Court's letter no. 14805/Main-B/Admin.(A-3), dated 6.11.2009 (copy enclosed for ready reference) and its subsequent reminder letters dated 22.2.2010 & 22.3.2010, has not been received in the office of the Court, as yet.

It is therefore, necessary in the public interest to extend the term of temporary Special Courts/posts of Additional District and Sessions Judges, one in each district i.e. Bareilly, Meerut, Lucknow, Varanasi & Gorakhpur alongwith staff for a further period of two years w.e.f. 1.3.2010 to 29.02.2012 with usual contingent grants, etc.

I am, therefore, to request you kindly to move the Government for obtaining necessary orders for extension of the term of above mentioned temporary Special Courts/Posts of Additional District and Sessions Judges, one in each district i.e. Bareilly, Meerut, Lucknow, Varanasi & Gorakhpur alongwith the necessary staff with usual contingent grants, etc. From 1.3.2010 to 29.02.2012. The orders so obtained in the above mater may kindly be communicated to the Court, at the earliest.

3. CLOSING OF COURTS

Local festivals

C. L. No. 68/Xe-4, dated 26th July, 1980

The principle of uniformity in the observance of local holidays should be observed in the Civil, Criminal and Revenue Courts. The holidays on account of local festivals shall be determined and declared by the District Judge and the District Magistrate of the district in consultation. The Subordinate Civil Courts shall be closed only if the Revenue Courts are closed on account of any local festival.

No reference to the High Court in this connection is necessary.

During an epidemic

G. L. No. 946, dated 1st March, 1930, 75-23 of 1930

It should be clearly understood that the Subordinate Courts cannot be closed without the permission of the Court. When the District Medical Officer of Health advises the closing of courts during an epidemic, the High Court should be informed by letter or telegram, and orders obtained before the Courts are closed.

On a death

C. L. No. 10/IX-g-11, dated 29th January, 1973

The District Judges may close the courts only for half a day and only in the following circumstances:

1. When a sitting or retired Chief Justice or Judge of the Supreme Court or a sitting or retired Chief Justice or a Judge of the Court or a sitting or retired judicial officer or a senior or prominent member of the Bar dies, and
2. When the death, funeral, or cremation of such person takes place in the district.

If however, the death or cremation or funeral of such a person has taken place early or in a different district, the court should not be closed at all.

C. L. No. 62/IX-g-11, dated 20th May, 1970

In the event of death of an official, the courts should not be closed even for half a day without prior approval of the Court but such members of the staff who may like to attend the funeral may be permitted to leave office early.

During curfew

G. L. No. 30/IX-g-22-1, (21) dated 11th October, 1947

General Administration Department notification No. U.O.152/III, dated the 25th April, 1947, declares that the day for which curfew for all twenty four hours is imposed by order of the District Magistrate shall be public holidays for all courts and offices situated within the areas over which such order extends. Subordinate Civil Courts should also follow this direction. District Judges are, however, authorized to exercise their discretion and close the courts on account of the imposition of curfew even in cases not strictly covered by the notification when court hours fall within the curfew hours although curfew is not imposed for all twenty four hours or is lifted for an hour or two during twenty four hours.

Owing to accidental or unforeseen causes

G. L. No. 11, dated 6th February, 1948 and

C. L. No. 34/XC-26, dated 26th April, 1949

All civil courts in the State shall remain closed on all such days as may, for an accidental or unforeseen reason, be declared by the State Government at short notice to the public holidays for the entire State under the Negotiable Instruments Act 1881 (Act XXVI of 1881), when however, any day is declared as a public holiday not for the entire State but for particular areas only, civil courts in those areas alone shall be closed and not elsewhere.

These orders do not, however, apply to cases where the Government declares a certain day to be a public holiday otherwise than for an accidental or unforeseen reason, e.g. on the occasion of a district exhibition or to supply an omission in their general list of holidays. In such cases the holidays declared by the State Government should be ignored.

Demise of high dignitaries and eminent personalities

C. L. No. 117/X-c-27, dated 23rd September, 1971

Subordinate Courts shall be closed without reference to the court, on demise of high dignitaries and eminent personalities, only when the State Government through All India Radio declares the day in question to be a public holiday under the Negotiable Instrument Act and the flag to be hoisted at half-mast. Even if the Court is not closed the flag shall fly at half-mast as declared by the Government.

(i) Closure of court on occurrence of untoward incident

C.L.No. 125/Admn. (G) dated 9th December , 1994

The Hon'ble Chief Justice and Judge have been pleased to authorize you (District Judges) to use your discretion in the matter of the closure of the courts on the occurrence of any serious untoward incident, which in your opinion render such closure imperative. Such closure of courts shall, however to immediately intimated to this Court.

The Circular Letter is being issued in super session of Circular Letter No. 113/Admn. (G) Of November 23, 1994.

(ii) Concerning closure of courts in the event of happening of some serious untoward incident

C.L. No. 113/Admn. 'G' dated 23rd November, 1994.

I am directed to say that the Court has been pleased to authorize you, at your discretion, to close the court for the day in the event of some serious untoward incident and happening.

I am further to say that it is incumbent upon you to inform the Court of the happening at the earliest possible opportunity.

(iii) Closure of courts and offices on sad demise of an employee of civil court

C.L. No. 37/98 Dated 20th August, 1998

On the aforesaid subject, the Hon'ble Court has taken a decision that the District Judges should exercise their discretion on the occasion of sad demise of an employee of the civil court as the situation warrants. The District Judge can permit few members of the staff to attend the funeral of the employee even during court hours.

I am, therefore, directed to communicate you the aforesaid direction of the Court for compliance.

(iv) Suspension of Judicial work in the District Courts in the event of death/funeral.

C.L. No. 10/Ixg-11; dated; Alld. January 29, 1973

In partial modification of the Court's Circular letter No. 62/IXg-11; dated May 20, 1970, containing directions regarding closure of subordinate courts in the event of death/funeral of a Gazetted Officer, Advocate or other prominent person in the district and an official of such courts, I am directed to say that henceforth the District Judges may close the courts under their administrative control, only for half a day and only in the following circumstances:-

- (i) When a sitting or retired Chief Justice or Judge of the Supreme Court or sitting or retired Chief Justice or Judge of the Court or a sitting or retired Judicial Officer or a senior or prominent member of the Bar dies; and

(ii) When the death or funeral or cremation of such person takes place in the district.

I am to add that if the death or cremation or funeral of such a person has taken place earlier or in a different district, the courts shall not be closed at all.

C.L. No. 27/Admin 'G-I' Section Dated: Allahabad: 12.12.2008

Upon consideration of the matter of the loss of valuable time on account of the closure of Courts and offices in the event of death/funeral of a Hon'ble Chief Justice or Hon'ble Judge of the Supreme Court sitting or retired, a Hon'ble Chief Justice or Hon'ble Judge of the High Court sitting or retired, an Officer of the Subordinate Court sitting or retired or a senior or prominent member of the Bar, the Hon'ble Court has resolved that instead of closing the Courts on such happening, the judicial work should only be suspended after 3.30 p.m. on the concerned date and the offices should continue to work throughout the day.

Therefore, in supersession of the Circular Letter (C.L. No. 10/IXg-11 dated 29.1.1973), I am directed to say that in the event of death/funeral of a person of any of the above enumerated categories, only the judicial work shall be suspended after 3.30 p.m. on the concerned date while the offices shall continue to work till the regular hours.

I am to request you to kindly bring the contents of this Circular Letter to the notice of all the Judicial Officers under your administrative control for information and strict compliance.

4. SURPRISE VISIT

C. L. No. 47/VIIIId-20-Admn. (G)(B), dated 21st July, 1983

District Judges should see that officers and officials working under them attend the office and court in time strictly in accordance with rule 10 of General Rules (Civil).

C. L. No. 62/VIII-b-4, dated 7th June, 1951 as modified by

C. L. No. 8/VIII-b-4, dated 11th January, 1952

All District Judges and Additional District Judges not at the headquarters should themselves make surprise rounds in their Judgeship/ district at least once a month between 10.30 and 11 a.m. so as to ensure the observance of punctuality in courts and offices. This duty should in no case be delegated to the Munsarim, a peon or any other subordinate.

C. L. No. 24/VIII-b-4, dated 9th February, 1971

For strict observance of punctuality in court and offices, the District Judges should make surprise visits now and then both at 10.30 a.m. and 2 p.m.

C. L. No. 110/H-1, dated 6th November, 1951

This should enable them, among other things, to see whether work in the court and offices commences at the proper time; whether any outsiders are allowed access inside the office; whether any surreptitious inspection of records are allowed; whether the case diaries maintained by the clerks are properly exhibited and posted up to date; whether the court building is kept generally clean; and whether fire precautions are satisfactorily maintained.

C. L. No. 14/VIII-b-12, dated 19th January, 1952

District Judges should examine the case diaries of all courts from time to time in their judgeship and see that they are properly maintained.

District Judges and Chief Judicial Magistrates should take more interest in controlling and guiding the subordinate officers of their judgship for proper administration of justice in the State.

To check, watch and ward arrangements

C. L. No. 91/IX-g-17, dated 21st August, 1952

District Judges should check, watch and ward arrangements of all the courts and offices of their Judgship at least once every half year and see if any change is necessary in the interest of security, direct the Nazirs of all courts in their judgship to check the watch and ward arrangements occasionally and to see that the chaukidars and the police sentries (where they are posted) are alert in the performance of their duty and report to the Court whenever the court building is left without any guard. Normally, whenever a Chaukidar is not available, it should be possible to depute some peons or process servers for the purpose.

C. L. No. 12/31-B, dated 9th February, 1968 and

C. L. No. 71/19-BB, dated 7th May, 1974

To avoid loss of government property, including typewriters, by theft the following preventive measures may be taken:-

1. The Nazir or his assistant should particularly see, with the Chaukidars, before leaving the office that all the rooms are properly locked.
2. The Chaukidars should also lock all the gates where necessary at the appointed hour. They should not be allowed anybody to enter the compound after the gates have been closed except under proper orders.
3. The Chaukidars should keep a strict watch and should not leave the compound until far rashes come in the morning and they have shown them that all the doors are closed and the locks are intact.
4. The Munsarims of each court or the official leaving a particular office room in the last shall see that all the almirhas are locked and articles within the room are at their places.
5. On Sundays and other holidays no office room should be opened without previous sanction obtained from the officer-in-charge Nazarat or the District Judge.
6. The antecedents of Chaukidars should also be got verified and only such persons should be appointed to work as Chaukidars who are above board and whose antecedents are clean.

Strict compliance of the instructions with regard to the question of enforcing pecuniary liability and other forms of disciplinary action contained in Government's Orders incorporated in Appendix XIX-B of the Financial Hand Book, Vol. V, Part I be made.

C. L. No. 152/20-BB, dated 15th December, 1975

To ensure safety of typewriters the following steps should be taken:-

- (i) A centrally situated room or safe accommodation available in Nazarat may be had for keeping all typewriters.

- (ii) All officials incharge of typewriters should deposit their typewriters every evening at the allotted place.
- (iii) Nazir or Assistant Nazir to maintain a register to note receipt of typewriters, name of the official from whom received and the name of the official to whom given next morning.
- (iv) Nazir to note every day the number of typewriters received in the evening and the number of typewriters issued in the morning.
- (v) Nazir to see that the typewriters are securely placed in the allotted room and should himself lock the door and secure the windows.
- (vi) After locking the room the Nazir should call the Chaukidar and show him that the door and the windows have been properly secured.
- (vii) Services of Class IV employees in addition to the Chaukidars to be utilized turn wise for keeping watch over the room where typewriters are kept.
- (viii) District Judge to keep a page typed on each typewriter for comparison and checking of anonymous complaints.

C. L. No. 12/31-BB, dated 9th February, 1968 and

C. L. No. 71/19-BB, dated 7th May, 1974

To obviate chances of theft of Government Property particularly typewriters, all necessary precautions as mentioned in the C. L. Dated, February 9, 1968 and appendices XIX-B and XIX-C of F.H.B., Volume V, Part I may be taken and those found careless of playing fraud should be severely dealt with.

To check up working of the Copying Department

C. L. No. 70/X-a-14, dated 24th July, 1953

The officer-in-charge of the Copying Department should, from time to time, make surprise visits to the Copying Department and inspect the notice in Form No. 30, compare it with the entries in register in Form No. 31 and check the correctness of these entries from the copy itself, if ready, so that the possibility of any fictitious entry being made be avoided.

C. L. No. 84/V-e-65, dated 6th August, 1952

The officer-in-charge of the Copying Department should carry out occasional checking prescribed under the Court's Circular Letter No. 59/V-e-65, dated 22nd September, 1950, and maintain a regular record of such checking so that suitable action may, in due course, be taken against habitual defaulters.

To check defalcations

C. L. No. 78, dated 21st December, 1962

With a view to check embezzlement of public money by official of the Subordinate Courts, District Judges are required to see that strict compliance of the rules relating to deposit and repayment of money or fine as well as refund of court fee and process fee contained in Chapters XI, XII, XIII and XXIII of General Rules (Civil) and Chapter IX of General Rules

(Criminal), 1957* is made by all the officers and officials concerned, that the entries in the various account registers are meticulously scrutinized by all the officers at the time of quarterly, half-yearly and annual inspections, and that adequate security is taken from all the officials, including the sessions clerks, as mentioned in rule 541 of the General Rules (Civil), 1957.

To check use of Hindi

C. E. No. 30/X-e-5, dated 21st March, 1973

All Inspecting officers while making inspection of the offices should mention in their inspection note whether satisfactory progress in the use of Hindi is made or not and instructions issued from time to time are strictly followed or not. They should also mention the percentage of letters etc., issued in English since the last inspection made as also the number of notes written in English and the reason therefore. Non-compliance of instructions without sufficient reasons should be reported to the Court for disciplinary action against the erring officers.

4-A: Decisions to be taken by the District Judge in the routine matters in their respective Judgeship

C.L. No. 5/2010/Admin. 'G-II' Dated 11.02.2010

It has been directed by the Hon'ble Court that all decisions, which do not require approval of the Administrative Judge under any Rule, Circular or instructions, be taken by you.

Any deviation in carrying out this direction shall be viewed seriously.

You are, therefore, directed to implement the directions contained in this Circular Letter with immediate effect.

Periodical check-up of materials used in ongoing construction works of the subordinate courts in the districts

No. 10036/Admn.(B-I) dated December 22, 2010

I am directed to say that it has been decided that for effective control over the agencies which have undertaken construction work in various Judgeships, the Zonal Chief Engineers of the Uttar Pradesh Public Works Department have been nominated by this Hon'ble Court who will coordinate with you to exercise effective control and check the quality of work being undertaken by the agencies.

I am further to say that you are requested to fix a meeting with the Zonal Chief Engineer of your Zone at a convenient place in order to be able to thrash out the modalities for checking quality of work.

I am to add that periodical reports after every three months shall be submitted to the Hon'ble Court through the Registrar (Budget) of this Hon'ble Court duly signed by both the authorities attended with information about progress of work.

I am to add that you are further requested to arrange its maiden meeting within 15 days from today in order to be able to work out modalities. Accordingly, I am appending the names of the Zonal Chief Engineers, their phone number/Fax numbers for your kind perusal:

* Note : Now 1977 vide Notification No. 504/VB-13, dated 5.11.83

Sl No	Zone	Name of Zonal Chief Engineer	Telephone No.	Fax No.
1.	Agra	Sri Arvind Kumar Bhatia	0562-2227250	0562-2227251
2.	Allahabad	Sri Rakesh Kumar Gupta	0532-2440036	0532-2440036
3.	Azamgarh	Sri Devendra Singh	05462-243903	05462-243794
4.	Bareilly	Sri Ashok Kumar Jain	0581-2510748	0581-2510266
5.	Faizabad	Sri Santosh Kumar	05278-224231	05278-223860
6.	Gorakhpur	Sri Devendra Singh	0551-2334295	0551-2334683
7.	Jhansi	Sri Surendra Kumar	0510-2470441	0510-2470447
8.	Kanpur	Sri Vijay Kumar Srivastava	0512-2304404	0512-2304178
9.	Lucknow	Sri Atar Singh	0522-2235214	0522-2220305
10.	Meerut	Sri Navin Kumar	0121-2647922	0121-2648556
11.	Moradabad	Sri Navin Kumar	0591-2421183	0591-2121183
12.	Varanasi	SriBharat Singh	0542-2502838	0542-2502027

I am, therefore, to request you kindly to fix a meeting with the Zonal Chief Engineer of your Zone at a convenient place within fifteen days in order to be able to thrash out the modalities for checking quality of work.

5. MONTHLY MEETINGS

C. L. No. 129/Admn.(B), dated 8th October, 1975

District Judges should call a meeting of all the presiding officers of civil and criminal courts subordinate to them once each month after 4 p.m. In such meetings problems of subordinate courts as also discovering work load in different courts and redistribution of case work may be taken up for consideration. Discussion may also take place regarding prevention of corruption and solution of any difficulties felt by the litigant public in the working of the courts.

C. L. No. 4, dated 3rd February, 1976

The District Judges should hold a meeting of all officers by the 10th of each month (outside court hours). At such meetings the officers should show him their digest. Matters of interest and law should be discussed. The District Judge should enquire from them as to the compliance of the various suggestions made above.

C. L. No. 86, dated 31st May, 1976

The District Judges should maintain a Minute Book in which the proceedings of all monthly meetings should be recorded and the Minute Book so maintained may be placed before the Hon'ble the Administrative Judge or any other Hon'ble Judge at the time of his inspection.

6. MONITORING CELL MEETINGS

(i) मानीटरिंग सेल की बैठकों में सदस्यों द्वारा भाग लिये जाने की अनिवार्यता।

परिपत्र संख्या 15/चार एफ-93/प्रशासनिक (जी-2) दिनांक 22 मार्च, 1993

उपर्युक्त विषयक शासन के पत्र संख्या 5800/सात-न्याय-2-211जी/92, दिनांक 2 दिसम्बर, 1992 एवम् पत्र संख्या 6686/सात-न्याय-2-211जी/91, दिनांक 14 फरवरी, 1993 का अवलोकन करें जो कि आपको सम्बोधित है।

इस सम्बन्ध में आप न्यायालय को यह सूचित करें कि आपके जनपद में मानीटरिंग सेल की बैठकें प्रति मास आयोजित की जा रही हैं, अथवा नहीं एवम् सम्बन्धित सदस्य स्वयं बैठकों में भाग ले रहे हैं अथवा नहीं, और इन बैठकों में लिये गए निर्णयों का कार्यान्वयन सुनिश्चित किया जा रहा है, अथवा नहीं।

अतः आपसे अनुरोध है कि आप उपरोक्त प्रकरण पर अपनी आख्या एवम् सुधार यदि कोई हो तो न्यायालय को शीघ्रातिशीघ्र भेजने की कृपा करें ताकि विचारोपरान्त शासन को सूचित किया जा सके।

(ii) Monitoring Cell Meeting-member to attend the meeting Compulsorily.

C.L.No. 11/IVf-93/Admn. 'G' dated February 18, 1995

In continuation of Court's Circular Letters No. 55/IVf-93/Admn. 'G' dated 4.9.1991 and No. 15/IVf-93/Admn. (G-2) dated 22.3.1993. I am directed to send herewith a copy of Government letter No. 3986/7-Nya-2-64G/94, dated 26.11.1994 with its enclosure on the above subject and to say that meeting of Monitoring Cell shall be held regularly.

(iii) मानीटरिंग सेल की बैठक आयोजित किया जाना।

शासकीय पत्र संख्या: 3986/7-न्याय-2-64जी/94 दिनांक 26 नवम्बर, 1994

उपर्युक्त विषय पर शासन के संज्ञान में यह तथ्य लाया गया है कि विभिन्न जनपदों में मानीटरिंग सेल की बैठकें नियमित नहीं हो रही हैं। इस संबंध में मुझे यह अनुरोध करने का निर्देश हुआ है कि मा. उच्च न्यायालय द्वारा सभी जनपद न्यायाधीशों को शासनादेश सं.-3982/सात-न्याय-2-211जी/91, दिनांक 28-12-93 (प्रतिलिपि संलग्न) के संदर्भ में मानीटरिंग सेल की बैठकें नियमित रूप से आयोजित कराने हेतु निर्देशित करने की कृपा करें।

अर्द्धशासकीय पत्र संख्या-3982/सात-न्याय-2-211जी/91 दिनांक 28 दिसम्बर, 1993

आप अवगत है कि प्रदेश में फौजदारी मामलों में त्वरित निस्तारण की दृष्टि से तथा उनके संदर्भ में होने वाले प्रत्याशित विलम्ब के कारणों का विश्लेषण कर उनके निवारण के उपाय खोजने तथा सुझाव एवं संस्तुतियों देने के उद्देश्य से राज्य तथा जिला स्तर पर मानीटरिंग सेल/समितियों का गठन जनपद न्यायाधीशों की अध्यक्षता में दिया गया है। इन सेल/समितियों की बैठकें नियमित रूप से आयोजित किये जाने पर शासन द्वारा समय-समय पर बल दिया जाता रहा है। इस सम्बन्ध में कई बार यह भी अपेक्षा की गई कि सेल/समिति की बैठकों में जिलाधिकारी स्वयं भाग लें किन्तु शासन के संज्ञान में यह तथ्य लाया गया है कि अभी भी जिलाधिकारी आदि प्रायः बैठकों में स्वयं उपस्थित नहीं हो पाते जिसके कारण उन उद्देश्यों की पूर्ति नहीं हो पा रही है जिसके लिए मानीटरिंग सेल/समितियों का गठन किया गया है।

2- अतः आपसे अनुरोध है कि आप कृपया मानीटरिंग सेलों/समितियों की बैठकों में स्वयं भाग लेकर फौजदारी मामलों के शीघ्र एवं सामयिक निस्तारण के सम्बन्ध में अपना पूर्ण सहयोग प्रदान करना सुनिश्चित करने का कष्ट करें जिसमें बैठकें नियमित रूप से सम्पन्न हो सकें और उनके द्वारा प्रभावी मानीटरिंग सम्भव हो सके।

C.L.No.62/IVf-93/Admin. (G):Dated: 8 November, 1996.

(iv) Monthly meeting of District monitoring cell.

It has come to the notice of the High Court that the meeting of the Monitoring cell in compliance of the C.L. Nos.55/IV/D-3/-admin (G) dated 4.9.1991, 15/IVf-93/-admin.(G) dated 22.3.93 and 11/IVf-93/Admin.(G)dated 18.2.1995, issued by the Court are not being held in the districts. The Court has taken a serious view of it and has reiterated the District Judges should hold the meetings of the Monitoring-cell regularly every month. The District Judges are directed to send reports every month of the meetings held and the results achieved where of.

I am therefore, to request you to comply with the orders of the Court.

C.L.No. 24/J.R.(I) Dated: July 25,2001

Kindly refer to Court's endorsement No.114/DR (S)/2001 dated 15.5.2001 on the notification making the appointments of the officers against the fast Track Court. In that endorsement some of the guidelines for ensuring the expeditious disposal of the cases and also for keeping these courts certified to the disposal of the sessions triable cases, criminal revisions and criminal appeals were given. It was also made clear in that endorsement that sufficient work should be transferred to these courts including the cases of under trial prisoners who are languishing in jail. Statistics furnished from the district courts reveal that the fast track Court the purpose for which they were established is not being achieved for the reasons (i) non- available of the retired civil court employees, (ii) those retired employees who were employed are not in a position to cope with the work (iii) they are not prepared to own the responsibility of the record and also some other such difficulties were posed.

On consideration of such difficulties Hon'ble court has been pleased to give the following directions:

1. Fast Track court should be manned by the senior experienced Additional Sessions Judge so as fulfill the object for which these courts have been established.
2. Where it is not manned by the senior experienced Additional district Judge, District Judge will make over the case to respective court keeping in view the object of the Fast track court and also to ensure proper administration of justice.
3. Where the retired employees are not available or they are otherwise incapable to perform the duties assigned to them, District Judge may proceed to make ad hoc appointments for specified period and may make internal arrangement by providing experienced personnel to these fast Track Court and these ad hoc appointees may be posted in other courts so as to make these courts more effective and functional.
4. The District Judges should also provide additional hands to fast Track Court from out of the existing strength where numbers of courts are already lying vacant in the district.
5. Necessary infrastructure facilities should be provided to these courts from the existing stock.

(v) To provide information regarding establishment of monitoring committee

C.L.No. 30/ 2001:dated:August 31, 2001

It has come to the notice of the court that in some districts the States Government has established Monitoring committee for looking after the civic amenities.

In this regard, I am directed to request you kindly to furnish the following information to the court:-

1. When and on what grounds the Monitoring committee has been established in your district?
2. Whether it is true that in the year 2001 some complaint made by the corporations of Municipal corporations, chairman of cooperative Bank regarding Monitoring Committee have been received by you?

The above informations may kindly be furnished to the court immediately by FAX.

(vi) Monthly Meeting of the district Monitoring Cell.

C.L.No.34 dated: October 4/2001

It has come into the notice of the Hon'ble court that Monitoring Cell Meeting is not held in the district regularly every month in pursuance of the marginally noted Circular Letters. The importance of the District Monitoring Cell Meeting was discussed in the Joint Meeting of the Divisional commissions and District Magistrates held at Lucknow on 13.3.2001. Thrust was also laid for holding Monitoring cell Meeting regularly and to take up such matters which are helpful

1. C.L.No.55/IVf-93/Admin/'G' dated 4.9.1991. in the expeditious disposal of the case, In that
2. C.L.No.15/IVf-93/ Admin 'G' dated 3.1993 regard G.O. No. 872/VII-Nyay-2/2001-21(G)
3. C.L.No.11/IVf-93Admin.'G' dated 18.2.1995 /91 dated 23.6.2001 (copy enclosed) has also been issued by the state Government.

I am therefore to request you to comply with the orders of the court.

(vii) Monthly Meeting of the District Monitoring cell.

C.L.No.18/ IVf-93:Dated: May 23,2003

The Hon'ble court has issued circular Letter No.55/IVf-93 dated 4.9.1991, No.15/IVf-93, dated 22.3.1993, No.11/IVf-93dated 18.2.1995, No.62/IVf-93,dated 8.11.1996 and No.34/IVf-93,dated 4.10.2001 whereby thrust was given for holding meeting of monitoring cell regularly. But it has come to the notice of the High court that the meetings of Monitoring cell are not being held in the districts regularly.

In this regard, I am directed to say that the district Judge should hold the meeting of the monitoring cell regularly every month and send reports of the meetings held and the results achieved thereof.

I am, therefore, to request you to kindly comply with the aforesaid orders of the court and to hold the meeting of monitoring cell every month send reports thereof to the court.

(viii) For Compliance of the directions contained in certain Cri. Misc Bail Application in regard to taking up the matter in Monitoring Cell Meeting.

C.L.No.42 dated 29 August, 2000

I am desired to convey the observations made by the Hon'ble Court (Hon'ble Mr. Justice P.K.Jain) in regard to the marginally noted criminal Misc Bail Applications:

- | | |
|---|--|
| <ol style="list-style-type: none">1. Crl.Misc Bail Application No.10587 of 2000, Baboo Lal Vs. State of U. P.2. Crl.Misc Bail Application no.10620 of 2000, Fultan Vs. State of U. P.3. Crl.Misc Bail Application No.10685 of 2000,Karpendra alias Kaka Vs. State.4. Crl.Misc Bail Application No.10696 of 2000, Ram Roop Ulla Vs. State of U. P.5. Crl.Misc Bail Application No.8083 of 2000, Nihal Ahmad & another Vs. State of U. P.6. Crl.Misc Bail Application No. 7786 of 2000 Deshranj Vs. State of U. P. | <p>“This is yet another case where the Investigating officer has failed to perform the duty and had adopted short-cut method to work out the same. The first information Report does not name any accused. However as the statements under Section 161 Cr. PC the witness are said to have named the assailants and the miscreants. It was duty of Investigation Officer to have put the</p> |
|---|--|

suspects to test identification in order to find out whether the statements of the witnesses were credible or not.

I have observed earlier also that this has become a tendency amongst the Investigation officers to adopt short-cut methods and they spoil criminal cases.

Need deliberations and discussion in monitoring Cell Meeting with Senior Superintendent of police and District Magistrate.

I am, therefore to request you kindly to comply the order passed by the court in the aforesaid Criminal Misc Bail Applications.

6-A. Information regarding Constitution of Infrastructure Cell

No. 560/PS(RG) dated 12 January, 2011

An Infrastructure Cell, in compliance of the order passed by the HC/Supreme Court in Writ Petition No. 1022/1989 (All India Judges Association and Others v. Union of India), has been established and Sri P.K. Srivastava and Sri Shamshad Ahmad have been posted as Officers on Special Duty of the aforesaid Cell. The Fax Number of the aforesaid Cell is 0532-2622956 and the E-mail is infrastructure@allahabadhighcourt.

You are, therefore, requested to make all correspondence with regard infrastructure of your district on ibid number/E-mail.

7. EXTRA CLERK

C. L. No. 102/IVb-11, dated 9th June, 1976

The courts of regular Magistrates and Chief Judicial Magistrates handling files exceeding 1000 in the aggregate may be provided an extra clerk.

8. REGISTERS TO BE MAINTAINED BY SUBORDINATE COURTS

C. L. No. 45, dated 2nd April, 1952

A list of registers to be maintained in the Subordinate Civil Courts is appended to the letter noted in the bloc. All the registers should be maintained and posted up to date. District Judges should also exercise their discretion and make such variations in the distribution or responsibility for the maintenance of these registers as the local conditions may require.

C. L. No. 16/V-e-81, dated 23rd January, 1976

Maintenance of registers in Form nos. 36, 38 and 41 of the General Rules (Civil), 1957, Volume II, by the third clerk of the Administrative Department of the District Judge in not necessary where all the courts are at the headquarters of the Judgeship. In case of outlying courts of Munsifs Civil Judges and Additional District Judges these registers shall continue to be maintained for consolidation of accounts of the judgeship as a whole and for facility of correspondence by the District Judge with the Accountant General.

C. L. No. 2/VIII-b-13, dated 10th January, 1972

Court's direction regarding the making of a note by all the presiding officers on the Daily Sitting Register about the time wasted on account of witnesses not turning up as contained in C.L. No. 121, dated September 25, 1971 should be strictly followed.

C. L. No. 51/VIII-120, dated 6th May, 1969

A register of preliminary decrees has to be maintained in manuscript with appropriate heading and columns specified below:

- (1) Serial number
- (2) Case number with nature and year
- (3) Name of parties
- (4) Date of preliminary decree
- (5) Date of application for final decree
- (6) Date of final decree with result, i.e., whether the final decree was passed after contest or without contest.
- (7) Date of the deposit of record into the Record Room
- (8) Remarks

C. L. No. 16/Ve-5/Admn.D, dated 18th March, 1982

As soon as the notice of a writ petition is received the District Judge should intimate to the court and the Government whether it would be proper to contest the petition or not and if not the reasons thereof together with the copy of the petition as early as possible.

C. L. No. 64/IV-h-36, dated 24th March, 1977

A Siyaha Register shall henceforth be maintained for all Criminal Courts.

C. L. No. 65/VIIIa-66/2, dated 24th September, 1984

All the District Judges should ensure that siyaha register is properly maintained in all the criminal courts working under their administrative control and that orders are passed on the applications etc. only when the stamps affixed on such applications are cancelled and punched. The Court will take a serious view of the matter, if any deviation from the above instructions is brought to the notice of the Court.

C. L. No. 25/VIIIb-236, dated 14th February, 1977

Registers in the proforma prescribed under Court's G. L. No. 2/IIIb-236, dated November 17, 1959 for making entries of the revisions filed under Provincial Small Cause Courts Act, shall also be utilized for making entries of the revisions filed under Section 115 C.P.C. In order to distinguish the two types of revisions the words 'S.C.C.' may be shown in the Remarks Column of the said register, against the revision filed under Provincial Small Cause Courts Act.

Receipt Register

C. L. No. 69, dated 12th November, 1960

The Munsarim and Nazir of every subordinate court shall maintain a register for entering receipts other than those relating to administrative correspondence in the proforma given below:

Receipt register for entering receipts other than those relating to administrative correspondence

Date of Receipt	From whom received	Particulars of the case		Description of paper	To whom delivered	Remarks
		Number of Case	Names of parties			
1	2	3	4	5	6	7

9. REGISTER OF ARTICLE OF VALUE

C. L. No. 87/VIII-b-154, dated 1st May, 1974

Entries of articles of value deposited in all cases, (except those for which provisions have specially been made) such as cash, jewellery, government securities or other securities for money, debts, shares in corporation attached or unattached and Pass Book in succession certificate cases kept in the custody of Nazir should invariably be made in the Register in Form No. 57-A. For distinguishing attached or unattached properties the word “unattached” should be written in red ink in the remarks column. Details of any other articles, considered necessary, should also be written in the remarks column.

10. DISPLAY OF COURT FEE RATES

C. L. No. 23/VIII-b-135, dated 13th February, 1976

For facility of litigant's schedules of process fee, fee for copies and fee payable for verification of affidavits should be exhibited on notice boards at prominent places in various courts.

C. L. No. 8/Budget, dated 10th January, 1977

In case wooden boards have not yet been installed, a portion of wall may only be painted white and on it rates of process-fee etc. be painted in black.

In all outlying Munsif-Magistrate Courts, the revised procedure be followed.

C. L. No. 183/F, dated 18th November, 1976

It encloses a list of various types of fees payable in civil and criminal litigation which has to be displayed at a prominent and conspicuous place in the civil court building on a notice board for the benefit of the litigant public. The various items and rates thereof have to be displayed in Hindi letters and figures of one inch in size. The notice board may be made of wood or any other material painted in black, the letters and figures being painted in white. The size of the board may be 4 ft. by 6 ft. and the various items may be painted in two rows. There are about 100 items. The first 50 items may be painted on the first half side and the remaining on the next half side all serially numbered. The items which may be considered unnecessary for display may be omitted and other items considered necessary may be added to the list. If considered proper and feasible two boards be prepared. The warning in still bolder letters may be translated and painted in Hindi at the end.

Rate of Court fee, process fee, copying fee, etc. chargeable in civil and criminal cases.

1. Court Fee	Rate of fee chargeable
(i) Ad valorem fees (Schedule I of Court Fees Act) - (a) on plaint, memo. of appeal and applications for review of judgments (b) on copies and translations (c) on certificates, probates and letters of administration (ii) Fixed fees (Schedule II of Court Fees Act)- (a) on plaint and memo. of appeal (b) on other documents	

- (iii) On application for-
 - (a) Refund and repayments
 - (b) Inspection of registers
 - (c) On requisition of record
 - (d) On tenders for payment of money
 - (e) Vakalatnama
- 2. Miscellaneous Fees-
 - (a) Inspection fee -
 - (i) Urgent
 - (ii) Ordinary
 - (iii) For inspection during hearing of cases
 - (b) For drummer's service
 - (c) For verification of affidavits
 - (d) Payable to commissioners
 - (e) For search and enquiry
- 3. For certified copies

A.	In courts other than the court of small causes	Ordinary fee	Urgent fee
	(i) Of Judgment		
	(ii) Of Deposition or order sheets		
	(iii) Of decrees		
	(iv) Of any other paper except book, register, etc.		
B.	In courts of small causes	Ordinary fee	Urgent fee
	(i) Judgment		
	(ii) Deposition or order sheets		
	(iii) Decrees		
	(iv) Any other paper except book, register, etc.		

NOTE: The above is the scale of charges when the certified copy does not contain more than 1500 words. When the copy contains more than 1500 words an extra fee sum of 25 paise for ordinary and 50 paise for urgent copy shall be charged for every subsequent 300 words or less.

 - C. For books, registers, etc.- 4. Process Fee-
 - (i) In criminal Cases-
 - (a) Warrant of arrest
 - (b) Summons
 - (c) Proclamation for absconding persons
 - (d) Warrant of attachment
 - (i) In respect of warrant
 - (ii) In respect of officers placed in charge of property
 - (e) Application for recovery of

- compensation- in respect of
warrant for levy of fees, etc.
- (f) Cases in which no fee is chargeable
- (a)
- (b)
- (c) etc.
- (g) On processes sent for execution in foreign countries
- | | | | | |
|------|-----------------|---|--|--|
| (ii) | In civil cases- | When the suit property is valued more than Rs. 2000/- | When the value of the suit property does not exceed Rs. 2000/- | Where the value of the property does not exceed Rs. 50/- |
|------|-----------------|---|--|--|
- (i) Summons to defendants or respondents when not more than four.
- (ii) Summons to defendants etc. when more than four in number
- (iii) Summons to witnesses when not more than four in number
- (iv) Summons to witnesses when more than four in number
- (v) Order of attachment
- (vi) In respect of services of the officer making the attachment
- (a) Where the property is in one village or town
- (b) Where the property is in more than one village or town.
- (vii) Warrant of arrest in respect of each persons.
- (viii) In respect of each peon in whose custody a judgment – debtor is left.
- (ix) Every order for sale of property-
- (a) In respect of the order for sale,
- (b) By way of poundage of full amount of purchase money.
- (i) Where the sale is affected through a collector,
- (ii) When the sale is conducted by the court where the property pays revenue,
- (iii) When the sale is conducted by the court where the property pays no revenue
- (x) Notice, proclamation, injunction or order not specified above
- (xi) For emergent processes.

- (xii) Cases in which no process fee is chargeable
 - (a)
 - (b)
 - (c) etc.
- (xiii) Process fee for commissions
- (xiv) Poundage
 - (a) When the execution sale is held either by the Collector or the civil court Amin or any other person appointed by the Court
 - (b) When the execution sale is conducted by the Collector
 - (c) Mode of paying poundage
- (xv) Amins fee
 - (a) Scale of fee
 - (b) Mode of Payment
 - (c) Wages of chainman and incidental charges
- (xvi) How to file process fee-
Warning: The litigants are advised not to pay more than the amount displayed in this board. In case there is an excess charge they should report the matter to the District Judge in writing for suitable action.

11. GRIEVANCE REDRESSAL

C. L. No. 38/Xf-21, dated 26th February, 1977

The District Judge should make it known generally that on each Saturday he will be available for hearing complaints from public between 10.00 and 11.00 AM.

C. L. No. 55/VIIIh-37/Admn.(G), dated 2nd November, 1988

The Court has issued following instructions for the District Judges and the officers concerned with a view to improve the working in the subordinate courts.

Public complaints

The District Judge should fix a time (preferably 11-30AM) for receiving public complaints. The complaints should be entered in a register to be kept by the Sadar Munsarim. The register should be placed before the District Judge in the presence of the complainant. Many complaints relate to delay in preparation of copies, non-compliance of requisitions of records by the Record Room, delay in preparation of repayment orders or lapsed vouchers, delay in disposal of application given long ago and delay in delivery of judgments etc. Most of the complaints maybe redressed either on the same day or within a few days thereafter. The litigant public will have confidence that there is someone in the district who is prepared to redress their grievances.

Prompt disposal of cases

There are complaints that officers do not promptly dispose of cases. To avoid it if the District Judge gets a register maintained by the Readers of all the courts, this can be checked. When a judgment is not delivered on the date fixed and the case is adjourned to some other date,

whispering commences. Sometimes, deal also takes place. The officer concerned may be wholly ignorant. When the judgment is delivered on the adjourned date, someone may have pocketed money in the name of the officer.

Corruption

The District Judge should know his officers. Some of them do not enjoy good reputation for honesty. If he is prepared to listen and ensure that the name of complainant will be kept secret, concrete instances may be brought to his notice regarding individual officers. He may send for the record and see for himself as to how far the complaint is justified. He may report to the Court for vigilance enquiry. He may send for some judgments of the officers who do not enjoy good reputation and examine the same. He may call the officer concerned and point out the contradictory approach made in his judgments on a similar point or discrepant findings recorded. If the officer knows that he is being watched, the pace of corruption will be certainly checked.

Copying Department

The District Judge should ensure that urgent copies are prepared on the same day or on the next day and ordinary copies are prepared within 5 to 6 days.

Record Room

The District Judge should ensure that requisition of records are promptly complied with by the officials of the Record Room. Most of the copying applications are delayed because of the non-receipt of records and old cases have to be adjourned for the same reason.

Sons and Relations of Employees

When a new recruitment takes place, employees already working make every effort that their sons and relations may be selected. As chance would have it, roughly 30 percent of such persons are accommodated. The rest are found below standard. These sons and relations, however, join service under the patronage and protection of their elders. Most of them are in disciplined, impertinent and unwilling workers. When other employees see these employees misbehaving, they follow their example. There is deterioration in discipline and output of work. It is suggested that all the District Judges get a list of present sons and relations of class III and class IV employees in their respective judgeships. One or two transfers may also be made from each district on the recommendation of the District judge. This alone would provide some deterrent to the wholly irresponsible and in disciplined section of the employees.

Transfer of cases and distribution of work

The District Judges should assign important work and transfer important cases to such officers who are capable of disposing of urgent matters promptly and properly. The District Judges should examine the monthly statements. He should recall cases which are pending in courts where there is no prospect of their being disposed of on the ground of other work, and transfer the same to courts where the same can be disposed of. There is no point in transferring cases to courts without taking into consideration the quantum of disposal. The District Judge can redistribute the work after taking over in a district to ensure that the work of the Prescribed Authority, Rent Control Appeals and Revision, Appeals under the U.P. Imposition of Ceiling and Land Holdings Act and important civil and criminal cases are heard by such officers who are

capable of disposing of such matters promptly and properly. The distribution of work should not be left to the officials. This is a work, which the District Judge is required to attend to personally.

Corruption among Class III and Class IV employees

Whenever a District Judge receives a complaint against a Class III or a class IV employee of the judgeship, he should refer the matter to a standing committee of three officers one from the rank of Additional District Judge, one from the rank of Civil Judge or C.J.M. and one from the rank of Munsif-Magistrate of at least five years standing. The Standing Committee should examine the matter and submit a report to the District Judge promptly but not later than a week. If the report shows that a prima facie case has been made out, the District Judge may appoint an Enquiry Officer, charges should be framed and an appropriate enquiry ordered. Thereafter, the enquiry may proceed in accordance with the rules and on his report being submitted, the District Judge should pass appropriate orders. A departmental enquiry should be expeditiously held and firm action should be taken.

C. L. No. 49/Ve-60/Admn.(D) dated 21st September, 1985

The District Judge should constitute an Advisory Committee consisting of two judicial officers for looking into the grievances and problems of the employees of the judgeship.

C. L. No. 2/Ve-60/Admn.(D) dated 11th January, 1988

District Judges, should follow the instructions issued in the aforesaid circular letter strictly with particular attention to the constitution of the Advisory Committee which should not be delayed.

12. MEASURES TO PREVENT CORRUPTION

C. L. No. 3 dated 3rd February, 1976

It is the duty of every judicial officer to see that no form of corruption prevails in his court or office. There are many sources of corruption, which an officer can easily eliminate without moving from his chair, but with a little care. Some of them are:

- (1) Peshkars charge money from litigants for informing them of the date fixed in cases. To abolish this, the officer must himself announce the date fixed, loudly to the hearing of the litigant. In addition he should see that the Peshkar writes down the date on a slip of paper and after signing it hands it to the parties or their pleaders, in the officer's presence.
- (2) The Magistrates should never grant the first remand to the police until they have handed over all the requisite papers to the court clerk. This is necessary to eliminate the corruption rampant in the police clerks in keeping the papers with them for the purpose of giving surreptitious inspections to the accused's people on payment of illegal gratification. This source of corruption has been eliminated in the courts of those Magistrates who are strict in not giving the first remand until the papers have been received.
- (3) Common experience is that A.P.P. does not give a report on bail application even for contesting it unless he is paid. This form of corruption can be eliminated. To this end the procedure should be that bail applications are entertained directly by the officers after service of its copy on the A.P.P. leaving it to the A.P.P. to appear

and oppose it at the fixed time when it will be heard by the court. The practice of asking the litigant to obtain a report from the A.P.P. before entertaining the bail application must be given up.

- (4) Experience is that the clerk who prepares the warrant rehai commits minor mistakes in cases in which he is not paid by the accused's people. Similarly, the peon who takes the warrant rehai to the jail makes delay so as to reach the jail after the closing time, in cases, he is not paid. To eliminate this source of corruption ;the clerk as well as the peon should be told that if they commit even a minor mistake or do not reach the jail within time, it would be presumed that they have done so for dishonest and ulterior motives and that stern disciplinary action will be taken against them. In such cases disciplinary action should be taken whenever an occasion arises.
- (5) The procedure for verification for surety bonds, should after a discussion among the officers, be made uniform in the judgeship.

G. L. No. 51/46/120-92 dated 13th December, 1939 modified by

G. L. No. 14 of 1940

- (1) Repayment orders should ordinarily be issued within seven days of the granting of the application by the court. Presiding Officers should periodically examine the register of applications for repayment of deposits and see that this is being done.
- (2) When dates have been fixed in cases, they should be entered in the diary by the clerks-concerned within three days.

The diary should be kept complete and placed on the table of the munsarims between 12 noon and 4 p.m. on each working day and should be open to inspection by the lawyers or their registered clerks or the parties.

C. L. No. 78/VIII-b-121, dated 6th November, 1973

The Readers of the courts doing exclusively criminal work should maintain a diary in the following proforma:-

FORM

Date, Month and Year

Case Number	Name of Parties	Counsel's Name	Purpose	Date fixed in adjourned cases	Remarks
1	2	3	4	5	6

The readers are directed to strictly follow the instructions contained in above mentioned Circular (vide C.L. No.10/VIIIb-121 dated 30th Jan., 1979.)

- (3) Summonses should be sent to the nazarat without delay after they have been received duly filled up from the parties concerned,
- (4) Dasti summonses and urgent orders should whenever possible be delivered or issued within two days of the passing of the order allowing dasti summons.

- (5) Emergent Processes, if received by 2 p.m., should be sent out for service by the next day, and other processes as soon as possible.
- (6) Process-servers should, as a rule, go to the person seeking service or to his agent if so mentioned in the summons, in case the person seeking service or his agent lives in the same village or quarter in which the person sought to be served resides.
- (7) No clerk should, under any circumstances, be allowed to bring any private person into the office to help him in the discharge of his official duties. If any breach of this rule is brought to the notice of the court concerned serious action should be taken against the clerk concerned.
- (8) All clerks and munsarims should, as a rule, have orders passed on all applications on the next day of their being presented in the presence of counsel for the parties and if for any reason the application cannot be so disposed of, the presiding officer of the court should note the reason in his own handwriting.
- (9) Urgent applications may be presented to the Reader and he should, whenever possible, put them before the court on the day of presentation and obtain the orders of the court in the presence of counsel for the parties.
- (10) Applications for amendment of decrees should be carefully scrutinized and in every case it should be noted whether the mistake is intentional or accidental. A clerk who is found to have been guilty of preparing wrong decrees, or of including a set of expenses in the memo of costs in certain decrees and without valid reasons not including these in others of a similar nature should be severely dealt with.
- (11) Small Cause Court decrees may (notwithstanding the provisions of Order XX, rule 21, Civil Procedure Code), however, be shown to counsel who want to see them.
- (12) The presiding officers should come to court in time.

C.L. No. 4/V-58, dated 27th January, 1949

- (13) On coming to court the presiding officer should first take applications and pass orders thereon and no application should be taken after the fixed hour except those in which limitation may be expiring.
- (14) No one should be allowed to approach the Ahalmad and Readers for making enquiries with regard to cases.
- (15) Reader's diary should be kept on the table in the courtroom where counsel for the parties sits.

C.L. No. 128 dated 6th October, 1975

- (16) District Judges should keep a vigilant eye on such officials against whom complaints from public are received and they should also depute a senior officer to inspect the work and movement of such officials by paying regular and surprise visits. Name plates bearing the name of the official deputed to work on counters should also be placed according to the instructions contained in D.O. Letter no.C-61(7)/75, O& M dated July 25, 1975 of the Chief Secretary to the Government.

C.L. No. 28 dated 3rd April, 1965.

- (17) As observed by the Chairman of the Committee for Investigation of Causes of Corruption in subordinate courts in U.P. much control could be exercised on the dilatory tactics of judgment debtors by court's vigilance and judicious use of the provisions of C.P.C.

C.L. No. 40/V-e-58, dated 18th March, 1971

- (18) Notice on wooden boards at prominent places be displayed in every office and court to the effect that acceptance and demand of bribe are illegal and if any one demand bribe or tries to extort money, complaint should be made at once to the Presiding Officer or the District Judge.

Whenever an oral complaint is made against any official the presiding officer should see whether there is any substance in the complaint and they proceed to take suitable and prompt action against the official concerned after recording the statement of the complainant. In case of a written complaint, a statement on oath of the complainant should be recorded without delay and further action taken thereafter against the official concerned

C.L. No. 7/Ve-58/78 dated 6th October, 1978

Instructions contained in the above C.L. should be strictly complied with.

C.L. No. 149/V-e-58 dated 26th September, 1974

Presiding Officer/Officer-in-Charge should see that complaints, where there might be any possibility of bribery or corruption, are not kept pending for long and are disposed of promptly.

C.L. No. 24/Ve-58 dated 18th February, 1974

- (19) A report regarding the progress and result of corruption proceedings against non-gazetted officials of the subordinate courts should be submitted annually direct to the Government under intimation, to the Court in the prescribed proforma.

C.L. No. 48/Ve-58 dated 11th May, 1978

The District Judges should implement following recommendations of the Committee for purposes of investigation into the causes of corruption in the subordinate courts. While implementing these recommendations, where necessary, action should also be taken under the relevant provisions in the General Rules (Civil): -

- (i) Drastic action should be taken against the clerks of the lawyers who work as such in the district courts without getting themselves registered with the District Judge.
- (ii) Action should be taken against lawyers also employing unregistered clerks.
- (iii) District officers should keep watch on the activities of unscrupulous petition writers and typists sitting in the court compound.

C.L. No. 79/Admn.(D), dated 1st August, 1978

The Presiding Officers and the officer-in-charge, Amins should keep strict supervision and control over the Amins and their work. And whenever there is a complaint of corruption

against an Amin, it should be enquired into promptly and if found correct, the Amin should be given deterrent punishment.

C.L. No. 83/Ve-58, dated 28th October, 1980 as modified by

C.L. No. 85/Ve-58 Admn. (G), dated 26th December, 1981

After considering the recommendations of the Committee for Investigation of Causes of Corruption in the Subordinate Courts in U.P., the following instructions should be strictly adhered to and complied with.

Periodical seminar - A periodical seminar on legal topics should be organised in which besides judicial officers, members of the Bar should also be invited to participate.

Minor technical mistakes .- As far as possible the Munsarim should get minor omissions and technical mistakes rectified by the ^party immediately instead of obtaining orders of the Presiding Officer asking the party to make the necessary corrections.

Service of Process - Process servers' reports should be examined immediately on their receipt from the Nazarat and if there is no proper service, an attempt should be made to have another service affected provided the second attempt can be completed before the date fixed.

Recording of statements under section 200 Cr.P.C.- All the statements under section 200 Cr.P.C. should be recorded by the magistrates themselves and should not be left to the clerks of the office or the Court. The practice of getting the statements under section 200 Cr.P.C. recorded by the clerks and merely putting signatures on them by the magistrates should cease forthwith.

Registration of Cases. - Cases received in the magistrates courts should be registered the same day or latest by the next day.

Monthly meeting of all the Presiding Officers of Civil and Criminal Courts .- Once in two or three months the President and the Secretary of the District Bar Association should also be invited to the monthly meeting of the Presiding Officers for discussing matters touching the Bench and the Bar.

13. INQUIRY BY ANTI-CORRUPTION BRANCH OF THE POLICE

C. L. No. 4328, dated 24th August, 1940

- (1) The Anti-Corruption Branch of the Police Department is an investigating agency and shall take proceedings only on the written request of the prescribed authority as defined in these rules. Any application or complaint received from other sources shall be forwarded to the prescribed authority with or without comment.
- (2) If for any reason the Anti-Corruption Officer considers that his branch cannot or should not undertake any inquiry which he has been asked to undertake by a prescribed authority other than the Government, he shall after taking the orders of the Inspector General of Police, make a report to the prescribed authority to that effect. If after consideration of that report the prescribed authority considers that the enquiry should be made, he may refer the matter to Government for orders.
- (3) The Anti-Corruption Branch shall keep the prescribed authority informed of the progress of any inquiry undertaken by it from time to time and shall, when the inquiry is complete or when requested to do so by the prescribed authority, close the inquiry and submit a

report, to that authority. It is for the prescribed authority to decide the action, if any, that should be taken on the report of the Anti-Corruption Branch.

- (4) If, during the course of an inquiry the Anti-Corruption Branch receives any information against an officer into whose conduct it has not been requested to inquire it shall forward the information to the prescribed authority who may, if it sees fit, request the Branch to inquire into the matter.
- (5) If, during the course of an enquiry into the misconduct, of an officer, the Anti-Corruption Branch receives any further information of misconduct by that officer not covered by the written instructions referred to in rule I, it shall send such information to the prescribed authority who shall pass such orders on it as it may deem fit.
- (6) (i) In cases in which the head of the department is not the prescribed authority that authority shall send copies of all orders passed by it to the head of the department and the Anti-Corruption Officer shall submit his final report and his interim report through the head of the department and the Anti-Corruption Officer shall submit his final report and his interim report through the head of the department.
- (ii) For the purposes of this rule only the following shall be considered heads of departments :

The High Court in the case of gazetted judicial officers.

* * * *

The District Judge in the case of non-gazetted judicial officers and of honorary Munsifs.

- (7) For the purposes of these rules, the prescribed authority shall be as follows:

* * * *

Gazetted officers —the Provincial Government.

Non-Gazetted Judicial Officers -High Court.

* * * *

Non-gazetted officers, of the Departments.

The Head of the Department concerned.

* * * *

Honorary Magistrates or Honorary Assistant Collectors —The Provincial Government/Honorary Munsifs — The High Court.

C. E. No. 56, dated 23rd September, 1966

Strictly compliance of Court's instructions regarding expeditious disposal of corruption cases as contained in its C. L. No. 69, dated November 6, 1963 as emphasized.

14. SANCTION FOR COMPLAINT

C. L. No. 61/VII-b-19, dated 31st July, 1956

The Secretary to Government of Uttar Pradesh, Home Department, has been authorized under notification nos. 1280/VI-663-1956, dated 19th* June, 1956 and 1280(2)/VI-663-1956, dated 19th June 1956 to accord previous sanction to the making of complaints under section 198B of the Code of Criminal Procedure, 1898,* in cases where such complaints are to be made of an

* Section 199(2) (f) Cr. P. C. 1973

offence alleged to have been committed against the Governor of the State and a Minister of State respectively. The authority to accord similar sanction to the making of a complaint for an offence alleged to have been made against a public servant in the discharge of his public functions is vested in the Secretary to Government, U.P., in the Administrative Department concerned under notification no. 1280(4)/VI-66 3-1956, dated 19th June, 1956.

15. REPORT OF CASES OF DEFALCATION TO A.G., U.P.

G.L. No. 17/X-b-40-1(14) dated 29th May. 1947

Provisions of paragraph 82 of Financial Handbook, Volume V, Part I, should be complied with immediately after the discovery of any defalcation or loss of government money, etc. without waiting for a valuation to be made of the loss sustained.

16. ECONOMY MEASURES

C.L. No. 91/IX-g-19 dated 24th October, 1968 read with

C.E. No. 26-X-g-19 dated 26th May, 1967 and

C.L. No. 144/Budget/1X-g-D dated 31st August. 1976

To avoid wasteful expenditure the following steps *inter alia* be taken and quarterly reports/statements regarding steps taken to effect economy and the results thereof be submitted to the Court regularly :

- (1) Witnesses summoned should not be detained for more than a day as far as practicable.
- (2) Experts such as Chemical Examiners and Serologists Doctors, etc., summoned for evidence should be examined on the dates they are asked to attend the courts.
- (3) Economy may be affected in the use of electricity, water charges, telephone charges, etc. Telegrams, registered letters or express delivery letters should be sent only where absolutely necessary.
- (4) Unnecessary inspections in Sessions cases should be avoided.
- (5) Wasteful journey may be avoided.
- (6) Sufficient number of cases should be listed every day to keep the officers fully engaged.
- (7) Wastage of paper, carbon and other items of stationery should be avoided and local purchase of stationery, as far as possible, should be discouraged.
- (8) Contingent allowances should be spent judiciously and under no circumstances the contingent expenditure should exceed the budgetary allotment.

C. L. No. 176/9-G-19 Admn. (B) dated 13th December, 1976

The District Judge should make necessary arrangements to prevent wastage of water and electricity.

C. E. No. 22, dated 22nd March, 1965 read with

C. L. No. 116/BB, dated 13th November, 1970

Attention is drawn to the provisions of paragraphs 2 and 6 of the Financial Handbook, Volume V, Part I, (Appendix 16) for strict compliance and disposal of cases involving loss of

government property or funds, final action regarding recovery or write off should be pursued vigorously to ensure their expeditious disposal. A special watch should be kept on the disposal of such cases which have been pending for six months' or more. Strict action will be taken for failure to comply with the aforesaid direction.

17. CUSTODY OF SECOND KEY OF CURRENCY CHEST

G. L. No. 704/44-11, dated 23rd February, 1915

If it becomes absolutely necessary to entrust the key of the currency chest to a judicial officer, such as a Civil Judge or a Munsif, the previous consent of the District Judge to whom he is subordinate should be obtained.

18. FURNITURES FOR COURTS AND OFFICES.

C. L. No. 750/Budget-II, dated 6th June, 1985

It encloses G.O. No. 2236/VII-A-Nya-35-84 dated 19th April, 1985, prescribing the furniture to be supplied as below:

(i) For the District and Sessions Judges

(a) Court Room

1. Table (For officer)	1
2. Chair (For officer)	1
3. Table (For Reader)	1
4. Chair (for Reader)	1
5. Table (For Stenographer)	1
6. Chair (For Stenographer)	1
7. Table large (For Lawyers)	1
8. Chairs(For Lawyers)	16
9. Bench (For Accused)	1
10. Benches (For Public)	2
11. Book Rack	1
12. Office Box	1
13. Stool	1
14. Stationery Case	1
15. Table (For Stenographer's Room)	1
16. Chair (For Stenographer's Room)	1
17. Steel Almirah	1

(b) Chamber

1. Table (For Officer)	1
2. Chair (For Officer)	1
3. Easy Chairs	1
4. Ordinary Chair	8
5. Small Table	1
6. Stool	1
7. Surahi Stand	1
8. Sofa-set (Three piece)	1
9. Central Table	1

(ii) For the Additional District Judge, Additional Sessions Judge, Chief Metropolitan Magistrate, Civil Judge, Chief Judicial Magistrate, Additional Chief Metropolitan Magistrate, Additional Civil Judge, Additional Chief Judicial Magistrate, Judge Small Cause, Additional Judge Small Cause;

(a) Court Room

1. Table (For officer)	1
2. Chair (For officer)	1
3. Table (For Reader)	1
4. Chair (for Reader)	1
5. Table (For Stenographer)	1
6. Chair (For Stenographer)	1
7. Table large (For Lawyers)	1
8. Chairs (For Lawyers)	10
9. Bench (For Accused)	1
10. Benches (For Public)	2
11. Book Rack	1
12. Office Box	1
13. Stool	1
14. Steel Almirah (Small)	1

(b) Chamber

1. Table	1
2. Chair	1
3. Easy Chairs	1
4. Ordinary Chairs	4
5. Sofa-set (Three piece)	1
6. Central Table	1

(iii) For the Metropolitan Magistrate, Munsif and Judicial Magistrate, Additional Munsif Magistrates etc.

(a) Court Room

1. Table (For officer)	1
2. Chair (For officer)	1
3. Table (For Reader)	1
4. Chair (for Reader)	1
5. Table large (For Lawyers)	1
6. Chairs (For Lawyers)	8
7. Bench (For Accused)	1
8. Benches (For Public)	2
9. Book Shelf	1
10. Office Box	1
11. Steel Almirah (Small)	1

(b) Chamber

1. Table (For officer)	1
2. Chair (For Officer)	1
3. Chairs (For others)	4
4. Easy Chairs	1
5. Stool	1

6. Surahi Stand	1
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(iv) For the Special Judicial Magistrate

1. Table (For officer)	1
2. Chair (For officer)	1
3. Table (For Ahalmad)	1
4. Chair (for Ahalmad)	1
5. Office Box	1
6. Table Large (For Lawyers)	1
7. Chairs (For others)	6
8. Bench (For Public)	1
9. Bench (For Accused)	1

(v) For employees of Civil Court

(a) Office

1. Chair (For Each Employee)	1
2. Table (For Each Employee)	1
3. Almirah (per 150 files)	1
4. Rack (For Each Employee)	1
5. Additional Chairs for	
(i) Sadar Munsarim	4
(ii) Administrative Department	4
(iii) Other Munsarims	3
6. Takhats for Daftari & Muharrir	2
7. Stool (For Each Office)	1
8. Bench (For Each Office)	1
9. Rack (For Each Office)	1

(b) Meeting Hall

1. Chairs (per Officer)	4+1
2. Large Tables	3

(c) Inspection and Inquiry Office

1. Chairs	4
2. Tables	2
3. Stool	1
4. Racks	2
5. Surahi Stand	1

(d) Library

1. Chairs	8
2. Tables Small	4

(e) Government Counsel Office

1. Chairs	8
2. Tables Large	2

(f) Record Room

1. Chairs	8
2. Tables Large	4

(g) Nazarat Office (Chairs, Tables etc. for 6 persons) 6

(vi) Purchase and condemnation of furniture of Subordinate Courts

C.L. No. 4750/Admn.(B-1) Section dated 6th January, 1995.

In the matter of the purchase and condemnation of furniture of the Subordinate Courts, the Hon'ble Chief Justice and Judges have been pleased to direct that a committee be constituted comprising the District Judge and the two senior most Additional District Judges posted in the Sessions Division and this Committee be authorised to certify furniture for condemnation and thereafter to sell such furniture by public auction. The proceeds thereof be deposited under the appropriate head. The said Committee shall also be authorised to purchase new furniture for the courts and offices.

19. INDENTS AND PURCHASES

(i) Forms and stationery

G.L. No. 5/L-51, dated 5th May, 1951

All judicial officers should, as required under paragraph 67 of the Printing and Stationery Manual, note down in the Stationery Registers of their offices reasons for ordering local purchase of articles required for use in their offices, and these reasons are required to be embodied in the returns to be submitted by 15th April each year.

C.L. No. 30/4-L, dated 10th February, 1971

While moving the Court for sanction of the amount for the purchase of stationery locally under paragraph 63(3) of the Printing and Stationery Manual the value of the stationery not supplied by the Superintendent, Printing and Stationery, Uttar Pradesh, Allahabad must invariably be mentioned.

C.L. No. 73/L, dated 14th July, 1951 and

C.L. No. 80/44-Main-L, dated 23rd September, 1968

Returns of local purchases, in duplicate, should be submitted to the High Court by 15th April, each year as required under the amended paragraph 67(5) of the Printing and Stationery Manual.

C.L. No. 122/ dated 8th December, 1951

All indenting officers should obtain when necessary the previous sanction of the High Court or the Government as the case may be, before actually making such purchases.

Where indenting officers feel that their monetary allotment is below their requirements they may move the Government with full facts and figures for an increase in the allotment in accordance with paragraph 66(5) and (6) of the Printing and Stationery Manual.

C.L. No. 35/Main L, dated 19th March, 1976

In case the District Judges desire an increase in the monetary limit fixed for the supply of stationery they should write to the Superintendent, Printing and Stationery, U.P. Allahabad proposing an increase in the monetary limit with full justification keeping in view the prevailing rise in prices and increase in the number of courts. A copy of the letter should also be sent to the Court.

C.L. No. 30, dated 30th April, 1962

Regarding the supply of stationery to the additional courts the District Judges have been authorised to obtain stationery for the additional courts by surrendering the amounts to Government sanctioned for the use of stationery by such courts and thereafter by sending a supplementary indent to the Superintendent, Printing and Stationery*. Until the arrival of the stationery, so indented the additional courts may be supplied out of the existing stock.

In case it is not possible to supply the stationery out of the existing stock, local purchases may be made in accordance with the clause (3) of rule 67, Chapter III of the Printing and Stationery Manual.

C.L. No. 67/IXg-19, dated 17th October, 1966

Instruction contained in G.O. No. C-2470/Xh-666-1965, dated August 19, 1966, of the Finance (C) Department and other G.Os. regarding economy measures to be strictly adhered to. Expenditure on items like stationery, contingencies, etc. should in no circumstance exceed the budgetary allotment and no proposal for additional funds through supplementary estimates should be sent to the Court. Quarterly report/statements regarding steps taken to effect economy and the results thereof to be submitted to the Court positively by the first week of January, April, July and October every year.

Maintenance of Stationery Register

C.L. No. 79, dated 7th August, 1958

The practice of a Stationery Register in Provincial Form no. 180 being maintained both in the office of the District Judge as well as in all the offices of the courts subordinate to him multiplies work. It has, therefore, been decided that this register should be maintained only in the office of the District Judge and in the offices of the Additional District Judges and Munsifs not at headquarters and that stationery at one station should be issued by the court maintaining the register.

C.L. No. 81/Budget-1, dated 27th October, 1980

Effective steps should be taken most expeditiously so as to ensure that sufficient quantity of stationery is available and there is no dislocation of work in the subordinate courts for want of stationery. The practice of local purchase of stationery should be avoided as far as possible. In exceptional cases local purchase of stationery should, however be made, but that too strictly in accordance with the provisions of the Printing and Stationery Manual, after obtaining the approval of the competent authority.

Indents for H. C. J. Forms

G.L. No. 5/16, dated 16th February, 1943

Indents should not be delayed and should be submitted in the light of remarks made in G.O. No. U.O. 907/XVIII-163(L), dated the 5th October, 1940, regarding the late dispatch of indents by indenting officers.

* NOTE : Now Director, Printing and Stationery, U.P.

C.E. No. 66/I-J, dated 1st April, 1937

The District Judges should submit a consolidated indent covering the requirements of stationery for their office as well as for additional courts.

G.L. No. 22/IJ, dated 1st April, 1937

Rule 40, on page 12 of the Printing and Stationery Manual shows that indenting officers should not ask the press to supply any part of the annual indent in advance of the due date, but should submit an emergent indent through the proper channel in accordance with the provisions of that Manual.

C.L. No. 13Q-(a), dated 16th February, 1950

The indent should be prepared with due care so that it may not be necessary to send emergent indents during the course of the year and large surplus stocks are also not left at the close of the year. No emergent indents will be passed unless there are very cogent reasons to the contrary.

C.L. No. 52/10-Q (a), dated 26th August, 1950

Emergent indents should be submitted only when the stock of forms has, for reasons beyond the control of the indenting officers, been exhausted. In all such cases reasons necessitating submission of an emergent indent should be clearly given either in the indent itself or in the letter accompanying it.

C.L. No. 3-Q(b), dated 7th January, 1953

Provisions of paragraphs 38 and 43 of the Printing and Stationery Manual relating to preparation, submission and compliance of indents for forms should be strictly followed and due consideration be given to avoid the necessity of placing supplementary and emergent indents. Both, over-estimating and under-estimating, lead to unwelcome issues and unnecessary extra expenses to Government. Every effort should, therefore be made to estimate the requirement correctly taking into consideration all possible foreseen demands. The indents should cover the requirements for 15 months minus the stock-in-hand, and should be prepared on the basis of past three years' average consumption. They should be made in the prescribed form only and be submitted through the proper channel strictly according to the time table laid down in paragraph 42 of the Manual. Submitting of indents in contravention of programme, with any special requests followed by telegrams or D.O. letters to comply before time, upset the regular programme of supply in the office of the Superintendent, Printing and Stationery, U. P*. Allahabad.

C.L. No. 4/Q (b), dated 20th January, 1961

In compliance with paragraph 42 of the Printing and Stationery Manual indents for forms should be submitted well in advance so as to reach the Court positively before the date fixed for the purpose. Delay in submission of the indents results in ultimate delay in supply of forms by the Press. Further, there should be no difference between estimate submitted under C.L. No. 66, dated July 11, 1958 and the requirements shown in the annual indent, and where figures are excessive reasons may be recorded.

* NOTE : Now Director, Printing and Stationery, U.P.

C.L. No. 103/VIIIb-206, dated 29th September, 1969

In order to avoid delay in meeting demand of saleable forms, the Indenting Officers should take prompt action themselves by submitting the indents for the said forms to the Press well in advance in accordance with the provisions given in the Manual of Printing and Stationery and should follow the direction given in Chapter XX of General Rules (Civil), 1957 in this regard rigidly.

The shortage of forms can be avoided if the quantity of saleable forms which is allowed as a permanent advance to the District is recouped in accordance with the provisions laid down in para 42 of the Printing and Stationery Manual and Rules 514 of the General Rules (Civil) well in advance. If, however, the quantity of saleable forms fixed by the Court as permanent advance is considered inadequate, the matter may be reviewed every third year and variation, if any, brought to the notice of the Court so that timely steps for increase in the permanent advance may be taken and in case, the saleable forms in question are not supplied by the Government Press within a reasonable time, the matter be taken up with it directly so that Government work may not suffer.

C.L. No. 87 /Main C, dated 28th August, 1969

While sending either the indent of stationery or the demand of local purchases the provisions contained in the Printing and Stationery Manual should strictly be complied with. The indent for the above purpose should invariably be submitted to the Court in duplicate well in advance so that the same may be scrutinized by the Court and forwarded to the Superintendent, Printing and Stationery, U.P*, Allahabad for expeditious supply of stationery. In case stationery is not supplied within a reasonable period, the matter should be taken up with the Superintendent, Printing and Stationery, so that local purchase may, as far as possible be avoided.

In case it is felt that local purchases are necessary in the interest of government work, prior sanction of the Court should be obtained and while making a request therefore it should be ensured that there is no infringement of the provisions contained in the Printing and Stationery Manual.

C.L. No. 182/Main 2(b), dated 21st December, 1974

Consolidated indent of non-saleable H.C.J. Forms should be sent to the Superintendent, Printing and Stationery, U.P. *, Allahabad, latest by the 1st April, every year.

C.L. No. 132/VIIIb-16, dated 20th December, 1989

Forms declared obsolete should not be used under any circumstance.

C.L. No. 8 Main Q (b)/Budget, dated 17th December, 1977

District Judges should send indents to the Government Press in time and mention therein full details of forms needed viz., form number, part, etc., so that Government Press may be in a position to supply the forms, registers, etc.

* NOTE : Now Director, Printing and Stationery, U.P.

* NOTE : Now Director, Printing and Stationery, U.P.

Inspectors of Government Press occasionally visit districts to assess the position of non-supply of forms to various District Judges. They should bring to the notice of the Forms Inspector, their requirement of forms or inadequacy in supply of forms, registers, etc. so that Forms Inspectors may ask the Government Press to supply forms in sufficient number.

C.L. No. 53/Budget, dated 25th August, 1983

While inviting attention to the Court's C. L. No. 81/Budget-1, dated October 27, 1980 the District Judges are requested to move the Government Press for enhancement in monetary allotment in accordance with the rules and to ensure that sufficient quantity of stationery is made available in the judgeships so that there may not be any dislocation of the work in subordinate courts for want of stationery and there is no misuse of printed forms.

C.L. No. 24/Budget-1, dated 13th April, 1983

The indents of forms are required to be submitted to the Government Press latest by January 31 every year.

District Judge should ensure that the indents of forms are in future sent to the Government Press by the stipulated date, i.e., January 31 every year positively, so that the Government Press may not feel any difficulty in getting the forms printed and supplied to District Judges well within time, so as to avoid dislocation of government work for want of required number of forms.

G.L. No. 32/16-5, dated 4th October, 1940

Steps should be taken to ensure that the instructions laid down in paragraph 40 of the Printing and Stationery Manual are carefully complied with; and that unnecessary reminders are not sent to the Government Press, Allahabad, as they not only dislocate the normal working of the Press but also contribute to increase expenditure on account of postage and telegram charges. In this connection attention is also invited to G.O. No. 6956-R (1)/XII-C-621, dated 29th May, 1940.

C.L. No. 65, dated 26th September, 1949 read with

C.L. No. 10131/Q(a), dated 15th September, 1949

Special Messengers should not be sent by District Judges and District Magistrates to the office of the Superintendent, Printing and Stationery, Uttar Pradesh,* Allahabad, for taking delivery of forms included in the Annual and Emergent Indents before being directed by that office to do so. This is necessary to avoid messengers having to wait or go back without the forms which may not be even available in stock. All indenting officers are, therefore, requested to inquire from the above office well in advance before a messenger is sent for collection of forms.

C.L. No. 49/Ve-60/Admn.(D) Sec. dated 21st September, 1985

The District Judges should take steps to get their monetary allotment enhanced according to their requirement and to send the indent well in time for the purpose. And also pursue with the Superintendent,* Government Press vigorously for the full supply of stationery as per indent.

* NOTE: Now Director, Printing and Stationery, U. P.

* NOTE: Now Director, Printing and Stationery, U. P

C.L. No. 102/VIb-11, dated 9th June, 1976

It has been decided that the Government Press will not make any cut either in the size of forms required for the courts or in the quantity of indents made by them. Any deficiency in this respect may immediately be reported to the Court.

C.L. No. 125/6M dated 23rd December, 1958

Whenever forms are not received in time from the Government Press, District Judges should write demi-officially to the Superintendent, Printing and Stationery, U.P.* Allahabad, for the purpose so that the court work may not suffer and failing that, they should bring the matter to the notice of the Government.

C.L. No. 31/VIIIb-206, dated 4th April, 1973

Use of forms printed by agencies other than the Government Press must not be allowed and directions contained in letter No. Inspection 1906, dated January 6, 1973, from the Superintendent, Printing and Stationery, U.P.*, should be strictly followed.

Non-saleable forms

C.E. No. 27/VIIIb-208, dated 15th April, 1963

Attention of the District Judge is invited to G.O. No. 4344-PS/IXVIII-D/505-PS-58, dated May 8, 1959 which provides for discontinuance of practice of maintaining the stock book of non-saleable forms and instead the observance of the procedure laid down in paragraph 20 of Appendix P to G.O. no. 916/0&M, dated December 26/31, 1956 (copies of the G.Os. sent with the C.E.)

(ii) Library books

Purchase of Hindi books

C.L. No. 9/X-e dated 5th February, 1964

In order to write judgments in Hindi the District Judges should purchase the necessary Acts and Dictionaries out of the allotment for the purchase of books and periodicals for their court and in case it be found inadequate, proposal for allotment of additional funds may be made through this Court with necessary details justifying the additional grant.

Amendments

C.L. No. 120/K-34 dated 8th/13th December, 1951

District Judges should take steps to ensure that all corrections, amendments and adaptations made in various Acts from time to time, particularly in Acts in common and daily use by the courts such as the Code of Criminal Procedure or the Indian Penal Code, are promptly incorporated in all copies of the relevant Acts (including annotated editions) in all the courts of their judgship.

C.L. No. 2/K- dated 12th January, 1965

* NOTE: Now Director, Printing and Stationery, U. P.

* *NOTE: Now Director, Printing and Stationery, U. P.

They should also inspect and check the Court Library at their places and see that no book is lost or damaged by white ants, etc.

G.L. No. 7 dated 5th June, 1894

The following system will be followed to keep up to date the copies of the General Rules (Civil) and General Rules (Criminal) supplied to the subordinate courts:

- (1) As soon as possible after notification in the Gazette; each alternation will be printed on a separate slip on one side of the paper only.
- (2) Each slip will be serially numbered on the left margin in block type with a continuous series of numbers so that the presiding officers of the civil courts will know whether these slips are regularly received, e.g-, if any officer receives no. 24 after no. 22, he will know that no. 23 should have reached him, and he should apply to the press for the missing number.

Care should be taken to paste the slips as soon as they are received in the copy of the Rules against the rule affected.

C.L. No. 13 dated 20th December, 1902

A blank page should be inserted at the beginning of each copy of the Rules (Civil or Criminal) on which the serial number of each correction slip received may be noted along with (a) the date of the amendment, and (b) the number of the rule amended. This will serve as an index to all correction slips and will enable the inspecting officer to see at a glance whether the copy of the Rules is up to date.

District Judges should notice in their inspection notes whether this direction has been carried out.

Defects or lacuna in statutory enactments

C.L. No. 15/VIII-h-11-1949, dated 22nd April, 1949

All presiding officers of civil and criminal courts in the State should bring to the notice of the High Court any defect or lacuna in a statutory enactment that may come to their notice in the course of the hearing of a case together with such suggestions as they may wish to make for the improvement of the law.

Lawyers may also submit such suggestions direct to the High Court.

Maintenance of General and Circular Letters issued by the Court

C.L. No. 59/7-67 dated 17th November, 1927 and

C.L. No. 105/VIII-b-8 dated 30th August, 1971

A complete file of all General and Circular Letters issued by the High Court should be kept in the office of the District Judge and whenever an officer arrives on his first appointment or on transfer to a judgeship, he should be directed to read all the General and Circular letters and to put his signature and date on some permanent record to be maintained for the purpose in proof of his having done so.

C.L. No. 78/VIIIb-8 dated 3rd August, 1972

As required under rule 441 of General Rules (Civil) the register of General and Circular Letters should be kept complete and a copy of each of the G.Ls. and C.Ls. regarding procedure, listing of cases and working of subordinate courts may be sent to the District Bar Association under intimation to the Court.

C.L. No. 105/VIII-b-B dated 30th August, 1971

According to this provision of rule 441, General Rules (Civil), 1957, Volume I, a register should invariably be maintained of all General and Circular Letter issued by the Court and missing intervening General or Circular Letter should be requisitioned from the Court at the earliest.

Borrowing of books

C.L. No. 34/Admn. (D) dated 24th March, 1979

The Branch President of the Anjuman Himayate Chaprasian Association may be allowed to borrow books from the District, Judge's Library for a period of 24 hours. The book shall be borrowed on a Saturday or a holiday and it shall be returnable by the following Monday morning.

The Branch President should be informed that they should refrain from mutilating, dog-eating and underlining the passages in the books and in case the book is in any way damaged or lost its price shall be recovered from them.

A similar facility on the same terms and conditions may be provided to the Branch Presidents of the U.P. Civil Courts Ministerial Officer's Association also.

Binding of books

C.L. 55-K dated 19th April, 1952

All District Judges should take steps to have the useful books, such as the Indian Law Reports bound as early as possible either at the Government Press or otherwise.

C.L. No. 48/IX-e-33 dated 4th April, 1952

The provisions of para 53 of the Printing and Stationery Manual should be strictly complied with and the books required to be bound at the Government Press should always be sent complete in all respects.

Weeding

C.L. No. 5 dated 13th January, 1959

Court's special seal which is required for stamping the weeded books in subordinate courts should positively be returned within three weeks from the date of its receipt in a judgeship, so that the work of weeding in other judgeship may not be delayed.

C.L. No. 54 dated 21st August, 1962

In connection with the weeding of books under rule 464 of the General Rules (Civil), 1957, Volume I, after the lists of books have been approved by the Court for weeding an enquiry should invariably be made from the District Magistrate and the Chief Judicial Magistrate what books they would like to have out of these lists. The books required by them may be transferred

to them without further reference to the Court and the remaining books may then be disposed of in accordance with the rules.

C.L. No. 77/VIII-b-119 dated 11th September, 1956

Since Hindi has now assumed, importance, the Gazette in Hindi should be retained permanently.

C.L. No. 69/11-K dated 10th July, 1972

While deciding to weed out old books the aspect that in deciding cases one may have to find the law as it existed 50 years back or so and in the absence of proper reference books it will be difficult to find out the provisions that existed from time to time should be kept in view.

(iii) Typewriters

C.L. No. 23/IX-g-26 dated 16th February, 1953

Only Hindi Typewriters should be purchased by District Judges. English Typewriters may, however, be purchased by them under special authority of the Court.

C.L. No. 25/11-M dated 14th March, 1957

District Judges, should move the Court first, with full justification, for sanction to the purchase of English typewriters when required and then on receipt of such sanction move the Government again for requisite sanction as also for funds.

C.L. No. 112/IX-g-26, dated 15th October, 1969

Instructions contained in G.O. No. 16/T.W.H. Key-Board/20-S-69, dated September 9, 1969, regarding purchase of Hindi typewriters should be strictly complied with.

C.L. No. 87/IX-g-26 dated 14th August, 1952

There are no funds at the disposal of the Court for replacing condemned typewriters of the subordinate courts. District Judges should, therefore, move the Government direct for funds for such purpose with necessary certificates, etc., in accordance with para 10 of the Printing and Stationery Manual.

C.L. No.-76/17 M dated 20th December, 1962

Since English documents cannot be copied by use of Hindi typewriters, the District Judges while moving the Government for the purchase of new English typewriters or for replacement of a condemned English typewriter or by new English machine for Copying Department should give the necessary details justifying their demand. It should be clearly stated that the typewriter in question is needed for the Copying Department for making of copies of English documents and that the same cannot be done by the use of Hindi typewriters. Besides, detailed information on the-following points should also invariably be given:-

- (1) Number of copyists including typists doing English work.
- (2) Number of remaining English typewriters.
- (3) Number of English documents together with the total number of words contained in those documents copied out during the last six months.

C.L. No. 77 dated 17th December 1963

When a condemned typewriter is proposed to be replaced with a new one, the condemnation certification may be furnished in proforma given below:

“CERTIFIED that Typewriter No..... which was purchased on has outlived its prescribed life and cannot be repaired at a reasonable cost. It is, therefore, beyond repairs and is declared as condemned on the advice of

C.E. No. 88/IXg-26 dated 20th August, 1969

The demand for the purchase of additional typewriters (Hindi or English) should always be pressed through the Schedule of New Demands and that for the purchase of typewriters in replacement of the condemned ones through the budget estimates, giving full justification and necessary details in accordance with the direction contained in Court's Circular Letter No. 76/17-M, dated December 20, 1962, and No.77, dated December 17, 1963 and various other instructions issued from, time to time. Necessary sanction of Government may also be obtained direct for the purchase of English typewriters.

C.L. No. 70/IXg-26 dated 15th May, 1976

While sending demands for supply of typewriters, the District Judges should furnish following information:

- | | | |
|--|-----|---------------|
| (i) Number of clerks in the judgeship knowing typewriting | (a) | Hindi..... |
| | (b) | English..... |
| (ii) Number of serviceable typewriters | (a) | Hindi..... |
| | (b) | English..... |
| (iii) Number of condemned typewriters | (a) | Hindi |
| | (b) | English |
| (iv) Number of condemned Hindi and English typewriters in respect of which condemnation certificates have been issued and sent to the Government/Court | (a) | Hindi |
| | (b) | English |
| (v) Number of typewriters required by you in the interest of efficiency or work | (a) | Hindi |
| | (b) | English |
| (vi) Full facts and figures in justification of the demand | | |

C.L. No. 41 of 1983/Budget dated 11th July, 1983

The District Judges should consider the position of typewriters in their judgeship, keeping in view of the work load and furnish information about availability of typewriters, etc., in the enclosed proforma.

They should send demand for minor repairs/maintenance of typewriters and also for extensive repairs of typewriter/change of keyboard, etc., in the enclosed proforma. The demand for extensive repairs/change of keyboards should be accompanied with proper estimate. In the estimate the details of machine (viz. make, number, year of purchase, etc.) parts proposed to be repaired/purchased in replacement, etc., should invariably be mentioned clearly.

The recommendation for condemnation of typewriters and their replacement by new ones, should not made as a matter of routine, immediately after the expiry of the normal span of life of a machine. Before making any such recommendation it should be ensured that the typewriters sought to be condemned are beyond economic repairs and the expenditure proposed

to be incurred on them for their repairs will not be commensurate with the services to be rendered by them after the said repair.

While seeking Government sanction for the purchase of new English typewriters in replacement of condemned typewriters, the amount of work done on English typewriters may please be mentioned and full facts and figures in justification of the demand for new English typewriters should be furnished so as to enable the Court to examine the proposal and ascertain the genuineness of the demand.

Following certificate should be appended to the estimate for extensive repairs of typewriters:

CERTIFICATE

This is to certify that the machine proposed to be repaired can be put to use after repairs and the amount proposed to be spent on the said repairs will commensurate with the services to be rendered after the repairs of the machine.

Name of judgeship

NUMBER OF TYPEWRITERS REQUIRED

COURTS		ADMN. OFFICES		COPYING SECTION		CASE DIARY SECTION	
HINDI	ENGLISH	HINDI	ENGLISH	HINDI	ENGLISH	HINDI	ENGLISH
1							
NUMBER OF TYPEWRITERS AVAILABLE WITH JUDGESHIP				NUMBER OF TYPEWRITERS CONDEMNED			
HINDI		ENGLISH		HINDI		ENGLISH	
NUMBER	DATE OF PURCHASE	NUMBER	DATE OF PURCHASE				
2				3			
NUMBER OF TYPEWRITERS WHICH ARE BEYOND ECONOMIC REPAIRS BUT HAVE NOT BEEN CONDEMNED SO FAR				ADDITIONAL TYPEWRITERS REQUIRED			
HINDI		ENGLISH		HINDI		ENGLISH	
4				5			
FUNDS REQUIRED FOR MAINTENANCE/ MINOR REPAIRS OF THE TYPEWRITERS				FUNDS REQUIRED FOR EXTENSIVE REPAIRS OF THE TYPEWRITERS*		REMARKS	
HINDI		ENGLISH		HINDI		ENGLISH	
6				7		8	

* Details of typewriters, viz., make, chasis, number, date of purchase, etc., should be mentioned
Proper estimate should also be sent..

This is to certify that the machine proposed to be repaired can be put to use after repairs and the amount proposed to be spent on the said repairs will commensurate with the services to be rendered after the repairs of the machine.

C.L. No. 159/Budget/IXg-26/500TW, dated 14th October, 1976

The Court has allotted typewriters, as shown in the enclosed lists, for being used in the Copying Department and courts/office as mentioned against each judgeship. The typewriters should invariably be used in the Copying Department or the court/office, as the case may be.

C.L.No.40/Budget/IXg-26/500TW dated 3rd March, 1977

The typewriters allotted to the Copying Department vide above mentioned C.L., should exclusively be used from the first day in that department and they should not be diverted to any other department or court.

C.L. No. 57/2-M dated 23rd July, 1965

Wasteful expenditure on hiring of typewriters should, as far as possible, be avoided.

No private use of ribbons

G.L. No. 47/39(9-(14), dated 8th July, 1937 read with

G.O. No. U-653-VII dated June. 1937

No officer should be supplied with ribbons from the stock of stationery kept for government machines for his private typewriter even if the machine be used for government work.

(iv) Electric bulbs and fans

C. L. No. 110/X-b-11, dated 3rd December, 1958

Expenditure over the replacement of unserviceable electric bulbs required at occasional intervals in connection with electric installation in the civil court buildings should be debited to the sub-head "Contingencies" as required under item no. 10 of Appendix X to the Financial Handbook, Volume V, Part I.

C.L. No. 57/2-M dated 23rd July, 1965

Wasteful expenditure on hiring of electric fans should as far as possible be avoided.

(v) Indenting of rubber stamps

C.L. No. 34/L-, dated 9th April, 1951

District Judges should, include a sufficient number of rubber stamps in their annual indent for stationery so as to provide for the normal requirements of all the courts in the judgeship.

(vi) Indents for cotton textiles

C.L. No. 14/VIIIc-12, dated 5th March, 1955

Whenever any additional quantity of cotton textile is required,' after a regular indent has been placed, no amendment increasing the quantity should be issued; but fresh indent in the prescribed forms should be submitted to the Director of Supplies, Government of India, Ministry of Works, Housing and Supply, Shahibag House, Ballard Estate, Bombay-1, through the Director of Industries (Textile section) Kanpur, in triplicate.

(vii) Purchase from the grant at the disposal of District Judge

C.L. No- 29/IX-q-19 dated 17th March, 1953 as modified by

C.L. No. 56 of 1953

Articles other than those covered by rule 37 of Appendix X of Financial Hand book, Volume V, Part I, should not be purchased by District Judges from the grants at their disposal. Only articles which are undisputably intended for office use should be purchased from the grants at a cost not exceeding Rs. 50 per annum in a judgeship.

C.L. No. 15/21-M dated 19th/22nd March, 1955

Articles such as Judge's wash basins, mirrors, soap cases, towel stands, easy chairs, angethi and charcoal etc., should be purchased by District Judges only when they are really necessary in the discharge of their duties and the officers subordinate to them. The cost of these items should be debited under the Head "27-*Administration of Justice" and must be met out of the reduced contingent allotment placed at the disposal of the judgeship or court.

C. E. No. 66 dated 26th June, 1961

Special grants are sanctioned to provide for essential articles of common use. Purchase of liveries, electric rods, etc., out of these grants is objectionable. In case there is need for other items which cannot be classified as essential items, for any special reasons, sanction should be obtained before actual purchase.

C.L. No. 75/Xb-2 (Budget) dated 11th August, 1969

As recommended in paragraph 78 of the report on Re-organization and Rationalization of the Civil Court Offices, the District Judges should continue to control the contingent grant of even temporary courts so that there may be uniformity in practice.

C.L. No. 129/Xe-44 dated 28th November, 1970

Attention of District Judges is invited to Government Endorsement No.412(SP)/(i)/XVIII-E, dated June 25, 1969, regarding timely payment to the suppliers for goods procured through the agency of the Stores Section of the Directorate of Industries and strict compliance of the instruction contained in Government Industries (E) Department, office memorandum of date.

20. USE OF HINDI WRITTEN IN DEVANAGRI SCRIPT

C.L. No. 14/X-e-5 dated 23rd September, 1952 read with

C.L. No. 16/X-e-5 dated 11th February, 1953

Difficult Urdu or Persian words should be avoided and replaced by more easily understandable Hindi words. So far as possible Hindi written in Devanagri script should be used for day to day office work of a non-judicial character.

C.L. No. 38/Xe-5 dated 15th April, 1969

Hindi should be brought in greater use in all the subordinate civil and criminal courts. Hindi should also be used in all the administrative work except in correspondence with the

* NOTE : Now 2014.

Accountant General, Supreme Court, Central Government, State Government of other States and foreign countries.

C.E. No. 125/X-e-5 dated 2nd December, 1972

Hindi being the official language of the State, only Hindi should be used not only in the correspondence work but also for writing notes and comments on the files. Similarly inspection reports, proceedings, tour programmes, etc., should also be prepared in Hindi. Registers, diaries, etc., should also be maintained in Hindi. Use of a language other than Hindi is unauthorized and improper.

C.L. No. 6/VII-f-97 dated 24th January, 1972

All matters for publication should originally be prepared in Hindi and should be sent along with the requisite copies of its translation in English and Urdu to the newspapers. Weights and measures mentioned in such notices should be according to the metric system only.

C.L. No. 23/VI-c-10, dated 5th February, 1973

All orders pertaining to the interest of employees, especially Class IV employees, should be passed in Hindi so that no inconvenience is caused to them.

C.L. No. 107/E-5 dated 20th August, 1971

All letters received from the State Government, should be replied to in Hindi and so far as possible, all correspondence should be done in Hindi.

C.L. No. 1/10E(5) dated 16th August, 1976 and

C.L. No. 4/10E(5) dated 3rd June, 1977 and

C.L. No. 11/10E(5) dated 26th April, 1979 and

C.L. No. 18/10E(5) dated 20th February, 1980 and

C.L. No. 25/10E(5) dated 24th April, 1982

The judicial officers should do all the works of the court in Hindi.

C.L. No. 178 dated 9th November, 1976 and

C.L. No. 47/Ve-103 dated 8th March, 1977 and

C.L. No. 61/Ve-103 dated 31st May, 1979 and

C.L. No. 26/Ve-103 (Admn. 'F') dated 19th April, 1983

The District Judges should issue strict directions to the Readers of all the courts, to learn Hindi typewriting within a period of 3 months from November 15, 1976 so that there may be no difficulty or delay in recording the depositions and statements of witnesses in the Court and their legibility may also be ensured.

Statement of progress in learning Hindi typing by Readers in subordinate courts as on 30.4.1979

Name of Permanent Courts	No. of Temporary Courts	Total Number of Readers in the Judgeship	No. of Readers who have learnt Hindi Typing	No. of Readers learning Hindi typewriting	Remarks
1	2	3	4	5	6

C.L. No. 45/IX-g-12, dated 15th April, 1961

Whenever a seal is prepared in future, old Hindi scripts should be used instead of the new Hindi script used in the specimen, sent with C.L. No. 62 dated August 2, 1956.

C.L. No. 4/Ten-E-5, dated 03rd June, 1977

The Courts has approved following phased programme for delivery of judgment in Hindi by Civil Judges and District Judges:

- (1) “The Civil Judges will deliver 50% of their judgments in Hindi in the first year and thereafter they will completely switch-over to Hindi.”
- (2) “The District Judge will deliver 25% of their judgments in Hindi in the first year, 50% in the subsequent year and in the third year they will completely switch over to Hindi.”

(i) “न्यायालयों में हिन्दी का प्रयोग”

परिपत्र संख्या 2/दस-ई-5-अ.न्या. (भाषा अनुभाग), दिनांक 7 जनवरी, 1992

मुझे आपका ध्यान न्यायालय के परिपत्र संख्या 85/दस-ई-5-अ.न्या. (भाषा अनुभाग), दिनांक 4 दिसम्बर, 1989 की ओर आकर्षित करते हुए यह कहने का निदेश हुआ है कि महासचिव, अखिल भारतीय हिन्दी विधि प्रतिष्ठान, लखनऊ ने न्यायालय के संज्ञान में यह बात लाई है कि हिन्दी विधि प्रतिष्ठान द्वारा प्रकाशित “उच्चतम न्यायालय निर्णय सार” और “उच्च न्यायालय निर्णय पत्रिका” की मांग जनपदों द्वारा न्यायिक अधिकारियों के मध्य परिचालन हेतु नहीं किया जा रहा है जिसके कारण हिन्दी भाषा के विकासोन्मुख में बाधा उत्पन्न हो रही है।

अखिल भारतीय हिन्दी विधि प्रतिष्ठान, लखनऊ उपर्युक्त निर्णय पत्रिकाओं को न्यायिक अधिकारियों के मध्य उपलब्ध कराने हेतु सक्रिय है और न्यायालय से बार-बार इन निर्णय पत्रिकाओं के अधिकाधिक प्रयोग पर बल देती रही है।

अतः आपसे अनुरोध है कि जनपद के मुख्यालय में प्रयुक्त होने हेतु उक्त निर्णय की कम से कम 3-3 प्रतियाँ व मुख्यालय के बाहर स्थापित न्यायालयों हेतु एक-एक प्रति की उपलब्धता को सुनिश्चित करें और कृत कार्यवाही से न्यायालय को भी अवगत कराने का कष्ट करें। इन पत्रिकाओं को सभी न्यायिक अधिकारियों को निरन्तर परिचालित किया जाना भी सुनिश्चित कर लें।

परिपत्र संख्या 85/दस-ई-5/ अ.न्या. (भाषा अनुभाग) दिनांक 4 दिसम्बर, 1989

महासचिव अखिल भारतीय हिन्दी विधि प्रतिष्ठान, लखनऊ द्वारा न्यायालय को प्रेषित पत्र संख्या 89 सा/1095 एवं पत्र सं. 89/सा/1096 दिनांक 21.9.1089 की एक-एक प्रति मुझे इस आशय के साथ भेजने का निर्देश हुआ है कि आप पत्र में वर्णित विधिपत्रिकाओं को न्यायिक अधिकारियों के मध्य परिचालन हेतु उचित कदम उठावें और यह सुनिश्चित करें कि सभी न्यायिक अधिकारियों को उक्त वर्णित विधि पत्रिकाएं, अवलोकनार्थ अध्ययनार्थ उपलब्ध हो जाय। इस हेतु आप अपने जनपद में न्यायिक अधिकारियों की संख्या को ध्यान में रखते हुए उच्चतम न्यायालय निर्णय सार की संख्या में वृद्धि की मांग आवश्यकतानुसार सीधे महासचिव, अखिल भारतीय हिन्दी विधि प्रतिष्ठान सी-36, निराला नगर,¹ लखनऊ को प्रेषित करें और कृत कार्यवाही से न्यायालय को सूचित करें।

पत्र संख्या.89 सा/1095, अखिल भारतीय हिन्दी विधि प्रतिष्ठान, दिनांक 21 सितम्बर, 1989

विनम्र निवेदन है कि माननीय उच्च न्यायालय के आदेशानुसार प्रत्येक जिला न्यायाधीश को इस प्रतिष्ठान द्वारा प्रकाशित दोनों पत्रिकाओं की तीन-तीन प्रतियाँ भेजी जाती हैं। इस समानता का परिणाम यह होता है कि बड़े जिलों में इनका परिचालन अधिकारियों की संख्या अधिक होने के कारण नहीं हो पाता “इलाहाबाद दण्ड निर्णय” के सम्बन्ध में सम्भवतः उ.प्र. शासन ही अधिक भिजवाने का निर्णय ले।

¹ वर्तमान पता- 2/127-बी, विजय खण्ड-2, गोमती नगर, लखनऊ

ऐसी दशा में हमारी प्रार्थना है कि “उच्चतम न्यायालय निर्णय-सार” की भेजी जाने वाली प्रतियों की संख्या बढ़वाने की कृपा करें, जिससे कि अधिकतम छह अधिकारियों के बीच एक प्रति उपलब्ध हो जाय। यह उस व्यवस्था के भी अनुरूप होगा जो इन पत्रिकाओं के प्रारम्भिक वर्षों में उ.प्र. शासन ने की थी। कृपया उचित आदेश शीघ्र प्रसारित कराएं, जिससे कि आगामी वर्ष के प्रारम्भ से ही संख्या बढ़ाई जा सके।

पत्र संख्या 89 सा/1096, अखिल भारतीय हिन्दी विधि प्रतिष्ठान, दिनांक 21 सितम्बर, 1989

विनम्र निवेदन है कि इस प्रतिष्ठान द्वारा प्रकाशित “उच्चतम न्यायालय निर्णय-सार” व “इलाहाबाद दण्ड निर्णय” नामक पाक्षिक विधि पत्रिकाएं माननीय उच्च न्यायालय के आदेश से सभी जिला न्यायाधीशों तथा वहिःस्थल (आउटलाइंग) न्यायालयों को भेजी जाती है। किन्तु ज्ञात यह हुआ है कि इन पत्रिकाओं का परिचालन (सर्कुलेशन) नहीं हो रहा है। परिणामस्वरूप हमारा श्रम तो व्यर्थ सा हो जाता ही है, न्यायिक अधिकारी भी पत्रिकाओं के लाभ से वंचित हो जाते हैं।

अतः प्रार्थना है कि पत्रिकाओं के परिचालन के लिए एक प्रपत्र जारी कराने की कृपा करें।

21. SUPPLY OF CIRCULAR LETTERS ETC. TO EMPLOYEES ASSOCIATIONS

C.L. No. 51/Admn. (D) dated 19th May, 1978

All local units of the Civil Court Ministerial Association should be given copies of circular letters and Government Orders, which are of interest to the service of the Ministerial Staff.

C.L. No. 33 Admn. (D) dated 24th March, 1979

Copies of Government Orders, Circular Letters and High Court Orders touching the service conditions and affecting the service interests of the members of the Anjuman Himayate Chaprasian, should be supplied to the Presidents and Secretaries of the district branch.

(i) Regarding supply of the I.L.R. Journals.

C.L.No. 56/Admin. (F) Dated: 18th December, 2000.

I am to inform you that in I.L.R. Meeting held on 16 September 1998 it was resolved that Judicial Officers be supplied I.L.R. issue so that they may be well informed with the latest decisions. Accordingly, Government printing Press was directed to send I.L.R. issue to the District courts so as to make the same available to each Judicial officer.

I am desired to request you to inform the Hon'ble court as to whether the I.L.R. issues are being received in the District courts well in time. Position of the last issue received may also be indicated so that the matter may be taken up with the Government printing press.

22. FACILITIES TO OFFICERS OF VIGILANCE DEPARTMENT

C.L. No. 57/VIIIb-70, dated 19th May, 1972

All possible cooperation should be extended to the Director of Vigilance and investigating officers in making available to them the records or a part thereof or in getting certified copies of the same and also in providing facility for inspection of records in connection with the inquiries being conducted by them.

(i) Providing of facilities of stay security, staff etc. to the officers of Vigilance Department of the Court.

C.L.No. 20/Vb.23/ Admin/ 999 dated 20th August, 1999

The Hon'ble court has been appraised of unexpected situation caused by non-cooperation of the District judge and the staff of the district court when the officers of the Vigilance department visit a district in connection with enquires. It has been noticed that common courtesy of making arrangement for their stay, security , transport etc. befitting to their status is not extended to them. They do not get access to the records required in connection with the enquiry. In order to avoid the re-occurrence of the said incidence , the Hon'ble court has desired that the following instructions may be followed as soon as a visit of vigilance department is notified to district.

1. Proper accommodation should be reserved in the name of the officer in Govt. Inspection House or Govt. Guest House befitting to the status of the officer.
2. Two orderlies/peons be temporarily attached with the officer during his stay at the headquarter.
3. Proper transport facility i.e. official vehicle be provided to him to perform journey from the railway station to the Inspection house and from Inspection House to the place of enquiry and to visit such places which are required to be visited in connection with the enquiry. Such official vehicle facility be also provided if the place required to be visited in the enquiry is not connected by rail route.
4. Proper sitting accommodation such as the committee room or the chamber be ensured befitting to the status of the officer.
5. Every assistance should be provided to the officer to have access to the record connected with the enquiry and that the record should be made available to the officer before the commencement of the enquiry or at least within a reasonable period of time.
6. One stenographer and one typist be provided to the officer for the purpose of enquiry.
7. Security be provided to the officer at the place of enquiry.

I am, therefore, directed to communicate the directions of the Hon'ble court for strict compliance.

(ii) To provide facilities to a committee appointed by Hon'ble Chief Justice by D.J. and C.J.Ms.

C.L. No. 40/ Dated : 15th December, 2001

I am directed to say that Hon'ble the Chief Justice has appointed, in compliance with the orders of Hon'ble Supreme Court, a high level Committee comprising of (i) Hon'ble Mr. Justice A.B.Srivastave (Retd.), Chairman (ii) Sri A.B. Hajela, Member and (iii) Sri Muhi-ul-Islam, Member. The task of the Committee is to ensure and monitor the implementation of eleven requirements ordained in the case of D.K. Basu [1997(1)SCC, 461]. In that connection the Committee collectively or individually shall be visiting different district for surprise inspection of the records of the police station and the offices of the authorities having the powers of arrest and/ or detention.

It is, therefore, desired that the District Judges and Chief Judicial Magistrates should facilitate all appropriate conveniences to them upon their visit.

23. FACILITIES TO WITNESSES AND THE LITIGANT PUBLIC

C.L. No. 6085/VIII-b-2, dated 28th May, 1949

Government proposes that all witnesses must stand while actually giving evidence before a court. This is in accordance with the practice in the courts in England and probably in most other independent countries. An exception may be made only in the case of witnesses who are unable to stand on account of physical incapacity such as invalids, infirm and aged person or persons who happen to be lame, or suffering from some special injury or ailment.

Facilities should, however, be provided so that a witness may remain seated while he is in the court-room but is not actually giving evidence before the court. A seat similar to that provided for counsel below the dais in the courtroom may be provided in the witness box or at a place set apart for the witness. The witness may be allowed to occupy this seat except when he is actually giving evidence or is addressing the court or is being addressed by the court. The facility should be available to all witnesses irrespective of their position, prestige or status.

C. L. No. 2/IX-g-1, dated 20th November, 1948

The Government has accepted the recommendation of the Conference of Senior Administrative Officers held in April, 1948, to consider the subject of "relations between the public and the public servants" and the Standing Committee on General Administration, that seating arrangements and other essential facilities, such as the supply of drinking water, should be provided in public offices, particularly the courts.

Cloak Room

C.L. No. 113/S(b)-(Ladies Lav.), dated 13th July, 1976

District Judges should formulate a scheme for a separate cloak room, i.e., a small retiring room with lavatory and wash basins for use of the lady litigants frequenting the civil courts. The said convenience is very necessary for the lady lawyers also, who are practicing in a number of judgeships.

Necessary plan and estimate for the proposed work duly scrutinized by the proper authorities should be sent to the Court expeditiously along with a site plan showing the site selected for the purpose.

24. ENTRY IN COURT PREMISES WITH FIRE ARMS

C.L. No. 129/IVh-10, dated 20th November, 1978

District Judges should ensure strict compliance of Rule 614(4) of G. R. (Civil) and persons bringing any kind of arms with them are prohibited entry in the court premises.

G.L. NO. 322/46, dated 25th January, 1913

The Munsarim of each court is responsible for seeing that no person other than an official of the court or a recognized apprentice enters any office rooms or record room without the Written permission of the presiding officer.

25. MODE OF ADDRESSING PARTIES BY COURT PEONS

G.L. No. 16/VI-c-5, dated 21st September, 1951

Peons when calling out the names of parties and witnesses in a case should use more respectful language and should prefix the term “Sri” or “Sarvasri”, “Srimati” or “Kumari” to the name or names as circumstances may require. They should also make use of the more respectful term “hazir hain” instead of the term “hazir hai”.

26. NO COURT DRESS FOR MEMBERS OF PUBLIC

C.L. No. 37/IX-a-23, dated 14th April, 1951

Peons in subordinate courts should not object to members of the public entering the court room with a cap on. No objection should be taken to the dress worn by any member of the public attending the courts provided he is decently and properly dressed having regard to his status in life. Anyone wearing the European headdress must remove it before entering the courtroom in accordance with European custom.

C.L. No. 53/73, dated 18th June, 1973

Litigants, members of the public and the witnesses should neither be prohibited from wearing Gandhi cap or any Indian head gear neither while entering a court nor should they be asked to take it off.

27. DRESS FOR A.P.P.

C. L.No.42/VIII-b-223, dated 7th April, 1976

It encloses G.O.No. 2312/Eight-Ni-Lo-Aa-2/6(2):74, dated 27th February, 1976 of U.P. Government prescribing, dress for Assistant Public Prosecutor.

While appearing before a Court, the Assistant Public Prosecutors are required to put on a buttoned up black coat or black coat with a black tie.

28. ABBREVIATED FORM OF CIVIL JUDGE

G.L. NO. 20/97-4(4), dated 31st March, 1937

The abbreviated form of “Civil Judge” or “Additional Civil Judge” should be “Civil J.” or “Addl. Civil J.” In no case should the abbreviation “C.J. or A.C.J.” be used as they are the recognized abbreviated forms of “Chief Justice” and “Acting Chief Justice”

29. INTIMATION OF TELEPHONE NUMBERS

C.L. No. 20/Admn. (E), dated 10th May, 1985

The District Judges are requested to intimate to the Court their present telephone numbers (office and residence both) and also the telephone numbers of Additional District Judges and Chief Judicial Magistrate of their district and also the changes which may take place from time to time in the telephone numbers in future.

30. OATH COMMISSIONERS

(i) Appointment and removal

G.L. No 11/452(15), dated 9th March, 1932 as modified and amended by

C.L. No. 65/45, dated 8th December, 1934,

C.L. No. 76/45-22, (3) dated 3rd September, 1936,

C.L. No. 85/45(8), dated 10th October, 1936 and

C.L. No. 6/45-5(1), dated 22nd January, 1937

It is discretionary for District Judges to have the verification of affidavits done by Munsarims only or to appoint legal practitioner for this purpose. The convenience of litigants, however, is a matter which should be considered.

It is undesirable that the nomination of legal practitioners for appointment as Oath Commissioners should be made by the Bar Association, as the obligation of making proper appointments rests with the District Judge and if he feels that owing to his being new to the district he requires assistance from others for making proper appointment he should obtain such assistance from Munsifs and Civil Judges who may be in a better position to make the necessary nomination. So long as a legal practitioner who has been appointed an Oath Commissioner is doing his work well, he should not be removed from the list but he would be subject to removal if his income at the Bar makes it desirable that he should withdraw his name in favour of a junior.

A District Judge has the power to strike off the name of an Oath Commissioner at his own instance. He need not wait till the Oath Commissioner asks for the removal of his name. The term of appointment of Oath Commissioner should be limited to a period of three years only. In special cases a retiring Oath Commissioner would be eligible for re-appointment.

It should be clearly understood that the object of the above directions is not to provide employment to impecunious members of the Bar, but to get good men for the benefit of the public and so a District Judge should select men who are likely to do well as Oath Commissioners. Other things being equal, however, a legal practitioner with a small income is to be preferred for this appointment to a legal practitioner who has a good practice.

C.L. No. 87/VIIIa-27, dated 9th December, 1985

In supersession of the Circular Letters No- 39 dated 22nd July, 1960, Circular Letter No. 84/VII-d-27 dated 31st May, 1971, C.E. No. 162/VII/d-27 dated 23rd December, 1971, Circular Letter No. 33/IV-27 dated 18th April, 1973, Circular Letter No 29/VII-d-26 dated 25th February, 1974 and Circular Letter No. 38/Vc-94 dated 28th March, 1976 and any other Circular Letters issued in this regard, the following instructions should henceforth be strictly observed by all concerned in order to have an effective control over the appointment, work and conduct of the Oath Commissioners.

1. The appointment of the Oath Commissioners should be made by the District Judge after inviting applications from the practicing advocates. For the purpose of making selection among the applicants, a committee of three officers to be nominated by the District Judge should be formed. The Committee shall scrutinize the applications and shall submit a list of Advocates who, in its opinion, are fit to be appointed as Oath Commissioners. The

District Judge shall scrutinize the recommendation made by the Committee and it shall be within his right to add or delete, any name(s) from the list submitted by the Committee. While making appointment of Oath Commissioners, Scheduled Caste and Scheduled Tribe, Lawyers should also be kept in view.

2. The term of Oath Commissioners shall be one calendar year. Appointment shall be made by the end of December and shall be effective from the following 1st of January till 31st of December. The District Judge may strike off name of any Oath Commissioner, if it comes to his knowledge that incorrect facts have been produced by him for securing his appointment as such. The name of the person including the ones indulging in the mal-practice or charging fee higher than prescribed or verifying affidavits without the deponent appearing before him or shirking work or engaged in any other sort of mal-practice shall be removed from the list of Oath Commissioners by the District Judge. From out of the Oath Commissioners appointed by him, the District Judge shall designate one such Oath Commissioner as Oath Commissioner -in-charge.
3. The place of sitting of Oath Commissioners shall be fixed by the District Judge. The duties of the individual Oath Commissioners shall be assigned according to the place of their practice, that is to say, Civil Court/ or Collectorate. The Oath Commissioner-in-charge shall assign duties to specific Oath Commissioners fixing dates and duty hours to ensure that during working hours, Oath Commissioners are available for verification of affidavits. It shall be the duty of Oath Commissioners to sit in the office during duty hours for verifying affidavits. A copy of the schedule of working programme should always be forwarded by the Oath Commissioner-in-charge for information to the District Judge. Its copies should be sent to the local Bar Association and it should also be pasted on the notice board outside the place of sitting of Oath Commissioners for information to the general public.
4. A pool should be formed for the income from the affidavits and the entire income from affidavits shall be pooled. No individual Oath Commissioner should be allowed to pocket the fee which he gets by verifying affidavits. The Oath Commissioner-in-charge will be responsible for keeping the pool income in his custody and to maintain its account and to disburse it to Oath Commissioners equally once a week.
5. Instead of the register of affidavits prescribed by Court's C.L. No. 39 dated 22nd July, 1960, a register of affidavits in the following form shall be maintained by Oath Commissioners for making entries of affidavits and the income derived from verification of affidavits: -

Sl. No.	Date	Time	Particulars of the suit or criminal case or other proceedings in which affidavit is to be filed	Name of Parties
1	2	3	4	5

Name of the Court to which the suit or case or proceeding relate	Name of the person verifying the affidavit	Name of the person identifying the deponent	Court or authority before which the affidavit is to be filed
6	7	8	9

Name of the Oath Commissioner	Signature of the	Signature of the person	Signature of the Oath	Place where affidavit was
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verifying the affidavit	deponent	identifying the deponent	Commissioner	verified
10	11	12	13	14

Amount realised	Remarks
15	16

After entering affidavits in the register, the serial number at which such entry has been made should be noted on affidavits by the Oath Commissioner along with the date and time of verification. The register of affidavits should be submitted to the District Judge or to any other officer nominated by the District Judge once a month. The District Judge may, in his discretion, at any time summon the register for his perusal.

6. While verifying affidavits each Oath Commissioner should write his full name in legible hand along with his signature and he shall also put a rubber stamp indicating his full name on the affidavit.

7. For the facility of the litigant's to avail of the services of Oath Commissioners after the court hours arrangement should be made mutually amongst the Oath Commissioners to make one or more of them available at his residence during fixed hours. Names, residential addresses and hours of availability of Oath Commissioners should be displayed on a notice board outside Bar Association or the place where the register of Oath Commissioners is kept and affidavits are verified.

8. Oath Commissioners appointed by the District Judges are not entitled to attest affidavit intended to be used in a proceeding other than a judicial proceeding.

9. A register for maintaining accounts and utilization of coupons shall be maintained by the Oath Commissioner-in-charge. At the time of taking coupons this register will be produced before the Central Nazir who will before issuing coupons, verify whether the coupons issued earlier have been utilized. No coupons should be issued to an individual Oath Commissioner, but only to the Oath Commissioner-in-charge. At the time of issue of coupons the Oath Commissioner-in-charge shall also submit utilization certificate before the Central Nazir. The Coupon Register maintained by Oath Commissioners, should also be put up at least once in a month before the Oath Commissioner-in-charge, for inspection and verification of due utilization of the coupons issued.

A Register for recording the issue of coupons shall also be maintained by the Central Nazir and the coupons issued to the Oath Commissioner-in-charge from time to time will be entered in this register and his signature obtained in token thereof.

10. The Munsarim and Reader of the Court should scrutinize carefully all affidavits filed in any suit, appeal, revision or in any other proceeding and should see that they are in accordance with the provision of Order XIX, rules 3 to 15, C.P.C. An affidavit not duly and properly drawn and verified and not containing coupon would deserve to be rejected. In such a case the Presiding Officer of the court should inform the District Judge or the officer nominated by him, so that appropriate action may be taken against the erring Oath Commissioner.

11. The District Judge or the officer nominated by him may from time to time issue necessary orders regulating the working of the Oath Commissioners and such orders shall be strictly followed by the Oath Commissioners.

C.L. No. 23/VIID-27, dated 26th March, 1954

All Oath Commissioners should carefully read the rules contained in order XIX of Schedule I of the Code of Civil Procedure as amended by this Court (Particularly Rule 11-A) for strict compliance while verifying affidavits. If they do not follow the rules properly their names should be removed from the list of Oath Commissioners.

C.L. No. 76/VIID-27-Admn.(B), dated 4th April, 1977

All District Government Counsel, Additional District Government Counsel and Senior A.P.P.S. may be appointed Commissioners of Oath in order to facilitate swearing of affidavits to be filed on behalf of the prosecution in any court under the Code of Criminal Procedure, 1973. Their appointment as such may be made by the District Judge under section 297 (i) (b) of the said Code.

DRAFT ORDER

(1) The District Public Prosecutor (i.e.. the District Government Counsel, Criminal) and all Additional Public Prosecutors, Class I and Class II (i.e., Additional and Assistant District Government Counsel, Criminal) and all Senior Prosecuting Officers (who under the Code of Criminal Procedure are "Assistant Public Prosecutors" for the time being serving in this district shall ex-officio be Commissioners of Oaths under section 297(i)(b) of the Code of Criminal Procedure, 1973 for the purpose of administration of oath or solemn affirmation to deponents of affidavits to be used on behalf of the prosecution before any court under the said Code.

(2) The Commissioners of Oaths appointed by this order shall not be entitled to any fee.

C.L. No. 121/Budget/VIID-27, dated 13th July, 1977

The legal assistants or any other official recommended by his Head of the Department, working in the Collectorate be appointed as an Oath Commissioner, by designation under section 139 of the Code of Civil Procedure.

The Commissioners of Oath so appointed shall not be entitled to any fee.

C.L. No 183/Budget dated 9th December, 1977

In making appointments of Oath Commissioners in districts, reservation should be made as far as possible for Scheduled Castes, Scheduled Tribes and other backward classes in accordance with the Government orders enforced from time to time providing such reservation.

C.L. No. 5/VIID-27(Budget), dated 12th January, 1978

The Court has approved a form of application for appointment of Oath Commissioners and Amicus-curiae in the subordinate court. Henceforth applications for the aforesaid posts should be invited on the prescribed form.

C.L. No. 7/VIID-27 dated 24th January, 1964 and

C.L. No. 162/VIID-27 dated 23rd December, 1971

In supersession of Courts' C.L. No 45/VIID-27 dated May 7, 1956 the Hon'ble the Chief Justice is pleased to direct that persons appointed Oath Commissioners in District Courts under section 130 Cr. P. C. for a particular term shall ipso-facto be deemed appointed Oath Commissioners under section 297 Cr.P.C., for that term. The fee chargeable for each such affidavit is Re. 1/-.

C.L. No. 19/VIIId-27, dated 15th February, 1974

With a view to avoid non-presence of the deponent before the Oath Commissioners and a fake person identifying the deponent, they must, at the time of verification of affidavits, invariably obtain on the register of affidavits the signature or clear thumb impression of the deponent as also of the person identifying him. District Judges should have a periodical checking made of the register to ensure strict compliance of these directions.

(ii) Affixation of coupons

C.L. No. 8/VII-d-27 dated 2nd February, 1974,

C.E. No. 29/VIIId-26 dated 25th February, 1974,

C.L. No. 38/VII-d-27 dated 13th March, 1974 and

C.L. No. 106/VII-d-27 dated 10th September. 1979

The Oath Commissioners of the subordinate courts should be directed to make entries about the affidavits verified by them in the common register to be maintained by the Oath Commissioners. The Oath Commissioners should also be asked to maintain individual registers .as well to indicate the number of affidavits verified by them and the number of coupons utilised by them.

The District Judge should submit quarterly report regarding issue of coupons to the various Oath Commissioners during the years, with a certificate that the Oath Commissioners have accounted for the coupons received by them as also to the fact that the sale proceeds of coupons have been credited to the Government in accordance with the above directions.

The affidavit coupons, which remain unused at the close of the year 1979, should be returned to the Court along with the statement in the following proforma :-

1	2	3	4
Kind of coupon	Number of coupons received during the year	Number of coupons issued to the subordinate Courts/ Oath Commissioners	Balance at the close of the year, which are being surrendered to the Court after the close of the year.

The Oath Commissioner should give an undertaking to account for the coupons received by them from the District Judge and to return the unused coupons at the end of his term of appointment as Oath Commissioner. If any coupon is lost or the Oath Commissioner is not able to account for that he should further undertake to render account as if such coupon has been utilized in verifying affidavit, i.e., to account for such coupons also at the prescribed rate of Rs. 2/- or Rs. 1/- per coupon as the case may be, to the pool of income of Oath Commissioners.

This procedure should be continued in future also and quarterly reports should be submitted to the Court regularly.

The indent for approximate quantity of affidavit coupons for the next year should henceforth be sent to the Court (in duplicate) in the first week of October each year, so as to reach the Court positively by the 9th of October.

C.L. No. 46/Admn. (B. II) dated 16th September, 1985

In future the unused affidavit coupons meant for a particular year should be surrendered to the Court regularly after the close of the year every year, so as to ensure that the unused coupons reach the office of the Court latest by 10th April every year.

(iii) Affixation of Coupons of Affidavits meant to be filed in High Court & Subordinate Courts

G.L.NO. 3056/Budget-M dated September 7, 1990

I am directed to invite your attention to the last paragraph of Court's Letter No. 106/VII-d-27 dated September 10, 1979 and the Court's letter No. 2188/B-II dated Sept. August 27, 1984, 1741/B-II dated 26, 1985, 2781/B-II dated September 1, 1986, No. 2334/B-II dated July 22, 1987 No. 2246/B(M) dated September 7, 1988 and no.4447/B(M) dated September 1, 1989, on the above subject, and to request you kindly to send your demand for approximate quantity to affidavit coupons required for the year 1991, latest by the last week of October 1990.

I am to add that the matter may please be treated as 'Most Urgent' and your demand may be sent to the Court within the prescribed date so as to enable the court to place order for Printing of New Coupons well in advance.

(iv) Affixation of coupons to the Affidavit meant to be filed in subordinate Courts

G.L. No. 5176/Budget(M) dated February 14, 1995

With reference to your letter No. 389/K.N. dated 1-3-1995, I am directed to send herewith marginally noted coupons to be used in the Subordinate Court's coupons.

The coupons marked IM are to be filed in Courts of Munsifs, Judges Small Causes and Assistant Collector.

The coupons marked IM are to be filed in Courts of Munsifs, Judges Small Causes and Assistant Collector.

I am also to request that requisite number of coupons may also be sent to the outlying courts where they exist with the directions, that such coupons may be used for affixation with directions contained in the Court Circular Letter No. 8/VIII-D-27, dated February 2, 1974 and No. 106/VII, dated September 10, 1979.

Coupons in Yellow paper with Green colour background(M).

Coupons in Blue paper with pink colour back ground (IM).

High Court Coupons:

Coupons in white paper with Violet colour back ground.

I am to add that further demand may please be sent to the court well in advance so that work may not be held up for want of coupons.

The account may please be maintained in accordance with the Court's direction in the matter and unused coupons may please be surrendered at the

end of the required under the Court's C.L. dated September 10, 1979 referred to above.

31. APPOINTMENT OF NOTARY PUBLIC

G.L.No.7/152-3,dated 14th March, 1939 read with Judicial Department

G.O. No. 598/VII-220-38 dated 16th February, 1939

The Government of India has delegated to the State Government their powers under sections 138 and 139 of the Negotiable Instruments Act, 1881 (XXXVI of 1881).

32. SUPERVISION OVER DISTRIBUTION OF COMMISSIONS

G.L. No. 4386/89, dated 4th December, 1922

It is most important that District Judges should ascertain periodically the number of commissions issued by each court subordinate to them and see that there is a fair distribution of such work.

33. NATIONAL FLAG

C.L. No. 106/IX-d-25, dated 20th October, 1951

The size of the national flag as prescribed under Government of India letter no. 87/47-Public (B), dated 29th July, 1949, is reproduced below for the information and guidance of subordinate courts.

Extracts from enclosures to letter No. 87/47-Public (B) dated 29th July, 1949 :

Serial No.	Name of Offices	Size of the national flag flown
3	High Court, Chief Courts and Judicial Commissioners' Courts	12' x 8'
7	Courts of District and Sessions Judges when the flying of the flag has been authorised by the State Government	6' x 4'

34. NATIONAL INTEGRATION

C. L. No. 52/VIII-e-44, dated 9th August, 1962

Correspondence between the State headquarters and the district falls in the sphere of internal administration. Ordinarily, therefore, it would be appropriate to use the official language of the State for correspondence between the State and district headquarters and -vice-versa. The use of the Union official language should also be permitted for this purpose in place of the official language of the State. This union official language will thus be either English or Hindi.

In recruitment to State Services under the State Government, language should not be a bar. Therefore, besides the official language of the State, option should be given for use of English or Hindi as the medium of examination. A test of proficiency in the State official language should be held after selection and before the end of probation.

35. FAMILY PLANNING

C.E. No. 27/IX-g-54, dated 12th February, 1969

When approached by a representative of the Family Planning Department permission may be accorded for erection of a notice board at a suitable place in the compound of the civil courts on which Family Planning messages (Slogan) may be painted.

C.L. No. 25/VIII-e-42, dated 1st March, 1976

All possible efforts should be made in the direction of propagating the cause of family planning among officers/officials working under the District Judges by explaining to them its beneficial effects.

36. BYE-ELECTIONS

C.L. No.11/IV-g-3, dated 26th February, 1955 read with

C.L. No. 74/IV-g-3, dated 22nd December, 1955

All possible assistance should be rendered by District Judge to the District Officers and Election Officers, when approached by them in connection with the bye-election which may be conducted in their jurisdiction.

These directions are of a general nature and are meant to apply to all such elections.

37. ENTITLEMENT TO V.I.P. LOUNGE

C.E. No. 70 IC-50, dated 1st April, 1977

The Government of India, vide letter No. 35/6/77-Jus.(M) Ministry of Law, Justice & Company Affairs, have informed that, the Judges of the Supreme Court and Chief Justices and other Judges of the High Courts are entitled to the V.I.P. Lounges at the International air ports of the International Airports Authority of India and at the domestic aerodromes of the Civil Aviation Department.

38. COMPENSATION BONDS OF FEMALE HINDUS

C.E. No. 75/VII-f-162, dated 28th July, 1961

The District Judges should deal with the compensation bonds of the female Hindus according to rules as amended vide Government notification no. U.P. 733/I-A-375 D-59, dated May 19, 1961.

39. USE OF METRIC TAPES ONLY

C.E. No. 41/VIIF-97, dated 24th April, 1968

Departments using measuring tapes should use only metric tapes graduated exclusively in metric units, and no other tapes; because use of non-metric tapes is an offence under the Weights and Measures Laws.

40. DECLARATIONS BY PRINTERS AND PUBLISHERS OF NEWSPAPERS

G.L. No. 5, dated 26th November, 1906

The following directions with regard to the filing of declarations made by printers and publishers of newspapers and periodicals under Act No. XXV of 1867 should be strictly adhered to-

Duplicate copies of all declarations made by printers and publishers of newspapers and periodicals under Press Regulations of Books Act, 1867, before Magistrates be sent to the District Judge's court.

Care should be taken to see that all declarations so received have been properly authenticated. Any declaration not so authenticated should be returned for having the omission repaired.

The papers should be retained permanently.

41. CONFLICTING INSTRUCTIONS OF COURT

C.L. No. 136/VIII-h, dated 12th September, 1974

Where the provision of any Act are found to be in conflict with any previous instructions issued by the Court, the discrepancy should immediately be brought to the notice of the Court for necessary action.

42. CENSUS WORK

Concerning cooperation of state employees for the census of 1991

C.L. No. 99/1990 dated October 24, 1990

I am directed to enclose herewith a copy of the D.O. letter No. 4254/rhu-15 (2)/87-lk-iz-vuq-, dated September 12, 1990 alongwith its enclosure received from the Secretary to Government, General Administration Section, Uttar Pradesh, on the subject, and to ask you kindly to spare employees for census work.

अ.शा.प.सं.-4254/तीन-15(2)/87 सामान्य प्रशासन अनुभाग, उत्तर प्रदेश शासन दिनांक 12 सितम्बर, 1990

कृपया जनगणना 1991 के लिये अपने अधीनस्थ कर्मचारियों को जिला मजिस्ट्रेट तथा महापालिकाओं के मुख्य नगर अधिकारियों को उपलब्ध कराने विषयक उत्तर प्रदेश शासन के मुख्य सचिव के पत्रांक 585/तीन-15(2)/87 सा.प्र.अनु. दिनांक 13 फरवरी, 1990 (प्रतिलिपि संलग्न) का संदर्भ लेने का कष्ट करें।

2- प्रदेश की विभिन्न महापालिकाओं के सम्बन्ध में निदेशक जनगणना कार्य, उत्तर प्रदेश के माध्यम से प्राप्त सूचनाओं के अनुसार जनगणना कार्यों हेतु विभिन्न कार्यालयों/विभागों से कर्मचारियों की आपूर्ति वांछित संख्या में नहीं हो पा रही है। प्रदेश शासन के लिये यह अत्यन्त चिन्ता का विषय है क्योंकि जनगणना के फील्ड कार्यों का निष्पादन जनगणना अधिनियम 1948 की धारा 4(2) के अनुसार राज्य प्रशासन का संवैधानिक दायित्व है तथा तदनुसार राज्य सरकार के किसी भी कर्मचारी को जनगणना का कार्य दिये जाने पर वह इन्कार नहीं कर सकता।

3- यह उल्लेखनीय है कि 1991 की जनगणना के फील्ड कार्यों हेतु उत्तर प्रदेश में लगभग 3 लाख कर्मियों की आवश्यकता होगी जिनकी आपूर्ति राज्य सरकार के किसी एक विभाग/कार्यालय से सुनिश्चित नहीं की जा सकती।

आपसे अनुरोध है कि कृपया प्रदेश के समस्त सिविल कोर्टों को अपनी अधीनस्थ लिपिकीय कर्मचारी जिला मजिस्ट्रेटों तथा महापालिकों के मुख्य नगर अधिकारियों को उनसे मांग आने पर जनगणना कार्यों हेतु उपलब्ध कराने के निर्देश जारी करने का कष्ट करें।

जनगणना 1991 में राज्य सरकार के कर्मचारियों की नियुक्ति तथा सहयोग पत्र

पत्रांक संख्या-585/तीन-15(2)/87 सामान्य प्रशासन अनुभाग, दिनांक 13 फरवरी, 1990

1- भारत सरकार द्वारा जारी अधिसूचना के अनुसार अगली जनगणना फरवरी-मार्च 1991 में होगी। इसकी संदर्भ तिथि तथा समयकाल 1 मार्च, 1991 का सूर्योदय रखा गया है।

2- विगत जनगणना की भाँति 1991 की जनगणना कार्य भी दो चरणों-मकान सूचीकरण तथा प्रगणना में पूरा किया जायेगा। प्रथम चरण के दौरान मकान सूचीकरण एवं उद्योगों की सूचीबद्ध किया जाना प्रस्तावित है।

- 3- यह कार्य मई, 1990 में सम्पन्न किया जाना है इस हेतु प्रारम्भिक तैयारियों जनगणना निदेशालय, उत्तर प्रदेश तथा राज्य सरकार के जिला प्रशासनों तथा महापालिकाओं द्वारा प्रारम्भ कर दी गयी है विगत जनगणनाओं की भाँति इस बार भी जनगणना के क्षेत्रीय कार्यों का निष्पादन राज्य सरकार के कर्मचारियों द्वारा किया जाना है। जनगणना के इस चरण में लगभग 3 लाख कर्मियों की आवश्यकता पड़ेगी जिनको उपलब्ध कराना राज्य सरकार के किसी एक विभाग द्वारा सम्भव नहीं होगा। यद्यपि जनगणना कार्यों के प्राथमिक कर्मी-प्रगणक तथा पर्यवेक्षण मुख्यतया राज्य सरकार के शिक्षा तथा राजस्व विभाग से लिये जायेंगे किन्तु इनसे ही आवश्यकता की पूर्ति नहीं हो पाती। इस संदर्भ में यह आवश्यक तथा अपरिहार्य हो जाता है कि राज्य सरकार के सभी विभाग इस दायित्व का वहन समान रूप से करें। अतः यह निर्देश दिये जाते हैं कि जिला/महापालिका प्रशासन से कर्मियों की मांग आने पर उन्हें तुरन्त उपलब्ध कराया जाय ताकि उन्हें समय से प्रशिक्षित किया जा सके।
- 4- चूँकि जनगणना के केन्द्रीय कार्यों में लगाये गये कर्मचारियों को अपना नियमित कार्यालय कार्य भी करना पड़ता है अतः उन्हें मकान सूचीकरण का कार्य प्रारम्भ होने पर उन्हें नियमित कार्यभार तथा कार्यालय आने-जाने के समय में पर्याप्त छूट दी जाये जिससे प्रगणक/पर्यवेक्षक रूप में कार्य कर रहे सभी कर्मचारी जनगणना के विशाल तथा समयबद्ध कार्य का निष्पादन सफलतापूर्वक कर सकें।

43. CIRCULATION OF BOOKS AMONGST THE JUDICIAL OFFICERS PUBLISHED BY THE I.J.T.R., LUCKNOW

C.L. No. 12898/VIIIh-8/Admn.(G) dated November 30, 1990

I am directed to enclose herewith a copy of D.O. letter No. JTRI/Trg/90-1535, dated 13.11.1990 from Sri I.S. Mathur, Director, J.T.R.I., Lucknow addressed to Sri P.C. Agarwal, Additional Registrar, High Court, Allahabad, on the above subject and to say that the Court has approved the proposal of the Director of the Institute and direct that you may kindly depute a special messenger (preferably a Class IV employee) to receive the book from the Institute of Judicial Training and Research, 1/19, Vishwas Khan-1, Gomtinagar, Lucknow*, for being distributed amongst every Judicial Officer posted in each judgeship.

I am to add that the special messenger so deputed may be informed about the strength of Judicial Officers in your judgeship so that the Institute be able to handover him as many books as are required for a judgeship. After distribution of books amongst the Officers, a receipt in token be obtained from them, which shall be forwarded to the Institute immediately thereafter.

Kindly comply as mentioned in the letter.

44. FIRE

C.L. No.75/Ixd-17/Admn.(G) dated August 17, 1990

I am directed to invite your attention to Rule 637 of the General Rules (Civil), 1957, Volume I, and the guidelines to be observed in the matter of Fire in the Civil Courts which are contained in Appendix 21 of the General Rules (Civil), 1957, Volume II, and to say that you may see that the directions issued by the Government and by Court in the matter of fire are strictly followed and the maintenance and service of extinguishers are made periodically.

* Present address- Vineet Khand, Gomti Nagar, Lucknow.

45. ISSUANCE OF CERTIFICATES OF EXPERIENCE TO ADVOCATES

C.L. No. 15/Admn.(F) dated March 24, 1995.

The Hon'ble Chief Justice and Judges have been pleased to direct that the District Judges shall not issue certificates of experience to any Advocate without verifying whether such Advocate is in fact practicing in the Judgeship.

46. RESERVATION OF CIRCUIT HOUSE/ INSPECTION HOUSE/ OTHER GOVERNMENT ACCOMMODATION TO HON'BLE JUDGES

C.L.No.1/ dated: Allahabad: January8, 1998.

I am directed to circulate the directions given by Hon'ble court in contempt petition No.13 of 1995-state of U.P.Vs.Satyajit Thakur in the matter of reservation of circuit House /Inspection House/ other Government Accommodation to Hon'ble Judges. Those directions relevant to the extent are extracted here in under:

“In our considered view as the chief Justice of the High court is equal in statuses to that of the Chief Minister and the Judges of this court are equal in status to that of a cabinet Ministers of the state and not of the State Minister's of the state.”

“We, accordingly direct the State of U.P. to make suitable amendments to G.O's/Rules in light of our conclusion, in regard to precedence and allotments of its accommodation where-ever available and till then to provide accommodation to the Chief Justice and Judges of this court keeping this very principle in mind. It is also relevant to remember that the allotment rules governing the allotment of accommodation in Circuit Houses provides that in case of the availability of a V.V.I.P. room the same could be allotted to other dignitaries in order of seniority but in case it is required for the President/Vice President/ Prime Minister of India, in that event it has to be vacated by the dignitary occupying the said room; this shows that except the aforesaid three V.V.I.P. dignitaries the room allotted to the other dignitaries need not be vacated by them. It is, however, clarified that if there is only one room/ suit available in a Government accommodation, which is under occupation of the chief Justice or Judge of this court and any Constitutional Authority Higher in rank is to be provided that very accommodation, in that event the accommodation has to be vacated and the chief justice and Judges, as the case may be are to be accommodated in some other suitable accommodation by the State or its authorities. This situation, however, is likely to arise in a rare case but a workable solution has to be found out to avoid anyone's embarrassment and we hope and trust this case be found out by the bureaucracy of this State.”

Hon'ble court has also taken into consideration Government Letter No.3796/23-8-97-178 C.P.-96 dated 9.1.1997, directing to the Engineer-in -chief P.W.D. for ensuring reservation also in the name of dignitaries whether retired, so that they are not put to any inconvenience. In this regard following directions were issued by the Hon'ble court.

“We hope and trust and reiterate that all concerned in this state concerning allotment of accommodations in the Circuit House /Inspection Bungalows /any other Government Accommodations in this State /concerning this state situated anywhere in the country shall henceforth follow the aforementioned directions and the Government order aforementioned strictly and if they violate or even attempt to violate, the District Judge of this State or any other authority or the person concerned, who comes to know of the dilly- dallying of the authority concerned shall report the matter to be Registrar of this Court for taking appropriate action

against such a delinquent person/authority, apart from communicating that fact immediately to the Chief Secretary of this State to take immediate appropriate disciplinary action against the delinquent person/authority who in addition shall secure immediately an appropriate accommodation for such visiting dignitary.

“We hope and trust that an early action by the executive will stay at rest separate this unfortunate controversy at the earliest. We also need to mention that word punisne Judge in the protocol rule is somewhat a misplaced expression. The word puisne means inferior. this expression has not been used in the Constitution. The Judges of this court while discharging their Constitutional functions are not inferior and the Chief Justice is only first amongst equals though undoubtedly he is the administrative head of the High Court and master of the roster of the Judges.

“Court further held that even an attempt to obstruct or interfere with the due administration of Justice by the Judges of this Court amounts to gross contempt of court.

According to the decision of the Government taken in 1984 the Judge of this Court figure as against serial No.4 whereas the Chief Minister of Delhi figured at Serial No.8.

You are, therefore, requested to communicate the aforementioned direction to all concerned.

47. ISSUE OF IDENTITY CARDS TO CIVIL COURTS’ STAFF AND TO ADVOCATES’ CLERKS

C.L.No.32 /98 Dated 20th August, 1998

It has come to the notice of the court that persons not on the roll of the subordinate courts are found handling the judicial records. Such situation can not be permitted to continue for long. The matter came for consideration in the Administrative Conference held recently. The Hon’ble Court has taken a decision that for enforcing better behavior from the civil courts staff, all the employees of the subordinate courts should bear badges indicating their names. The Advocate’s clerks must have an Identity card with photograph duly stamped and signed by the District Judge or his nominee. The Advocate’s clerks, not possessing the Identity card be not permitted to enter the offices of the subordinate courts.

I am, therefore directed to communicate that the aforesaid directions of the Hon’ble Court may be brought to the notice of all concerned and be strictly complied with.

48. PRINTING OF SALEABLE AND NON SALEABLE FORMS AND REGISTERS USED IN THE CIVIL COURTS

C.L.No.34 /98 Dated 20th August, 1998

The Hon’ble court has noticed the non-supply and short supply of registers, saleable and non-saleable forms by the Superintendent, Printing and Stationery, U.P. Allahabad. The Court has taken a decision that the District Judges initially will indent for the supply of registers and forms to the Superintendent, Printing & Stationery. In case the superintendent, Printing and Stationery, does not supply the required quantity then the District Judge can get these forms etc. printed locally and the payment of the charges of such printing and paper be made from the deposition funds. The District Judges are further directed that they will submit a proposal of Rs. 5000/- in their annual budget to meet such exigencies.

I am, therefore, directed to communicate you the direction of the Hon'ble Court for compliance.

49. ATTACHMENT OF P.C.S. (EXECUTIVE) AND I.A.S. PROBATIONERS WITH THE DISTRICT COURTS FOR TAKING TRAINING.

C.L. No. 6/Admin.A-3 Sec Dated: 30th March, 1999

I am directed to say that the court has been pleased to order that P.C.S. (Executive) and I.A.S. Probationers be attached and allowed to attend the Courts with the District Courts for taking training as and when the training programme is received by you from the Government or by the District Magistrates concerned.

50 MID TERM LOK SABHA ELECTION, 1999 – APPOINTMENT OF SECTOR MAGISTRATE AND PROVIDING OF STAFF CARS

C.L.No.21/IVg-3/ Admin.A-3/99 Dated: 27August, 1999

I am directed to say that some of the District Magistrates of this state have requested for deployment of Judicial Magistrates as Sector Magistrates and using of Staff cars for election duties and to inform that the Court has been pleased to order that only such number of Magistrates and staff may be sent for election work who can be spared without seriously affecting functioning of Courts. Staff cars cannot be spared.

51. REGARDING RETURN OF HON'BLE SUPREME COURT NOTICES OR ITS SERVICE REPORTS.

C.L.No. 11/Sec./2001/Supreme Court Appeal Dated 13 March, 2001

I am directed to requests you not to send any notice or service report directly to Hon'ble Supreme Court if the same has been issued by this Registry for effecting service upon the respondents such notices or service reports henceforth shall be returned to this court and thereafter certificate of service will be transmitted by this Court to the Apex Court as per direction contained in Hon'ble Supreme Court's letter No. D No.4701/2000/XVIA dated 7.12.2000 in connection with transfer petition © Nos. 573-579 of 2000.

52. OBSERVANCE OF YEAR COMMENCING FROM 1st OF JANUARY, 2004 as "ARREARS CLEARANCE YEAR"

C.L. No.45/2003 Dated 20th December, 2003

As per resolutions passed in the Chief Justice Conference 2003 the year commencing from 1st January, 2004 is to be observed in all over the country as the "Arrears Clearance year"

To make successful Arrears are to be cleared in the subordinate courts by effective and improved Court Management.

I am, therefore, directed to request you to kindly circulate among the judicial officers posted in your Judgeship for its strict compliance.

53. TO ENSURE STRICT COMPLIANCE OF THE JUDGMENT AND ORDER OF HON'BLE SUPREME COURT PASSED IN PETITION FOR SPECIAL LEAVE TO APPEAL (C) No. 9140 of 2003 : CH. VENKATESHWAR RAO V. THE REGISTRAR (ADMINISTRATION) HIGH COURT OF ANDHRA PRADESH, HYDERABAD, A.P. & ANOTHER

C.L. No. 30/2003, Dated 19 August, 2003

The Hon'ble Supreme court in Petition for Special Leave to Appeal (C) No.9140 of 2003:Ch Venkatesnwar Rao Vs. The Registrar (Administration) High Court of Andhra Pradesh, Hyderabad, A.P.& Anr. has observed with concerned that in District Courts charge sheets has been found lying with concerned staff without any action having been taken by verifying them and placed them before the Presiding Officer and in some preliminary registered case, records were not sent to the Sessions Court even after committal of the cases. The Hon'ble Supreme Court has further observed that several unregistered private complaints, unregistered criminal miscellaneous petitions in maintenance cases, unregistered maintenance cases and criminal miscellaneous petitions were not called and were not placed before the Presiding Officer.

I am, therefore, directed to send herewith a copy of Order Dated 5.5.2003 passed by Hon'ble Supreme Court in petition for special Leave to appeal (C) No.914:Ch. Venkateshwar Rao Vs. The Registrar (administration) High Court of Andhra Pradesh, Hyderabad, A.P.& Anr. For your Information and necessary action.

54. NON COMPLIANCE OF THE PROVISIONS AS CONTAINED IN SUB RULE 6 OF RULE 196 OF THE CENTRAL RULES (CIVIL), 1957 VOL. I AND RULE 18 OF CHAPTER 12 OF GENERAL RULE (CRIMINAL), 1997 BY THE SUBORDINATE COURTS.

C.L.No. 12 /2004: Dated: 31st March, 2004

The Hon'ble court in the past has issued circular letter No.2dated 2.1.1984, C.L. No. 38 dated 11.8.2000 and C.L.No.9dated 4.3.2003 whereby directions were issued that the provisions as contained in first & second proviso of sub Rule (6) of Rule 196 of the General Rules (civil) 1957, Volume I and Rule 118 of Chapter XII of General Rules (criminal) 1977 be followed strictly but time and again the Hon'ble Court is noticing that the aforesaid provisions are still not being complied with strictly causing much inconvenience in the proceedings of the cases filled in the court.

In continuation of the courts circular letters referred to above. I am sanding herewith a copy of order dated 14.1.2004 passed by the court (Hon'ble Mr. Justice R.S.Tripathi) in Criminal Revision No.54 of 1986 wherein the Hon'ble court has observed with concern that in several cases when the original record s requisitioned by the court it has been found that the record has been weeded out

I am, therefore directed to say you to kindly comply with the directions as contained in the court's circular letter strictly and the original records of all those cases in which stay/bail orders are communicated after filing of records/ appeal before this court be preserved.

55. MORNING COURT IN THE DISTRICTS.

C.L.No. 15/ Main P/Admin. A-3 dated 19 April, 2004

I am directed to inform you that the matter regarding functioning of the Morning courts was considered by the Hon'ble Court and the Hon'ble court has been pleased to resolve that the courts in all the District shall function from 10.30 A.M. to 4.00 P.M. even during the month of May and June.

56. UNAUTHORIZED PERSONS WORKING IN THE OFFICES OF SUBORDINATE COURTS AND HANDLING THE GOVERNMENT WORK AND RECORDS.

C.L.No. 27/ dated: 15th September, 2004

In C.M. writ Petition No. 32455 of 2004-Vimal Kishore Nigam Vs. state of U.P. & others , the Hon'ble court (Hon'ble Mr. Justice Sunil Ambwani) has observed with serious concern that there is an alarming situation of gross indiscipline prevalent in the subordinate courts allowing unauthorized persons to work in the offices, handling the government work and records. The Hon'ble court has further observed that the matter is quite serious and calls for immediate and urgent action and where-ever unauthorized persons are working, disciplinary action be initiated and criminal prosecution be taken against such persons. Also, stern action be taken against that employee who permits unauthorized persons to work in the office and compliance report be sent to the court.

I am, therefore, directed to send herewith a copy of order dated 13.8.2004 passed in C.M. Writ petition No.32455 of 2004-Vimal Kishore Nigam Vs. State of U.P. and others and to request you that identity cards be issued to each and every employee of the Judgeship and to ensure that unauthorized persons are not allowed to enter into the offices of Judgeship and that a pass system be introduced to check such unauthorized entry in courts and offices.

I am also to add that the contents of the circular letter be brought to the notice of all the Judicial officers as well as all concerned in your Judgeship for strict compliance.

57. MEASURES REGARDING SUPERINTENDENCE OVER THE JUDICIAL OFFICERS WORKING IN FAMILY COURTS.

C.L.No.11/ 2005 Dated: 24- March, 2005

I am directed to say that a upon a careful consideration of matter regarding superintendence over the judicial Officers working in family Courts the Hon'ble court has been pleased to provide following measures:-

1. Every Principal Judge Additional Judge or other Judge of a Family Court shall send his daily sitting register to the District Judge so that as to reach him latest by 10.30 a.m. each day for his information and initials, else he will be treated and marked absent for the day.
2. Every principal Judge Additional Judge or other Judge of a family Court shall attend the meetings/monthly meetings of all the presiding officers of civil and Criminal court that are called by the District judge in compliance with Court's Circular letter nos. 129/Admin (b) dated 8th October 1975, 4 dated 3rd February, 1976 and 86 dated 31st may 1976.
3. The District Judge having administrative control shall record annual/special remarks in the confidential record if the Principal Judge, additional Judge or other judge of a family court.

I am, therefore, to request that the measures so provided be brought to the notice of every Principal Judge, Additional Judge or other Judge of a family court under you administrative control for compliance faithfully and punctually.

58. CIRCULATION OF COPY OF THE JUDGMENT AND ORDER PASSED BY THE HON'BLE COURT IN FIRST APPEAL NO.271 OF 2005 –MOTI LAL VS. BHAGWAN DAS.

C.L.No.24/ 2005 dated 8th August,2005.

I am directed to send herewith a copy of Judgment and order dated 4.3.2005 passed by Hon'ble Court (Hon'ble Sushil Harkauli , J. and Hon'ble G.P.Srivastava, J.) in First appeal No271 of 2005-Motilal Vs. Bhagwan das for information and strict compliance. I am further add that the direction given by the Hon'ble court in aforesaid Judgment and order may kindly be brought to the notice of all the Judicial officers in the Judgeship under your administrative control for their information and guidance faithfully and punctually.

(See for Judgment 2005 (60) A.L.R.7)

59. Compliance of the directions as contained in the order dated 21.4.2005 in writ petition No.3879 (M/S) of 2004-Pawan vs. Addl. District Judge Court No.1District Lucknow and others.

C.L.No.25/ 2005: dated: 9th August, 2005

While enclosing herewith a copy of order dated 21.4.2005 in Writ Petition No. 3879 (M/S) of 2004- Pawan Vs. Additional District Judge, Court No. 1 Lucknow and others, I am directed to say that Hon'ble Court (Hon'ble Mr. Justice Devi Prasad Singh) has been pleased to observe that “the Government authorities have got no right to send letters to the district Judge or Presiding Officer of the Subordinate Court for appropriate action, behind the back of the plaintiff or defendant as the case may be. In case they have got any grievance, then appropriate application should be moved through government counsel in accordance to the procedure provided under the Rules of the Court, Code of Criminal Procedure, Code of Civil Procedure or any other law time being enforced. There is separation of power between the executive and judiciary. Executive authorities do not have have right to send a letter straightway to the District Judge for appropriate action relating to the controversy which is subjudice before the subordinate court. Similarly, the District Judges should not forward a letter of the executive authorities to his subordinate Presiding Officer of a court relating to the dispute which is pending before him/her on Judicial side.”

The Hon'ble court has also been pleased to direct to circulate the following portion of the aforesaid order dated 21.4.2005 for compliance and appropriate action:-

“Relating to the property in question, petitioner has filed a regular suit No. 98/2002 against opposite party No.7, which was decreed on 26th of April, 2002. The copy of Judgment and decree have been filed as Annexure Nos. 4&5 to the writ petition. Feeling aggrieved with the conduct of opposite party No.6, petitioner has filed another suit registered as Regular Suit No. 59/2003 along with the application for temporary injunction moved under Order 39 Rule 1&2 of the Code of Civil Procedure. The application for temporary injunction was rejected vides order dated 20th of April 2004. Feeling aggrieved, petitioner has preferred an appeal under Order 43 Rule 1 of the Code of Civil Procedure which has been dismissed by the impugned judgment and order dated 13th of August, 2004. While assailing the impugned order learned counsel for the petitioner has pleaded in Para 29 of the writ petition that several judgments cited by learned counsel for the petitioner were not considered by the learned. Appellate Court. It has been further submitted by the learned Counsel for the petitioner that appeal has been dismissed on account of

persuasion of the district authorities. Necessary facts have been pleaded in Para 30 of the writ petition. Copy of a letter sent by Civil Judge (Jr. Division) South, Lucknow dated 21st of July, 2004 bearing the endorsement of the District Judge Lucknow dated 9th August, 2004 has been filed as Annexure No. 33 to the writ petition, After hearing the learned counsel for the petitioner and keeping in view the seriousness of the allegations on record, Lower Court Record was summoned which has been produced before this court today . The record shows that the Chief Medical Officer, Lucknow has written a letter to the Superintendent of police, Trans Gomti, Lucknow for appropriate action against the petitioner relating to the property in question. It appears that the district authorities had sent a letter to the District Judge, Lucknow, which was forwarded by him to the Civil Judge (Jr. Division) South, Lucknow. The Civil Judge (Jr.Division) South, Lucknow has submitted a report to the District Judge, Lucknow indicating therein that she had already decided petitioner's application for temporary injunction on merit against which an appeal has been preferred and is pending before the 1st Additional District Judge, Lucknow. By his endorsement dated 9th of August, 2004, The District Judge, Lucknow has forwarded the letter of the district authorities for appropriate action to the 1st Addl. District Judge, Lucknow. Thereafter the 1st Addl. District Judge, Lucknow has dismissed the appeal by the impugned order dated 13th of August, 2004. Accordingly, learned counsel for the petitioner submits that petitioner's application for temporary injunction as well appeal have been dismissed by the court below under the influence of the district authorities. Learned Counsel for the petitioner further submits that the district authorities have got no right to send the letter relating to a controversy which is pending on judicial side before a subordinate court. Accordingly, the further submission of the learned Counsel for the petitioner is that neither the District Judge, Lucknow, nor the 1st Additional District Judge, Lucknow, was competent to take notice of the letter sent by the district authorities, behind the back of the petitioner. The arguments advanced by the learned Counsel for the petitioner has got force.

It is a settled law that justice should not only be done but seems to be done. Independence, honesty, integrity and fairness in the procedure, in the administration of justice keeps the people's faith in our system intact. The Government authorities have got no right to send letter to the District Judge or Presiding Officer of the subordinate court for appropriate action behind the back of the plaintiff or defendant as the case may be. In case, they have not any grievance, then appropriate application should be moved through government counsel in accordance to the procedure provided under the rule of the court , Code of Criminal Procedure. Code of Civil Procedure or any other law time being enforced. There is separation of power between the executive and judiciary. Executive authorities do to have got right to send a letter straightway to the district Judge for appropriate action relating to the controversy which is subjudice before the subordinate court. Similarity the district Judges should not forward a letter of the executive authorities to his subordinate presiding Officer of a court relating to the dispute which is pending before him/her on judicial side. Although, administration of Justice draws its legal sanction through constitution, its creditability rest in the faith of the people. Indispensable to that faith is independence of the Judiciary. Any interference by the executive to a dispute which is subjudice before a court without following the procedure provided by law shall amount to interference with the administration of justice. That is why consistently, Hon'ble Supreme Court had ruled that independence of our judicial system should be preserved on all costs. A formal reference may be given to the law laid down by the Hon'ble Supreme court in the case reported in 1981 supp SCC 87- S.P.Gupta Vs. Union of India 1993 (4) SCC- Advocates on Record Association vs. Union of India 1993 SCC-288- All India Judges Association Vs. Union

of India 1973 (4) SCC 225- Keshawananda Bharati Vs. State of Kerala, (2004) 4 Supreme court cases 640- State of Bihar and another Vs. Bal Mukund Sah and Others, 2000 (3) SCC 171- Om Prakash Jaiswal Vs. D.K. Mittal, 2004 (7) SCC 729-R.V.A. Judicial Officers, (2002) 4 Supreme court cases 524- Gauhati High Court and another Vs. Kuladhar Phbukan and Another and other cases.

To preserve the independence of Judiciary the constitution does not confer upon the executive to exercise its disciplinary power and jurisdiction in respect of judicial services. The control over the district courts and its subordinate courts thereof rests only in the High Court In the case of State of Bihar and Another Vs. Bal Mukund Sah and Others (Supra), Hon'ble Supreme Court had held as under:-

1. "The Constitution-makers had given a special status and treatment to the Judicial Service.
2. That the independence of Judiciary is ensured which cannot be interfered with either by an executive action or by an act of the Legislature."

Keeping in view the law settled by Hon'ble Supreme Court and to check recurrence of such incidence an ad-interim Mandamus is issued for compliance by the subordinate courts in the following manners:-

1. Any application or representation submitted by the district authorities or other government authorities to the District Judges or to the Presiding Officer of a Subordinate court on administrative side which covers a dispute pending in the subordinate. court on judicial side shall not be entertained. All such applications shall be forwarded to Hon'ble The Chief Justice and the Administrative Judge of the District for appropriate order/action.
2. The district authorities or government officers have got no right to move an application behind the back of the plaintiff or defendant as the case may be for appropriate action to the District Judge or to the Presiding Officer to the subordinate court except in accordance to the procedure provided by law i.e. under rules of the court, Code of Criminal procedure, Code of Civil Procedure or any other statutory law time being enforced.
3. In case, administrative authorities approach for any favour or action to the District Judge or other Presiding Officer of a subordinate court by making oral request, such request shall be converted in to writing and shall be forwarded by the said District Judge or the Presiding Officer of the court to Hon'ble the Chief Justice/Administrative Judge for information and appropriate orders"

I am, therefore, directed to communicate to you the aforesaid directions of the Hon'ble Court with the request that the contents of and directions in the order dated 21.4.2005 be kindly brought to the notice of all Judicial Officers in the judiciary under your administrative control, for information and strict compliance.

To ensure strict compliance of the directions passed in Writ Petition (Criminal) No. 312 of 1994 – Supreme Court Legal Services Committee Vs. Union of India & Ors. regarding supply of free copy of Judgment of the Session Court to the prisoner/convict within 30 days of the pronouncement of judgment.

C.L. No. 20/2009 Admin. (G-II): Dated: 30.04.2009

While sending herewith a copy of letter No. F-8267/SCLSC/94 dated 07.08.2008 of Supreme Court Legal Services Committee, New Delhi. I am directed to say that, the Hon'ble Apex Court in its Order dated 18.08.1998 passed in Writ Petition (Criminal) No. 312 of 1994 Supreme Court Legal Services Committee Vs. Union of India and Others, has been pleased to issue following directions:-

“(i) that they will, by issuing administrative orders/instructions ensure that every prisoner/convict is provided with free copy of the judgment of the Sessions Judge or the High Court in her/his case or matter within 30 days of the pronouncement of such judgment and that the Registry of the Court concerned will personally endorse such copy to the Superintendent of the Jail for forwarding the same to the petitioner.”

I am, therefore, to request you to kindly issue an Administrative order/instruction to all the judicial officers under your administrative control to ensure that every prisoner/convict shall be provided with a free copy of judgment of Sessions Judge in his/her case within 30 days of the pronouncement of such judgment and the Court concerned shall personally endorse a copy of such judgment to the superintendent of the jail for forwarding the same to the petitioner.

I am further to request you to kindly bring the contents of this Circular Letter to all concerned in your Judgeship for strict compliance in letter and spirit.

Reg. All the Public Information Officers nominated in the public authority and their units be directed to brief about the complete details of the Right to Information Act to their successors at the time of handing over charge and work pertaining to Right to Information Act be handed over separately on account of their transfer.

C.L. No. 42/2009/Admin. 'G-II' Dated: Allahabad 2.9.2009

The Government of Uttar Pradesh has brought to the notice of Hon'ble Court vide letter no. 546/43-2-2009 dated 25.05.2009 that the Right to Information Act, 2005 has been enforced for smooth flow of information and to ensure the reach of citizen to information under the control of public authorities & to bring transparency in the functioning of public authorities. Public Information Officer/Assistant Public Information Officer/Appellate Authority play important role in the effective implementation of the provision of Right to Information Act, 2005.

Therefore, I am directed to say that, the Hon'ble Court has resolved that, all the Public Information Officers nominated in the public authority and their units be directed to brief about the complete details of the Right to Information Act to their successors at the time of handing over charge and work pertaining to Right to Information Act be handed over separately on account of their transfer.

I am to request you to kindly ensure that the above directions are complied with by all the concerned under your administrative control, in letter and spirit.