

## CHAPTER 16

### Records

#### Part A

#### PREPARATION OF JUDICIAL RECORDS

##### I—General Directions

**1. Quality of paper to be used for applications, etc.**—All applications and petitions presented to Civil and Criminal Courts shall be written on ‘water-marked plain paper’ (formerly styled as water-marked petition paper). This paper is sold at all treasuries. All petition-writers should be required to use it.

The use of petition paper is not necessary for powers of attorney filed by counsel, *Fard Talbanas*, and lists of documents, the Courts should, however, insist on foolscap paper of good quality being used for such documents.

**2. Paper to be used for English record**—The official foolscap half-sheet, which is very nearly the same size as the petition paper alluded to in to last paragraph, should be used for all English portions of the record.

**3. Paper to be used for forms**—All Judicial forms which are in the English language are supplied on paper of the size of half a sheet of foolscap. Forms which are in the Vernacular should be printed on paper of the size of the standard petition paper, or of a quarter sheet of standard Jail paper as may be most convenient.

**4. Paper to be used for vernacular records of Court**—The Vernacular portion of the record should be written on ‘B’ quality paper as supplied by the Jail Department, folded to quarter sheet, which will be as nearly as possible of the same size as a half of ordinary foolscap, and as the standard pattern petition paper. There is no objection to paper of lighter texture being used for forms of processes which may have to be transmitted by post, but the size should always be that prescribed above. Decretal order forms and other forms used for purposes of records should always be printed on stout durable paper. ‘B’ standard quality paper supplied by the Jail Department should be used exclusively for all Vernacular Records, Proceedings and Registers.

**5. Paper to be used for vernacular autograph records of Courts**—Country-milled *Badami* paper may be used for the autograph records of Judges and Magistrates who do not write records in English. This paper is obtainable on indent from the Collector, Printing and Stationery, Punjab, in accordance with the rules in the Punjab Printing and Stationery Manual.

**6. General instructions for preparation of records**—Attention should be paid to the following matters:—

- (a) *Writing on top and sides*—The practice of writing orders and other matters across the top and along the sides of a page is forbidden;
- (b) *Margin to be left on either sides*—In all Vernacular proceedings a sufficient margin should be left on each side of the paper, so that writing may not be obliterated by fraying at the edges;
- (c) *How records should be tied and kept between stiff covers*—Records in use in Courts should be placed between stiff wooden or cardboard protectors of the standard size so that the strain of the cloth or other covering, or of the string or tape, does not fall on the papers within. It is not intended that the record of each case should be placed between stiff covers; all that is necessary is to tie each record with broad tape or *newar* instead of string. But each bundle of records should, until consigned to the Record-room, be kept between stiff covers to prevent fraying, folding, etc;
- (d) *English papers*—All English papers should be placed full size, unfolded and, tagged together within a cover of strong country paper;
- (e) *Exhibits*—Exhibits should be folded to as nearly as possible the same size and placed in envelopes of the size of the record;
- (f) *Abstracts of the case evidence and judgment*—The abstract of the case, depositions of witnesses and judgments must in every instance be written on paper of good quality of uniform foolscap size. On no account should judgments ever be written on scrap of paper, or on the back of the Vernacular petition or order.
- (g) *Numbering of pages*—Every page (not sheet) should be consecutively numbered;
- (h) *Handwriting*—It should be remembered that one of the essentials of a good record is that it can be read without difficulty by others. Cases sometimes come before the High Court in which the record is so illegible as to cause serious inconvenience.

## II—Index of Papers, Consigning and Checking of Record

- 1. Index**—Each civil and criminal record should have prefixed to it an index of its contents, and such index should be in the prescribed form.
- 2. Directions as to preparation of index**—Each paper admitted should be entered in the index on the day on which it is so admitted by the official in charge. The autograph record of the presiding officer should be entered, as a single paper, as soon as the case is concluded. The entries in column 4 must be in sufficient detail to allow of the papers described being readily identified, e.g., the entry regarding a power of attorney should specify by whom the power is granted and whom it empowers; the entry regarding a deposition sheet should note the name of the deponent etc.
- 3. Index number on record. Withdrawal of documents to be noted on index**—Each paper on being entered in the index should be marked with its index number. Where a paper consists of more than one sheet, each sheet should be thus marked. Whenever documents used in evidence are withdrawn, whether before or after judgment, a note of such withdrawal should be made in the column or remarks, and it should be stated whether a copy has been substituted or not.
- 4. Separate index for each part. Note about destruction and certificates**—At the conclusion of the case, the official who has had charge of the record should separate the papers and arrange them into two or three parts (Part A, and Part B, or Part A Part A(i) and Part B, as the case may

be) according to Rules 3 and 4 of Part F of this chapter. For each Part there shall be a separate index. The index on Part A will show all the papers which were originally on the record, while those on Part A(i) and Part B will only show those papers which are transferred to those parts. When any paper is transferred to Part A(i) or Part B, an entry should be made in the Remarks column of the index of Part A showing the Part to which the paper has been transferred. The said official should also enter in red ink the words "Not to be destroyed" in the remarks column of the index of Part A of the record against any paper which is to be preserved under Rule 17 of Part F of this chapter. The certificate at the foot of the index should be signed and the record should then be made over to the record department.

**5. Consigning records to record room**—Record of cases decided by all criminal and Civil Court excepting those Courts which have separate record-room of their own {e.g., the Courts of District and Session Judges and Courts of Small Causes at Amritsar) are consigned to the District Record Room under the control of the Deputy Commissioner.

*Notes 1. Records of Small Cause Court*—The records of a suit decided by a Sub-Judge in exercise of the powers of a Judge or Registrar which have been specially conferred, or of a Judge or Registrar of a Court of Small Causes in exercise of the powers of a Sub-Judge, are consigned to the record of the Deputy Commissioner.

*2. Insolvency and Guardianship record*—Records of cases under the Guardians and Wards Act and the Provincial Insolvency Act decided by a Sub-Judge specially empowered in this behalf, are consigned to the record room of the Deputy Commissioner.

*3. Records of a civil appeal or revision decided by a Sub-Judge specially empowered*—Records of Civil Appeals and Civil Revisions decided by a Sub-Judge specially empowered, are consigned to the record room of the District Judge except in the districts which are not the headquarters of a District Judge where they are consigned to the record room of the Deputy Commissioner.

**5-A.** Civil and Criminal Courts while sending records for consignment to the District Record Room under the control of the Deputy Commissioner, shall comply with the following instruction:

(i) In the case of Courts at headquarters of districts, a challan in duplicate in form given hereinafter, along with the Court registers, duly completed, will accompany the records. The Court registers will be immediately returned after being signed by the Record Room Clerk receiving the records. One copy of the challan will be returned later, after entry of Goshwara number with date against each record and signature in full of the Record Room Clerk. The other copy of the challan will be retained by Record Room staff.

(ii) In the case of outlying Courts, the challan will be prepared in triplicate and sent to the District Record Room along with the records sought to be consigned. The Record Room Clerk will acknowledge receipt of the records by signing and immediately returning one copy of the challan without waiting to enter the Goshwara number and date to the Court concerned. The second copy will be returned later after entry of the Goshwara number with date against each record and signature in full of the Record Room Clerk. The third copy will be retained by the Record Room staff.

(iii) The Goshwara numbers given by the Record Office in the challan will be entered in the Court registers by the Ahlmad. Presiding Officers of Court should, on the first working day in the months of February, May, August and November check the Goshwara numbers given in the Court registers by Ahlmads with those entered in the challan in order to see that entries are correctly made in the Court registers, and sign the Court registers in token of their check;

(iv) Copies of challans retained by the Record Room staff will be kept for 3 years and destroyed thereafter.

**6. Checking of records by the record-keeper**—On receipt of the case in the record room, the Record-keeper will examine the index and check the entries in columns 1, 2 and 6 with the papers and stamps in the record. He will then, if the record is complete, sign the certificate to that effect at the foot of the index, and enter the case in its appropriate Register; if any papers or Court-fee stamps are missing he will at once bring the deficiency to notice.

**7. Checking of record on its passing from one official to another**—In every office there should be a responsible Despatcher and Receiver of Judicial records, whose duty should be to check the papers in each record which passes through his hands, and either certify, in the manner provided in Part B that the index is correct and the record complete, if this is the case, or immediately bring to notice any deficiency in papers or Court-fee stamps. This course will be followed by every succeeding official into whose hands the record passes for any purpose unless such official has been specially exempted by the head of the office from complying

(Form of Challan)

*Court of . . . . . in . . . . . District*

**CHALLAN OF FILES CONSIGNED TO DISTRICT RECORD-ROOM**

Date of Despatch of records to District Record Room	Serial Number	Case Number	Names of parties	Nature of case	Date of decision	Name of village Basta in which record consigned	Signature in full of Record Room Clerk receiving the file with date	Goshwara number with date
1	2	3	4	5	6	7	8	9

with this rule. Heads of offices should only permit exemptions in cases in which the purpose for which the record is required is of so temporary or special a nature as to render compliance with the rule unnecessary. The last certifying official will ordinarily be held responsible in the event of any deficiency in papers or Court-fee stamps being subsequently discovered.

**III—Execution Records**

**1. Statements of case in which decrees have been satisfied or have become incapable of execution to be sent to record-keeper**—To enable proper destruction of records in accordance with sub-rule (1) of rule 12 of Chapter 16-F, Rules and Orders, Volume IV, all Civil Courts will, in January, April, July, and October each year, send to the record-keeper a list of their execution cases in respect of records which are six years old or are about to become 6 years old in which

the decrees have been fully executed or have become incapable of further execution. For the preparation of these lists, reference should be made to Civil Register No. I (civil suits) and to Civil Register No. X (execution of decrees) as prescribed in Part A-IV of Rules and Orders, Volume VI, Part A. Columns 16 to 18 and 20 Register No. I show what happens in execution while column 22 of Register No. 10 contains the date on which an execution case struck off the file and the purport of the final order. It is the duty of each presiding officer to see that the registers of his Court are properly maintained, and that the quarterly statement prescribed herein is correctly prepared and despatched to the record-keeper promptly.

Part B  
TRANSMISSION OF JUDICIAL RECORDS

**1. Duplicate Challans**—When records are transmitted from one office to another, a list of the records transmitted should be prepared in duplicate in the Vernacular in the prescribed form and be sent with them. This list will be in addition to the regular index of papers attached to each record. The signature of the Despatcher in column 9 will, in the absence of a report to the contrary, operate as a certificate that the record is complete according to the index.

**2. Checking of record**—On receipt of the record the proper official of the receiving office should check the list referred to in the preceding rule. If the list is correct, he should note the date of receipt of the record in the appropriate column of both copies and sign the entry; if the list is incorrect, he should make a note to that effect thereon, and forthwith report the fact to the head of the office for orders. One copy of the list will returned to the despatching office immediately after examination, with the intimation that the papers received are correct, or, if this is not the case, with a note of objection. A similar note of receipts, etc., should be made (column 11) by each succeeding official into whose hands the records pass, unless he has been exempted under Rule 7, Part A. When the records are no longer required, the second copy of the list will be returned with the records to the office from which they were received. Here the list will again be checked; and, if found to be correct, will be returned, attested as such, to the office to which the records went to be kept with the record of the proceedings in connection with which the records were required.

**3. Docket to accompany records**—All records transmitted from one office to another should, except in the case of records transmitted to or from a Tahsil be sent under cover of an English docket in which an indication must be given of the No. and date of the requisition and the class and No. of the case in the Court for which the records are being transmitted.

**4. Transmission of record to appellate Courts in parts**—In transmitting the record of an original Court to an appellate Court where there are duplicate records in English and Urdu, one part should be sent to the appellate Court at one time and the other part separately thereafter.

**5. Precepts of High Court**—As regards compliance with the precepts of the High Court, *see* Chapter 20, Volume IV.

**6. Quarterly list of record sent from record room but not returned**—On the 2nd day of the first month of each quarter, the register of files taken out of the Record Room (Form No. B on page 33 of Part A-IV, Rules and Orders, Volume VI, Part A) should be checked by the Record Keeper and a list of the files not returned to the Record Room should be prepared and forwarded to each Court for verification in the form annexed, which is a revenue standard form No. 71.

## List of Files Issued

To the Court of..... .Dated. ....

Number of file in issue register	Record-room No. of file	Name of parties	Description of case	Date fixed for hearing	Date on which the file left the record- room	Verification of Ahlmad of Court
1	2	3	4	5	6	7

### Part C

#### INSPECTION OF JUDICIAL RECORDS

*Rules made by the High Court under Article 227 of the Constitution of India, regulating the procedure in Courts subordinate to the High Court, in cases where any person is entitled to inspect a record of any such Court, and prescribing the fee payable by such persons for inspection.*

#### Rules

**1. Inspection of decided cases**—Records of decided cases shall be open to the inspection of the public, subject to the general control of the head of the office.

The District Judge for the records of his own Court, the Deputy Commissioner for the records of all District Courts, and the Judge of a Court of Small Causes for the records of such Court, shall be deemed to be the head of the office.

**2. Inspection of pending cases**—Records of pending cases shall be open to the inspection of the parties or their pleaders or agents alone, subject to the general control of the Judge of the Court in which the case is pending. Inspection by petition-writers is absolutely forbidden; and Legal Practitioners' Clerks may only inspect records when the Legal Practitioner concerned is present.

Inspection shall not be allowed on the day fixed for the hearing of the case without the special permission of the presiding Judge, and then only if the urgent fee is paid (*vide* Rule 5 below), except in challan cases which may be inspected at ordinary fees even on the date of hearing.

**3. Time and place for inspection. Inspection by Government Law Officers**—The inspection of records shall be made at such time, in such place, and in the presence of such official as the head of the office, in the case of records of decided cases, and the presiding Judge, in the case of records of pending cases, may direct; if the record is not inspected on the date fixed by the proper officer it shall be restored and a fresh application must be submitted before the record can again be taken out for inspection:

Provided that records of cases, to which Government is a party, may be inspected by the Advocate-General or the Assistant Legal Remembrancer of the Punjab at the office of the Deputy Registrar of the High Court. The Deputy Registrar will, on the application of the Advocate-General, call for the records of any case required from the District in which such, case is pending, or is on record, and will cause the records to be returned in due course after inspection.

4. Application for inspection of records shall be made in writing and shall distinctly specify the record which it is desired to inspect, and shall bear, if inspection is required of the records of a decided civil case, one rupee Court-fee stamp and, if inspection is required of the records of a decided case other than a civil case, two rupees Court-fee stamp, being the amount of the fee charged for search.

*Punjab Government Revenue Department Memo. No. 4426-E-53/1834, dated the 4th April, 1953.*

**4-A. Day-to-day inspection.**—When any person inspecting the record of a case desired to continue inspection of the same record on the following day, he may give notice of his intention to the official in whose presence inspection is made; and in such case no fresh application need be made in writing; provided that the inspection is continued from day-to-day. This will not affect the fees payable under Rule 5.

**5. Inspection fees. Amount and mode of payment**—The inspection fee for each hour or part of an hour is one rupee and fifty nP. for ordinary, and three rupees for urgent inspection, i.e., on the date of hearing but urgent fee is not to be recovered when inspection is carried out after the hearing is over even though it be done on the date of hearing. Inspection of challan cases should however be allowed at ordinary fees even before the case is heard on the date to hearing. The fee shall be paid by means of an additional Court-fee stamp or stamps affixed to the original application before the record is handed-over to the applicant. If more time than is covered by the above fee is occupied in the inspection, the balance shall be paid at the close of the inspection by affixing an additional stamp or stamps to the application.

*Note 1—No fees when a record is sent for under Order 13, Rule 10, C.P.C.*—These rules do not authorise a Court to charge a fee when a record is sent for and inspected by a Court of first instance on the application of a party, under the provisions of Order XIII, Rule 10, of the Code of Civil Procedure, 1908. But every application made under Order XIII, Rule 10, must (unless the Court otherwise directs) be supported by an affidavit of the applicant or his pleader, showing that the production of the record is necessary.

*Note 2*—No fee should be charged for the inspection of records in civil and criminal cases by the Advocate-General or public prosecutor as such or by any counsel appearing for Government in such cases or by counsel appearing for accused who is a pauper or is defended by counsel provided at Government expense.

*Note 3*—In pending civil cases, where a serving Indian soldier is either a party to the proceedings or is materially concerned in the outcome of the proceedings, no fee shall be charged under these rules when a record is inspected on behalf of such a soldier by counsel engaged by District Soldier's Boards which have been approved by the High Court.

*Note 4*—No fee shall be charged for inspection of insolvency proceedings made by the Receiver, as provided in Rule 6 of Chapter 4-C, High Court Rules and Orders, Volume II.

**6. Inspection of separate records**—A separate application shall be made and a separate fee paid for each record which it is desired to inspect, unless the records are so closely connected that, in the opinion of the head of the office or presiding Judge, they will be regarded as one, in which case one application and one fee will suffice.

7. No mark shall be made on any record or paper inspected, and no servant of any member of the Bar shall be allowed on any account to take notes for his master except in the presence and under the supervision of his master. The copying of any document or portion of the record in pen and

ink is strictly prohibited; but pencil copies of a document or portion of the record may be made by counsel or under his supervision and his presence, by his clerk or servant. Any person infringing or attempting to infringe the rule, shall be liable to be deprived of the right to inspect records for such period as the head of the office or Presiding Officer of the Court concerned may think fit.

**8. Fees in Court-fee stamps**—Fees under these rules are realized in Court-fee stamps. All Courts should keep an account of receipts from inspection fee so realized.

**9. Free inspection of Court registers**—In order to trace particulars of a suit or document, Counsel may, with the previous permission in writing of the Presiding Officer of the Court concerned and in the presence of a Court official, inspect the civil or criminal registers of the Court on behalf of parties, free of charge.

*Note*—For inspection of Records by the Police, see Chapter 11-F of Volume III.

## Part D

### CUSTODY OF JUDICIAL RECORDS

**1.** The following orders as to the assumption and relinquishment of charge of judicial records shall apply to holders of the undermentioned posts:

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|-----|--|--|
| (a) | Courts of District and Sessions Judges, Additional District and Sessions Judges.                     | 1. Ahlmads.<br>2. Record Keepers.  |
| (b) | Courts of Senior Subordinate Judges, Administrative Subordinate Judges and other Subordinate Judges. | 1. Ahlmads.<br>2. Execution Moharrirs.<br>3. Guardian Moharrirs.<br>4. Readers to Administrative Subordinate Judges. |
| (c) | Small Cause Courts.  | 1. Ahlmads.<br>2. Naib-Sheriffs-in-charge of execution work.<br>3. Insolvency Clerks.                                |

**2.** When any of the officials named in Rule 1, having custody of pending judicial records is transferred to another office permanently, or proceeds on leave for a period of two months or more, he shall make over full and complete charge of the records in his custody to the official



relieving him.

**3.** The relieving official shall, in the presence of the official to be relieved, check all the records leaf by leaf with the indices attached thereto, see that no document is missing, and then sign a certificate to the effect that he has carefully checked all the records made over to him, and has received the documents mentioned in the indices attached to them. If any part of any record or any document is found to be missing the matter shall immediately be brought to the notice of the Presiding Officer of the Court.

**4.** If any document or part of the record is subsequently found to be missing, the Presiding Officer of the Court shall immediately take action for its recovery or reconstruction. He shall also fix responsibility on the custodian if the document was on the index, or on the official whom the custodian relieved, if it was not on the index.

**5.** When an official having charge of such records is granted leave for a period of less than two months or is temporarily transferred to another post, those records only which are required for cases which are likely to come up for hearing in the ordinary course during his absence shall be taken over by the relieving official and the procedure laid down in paragraphs 2 and 3 adopted. The remaining records shall be locked up the key of the lock being kept by the Presiding Officer of the Court. If any further records are needed during the absence of the permanent custodian, they shall be taken out and properly checked under the supervision of the Presiding Officer before being taken over by the temporary custodian.

**6.** So far as the record room is concerned, only the files not yet acknowledged by the Record Keeper need be checked.

**7.** For the purpose of paragraphs 2 to 6, both the relieved and relieving official will be regarded as on duty in the same post while charge is being transferred. In cases covered by paragraph 2, the transfer of charge shall not ordinarily take more than four days, but this period may be extended to 7 days under the written sanction of the Presiding Officer of the Court, and to 10 days under the written sanction of the District and Sessions Judge. In cases under paragraph 5, not more than half a day should be allowed for the transfer of charge.

**8.** Frequent transfers of officials holding charge of records should be avoided.

**9.** These instructions do not apply to the transfer of charge of administrative files.

## Part E

### PRODUCTION OF REVENUE RECORDS

**1. Requisition to be made to Deputy Commissioner**—Requisitions by the High Court or by Courts subordinate thereto for original Revenue records will be addressed to the Deputy Commissioner, who will take measures to transmit such records to the Court calling for them. Such Court will be responsible for the safe custody of the records, and if in any case a record is found to have been damaged in the Court concerned, the Deputy Commissioner will report the fact to such Court and to the Financial Commissioner within twenty-four hours of its being returned.

**2. Production of records by a revenue official**—Original Revenue records will be produced in Courts of first instance by the Special Kanungo, or Patwari Moharrir in accordance with the instructions mentioned in paragraph 5 below.

**3. Measures to obviate production of revenue record**—In every case it is the duty of the Court to insist—

(a) On the plaintiff filing with the plaint the statement required by paragraph 9 (ii) of Chapter 1-C, Rules and Orders, Vol. I;

(b) On both parties filing certified copies or extracts of all relevant entries on which they rely.

**4. Appellate Courts to avoid calling for original revenue record**—Appellate Courts should refrain from calling for original records unless it is absolutely necessary for a determination of the case, and if the necessity arises from the neglect of a Court of first instance to comply with the instructions here issued, such Courts should be severely dealt with by the Appellate Court in the exercise of the functions of administrative control vested in it.

**5. Excerpts from revenue records**—For the convenience of the public, excerpts from the Revenue records are prepared by the Special Kanungo. For detailed instructions regarding the manner in which the services of the Special Kanungo are to be utilised, see Chapter 8, Volume I, of the Rules and Orders.

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

## **Rules**

### *A—General*

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

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

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

*Note (i)*—In the case of Small Cause Courts the work of destruction shall be carried out under the supervision of the Register.

*Note (ii)*—The following are the paper-making Jails:

- (1) Ambala District Jail.

(2) Hissar District Jail.

(3) Gurdaspur District Jail.

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

*B—Records*

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

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

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

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

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

*Part A shall contain the following papers :—*

(1) The index of papers.

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

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

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

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

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

(6) All depositions of witnesses.

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

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

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

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

(11) The Judgment or other final order <sup>1</sup>[**including an award passed by an Industrial Tribunal or Labour Court or Motor Accident Claim Tribunal**].

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

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<sup>1</sup>. Inserted vide Notification No.294/Rules/DHC dated 26.8.2010

- (13) All notes in the handwriting of the Judge.
- (14) Any order by the Court accepting an application for review of judgment or for a new trial.
- (15) Judgment and decrees of appellate <sup>2</sup>[**or superior**] Courts, if any.
- (16) All orders passed in execution proceedings with applications, objections, writs of which service has been effected, notices, reports and returns relating thereto.
- (17) All receipts and acknowledgements filed in execution proceedings.
- (18) Processes by which service is effected on the defendants in civil suits decided *ex parte*.
- (19) Powers of attorney of Counsel or agents of parties.

<sup>3</sup>[**“Note: In the cases before Industrial Tribunal or Labour Court, letter of authority or authorized representative of workman/management shall take the place of power of attorney of counsel.”**]

*Part A(i) shall contain the following papers :—*

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

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

**4. Records to be divided into two parts—A and B—**All other Civil records and all Criminal records shall be arranged in two parts— A and B.

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

(a) *In original cases, <sup>4</sup>[including the disputes referred for adjudication under Industrial Disputes Act, 1947 and the applications filed thereunder and claims filed before the Motor Accident Claims Tribunal] other than those to which Rule 3 applies, heard by any Court other than Court of Small Causes.*

Those papers specified in Rule 3 as contained in Parts A and A(i).

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

- (1) The index of papers.
- (2) The order sheet or chronological abstract of orders.
- (3) The plaint with the papers annexed thereto.

<sup>2</sup>. Inserted vide Notification No.294/Rules/DHC dated 26.8.2010

<sup>3</sup>. Inserted vide Notification No.294/Rules/DHC dated 26.8.2010

<sup>4</sup>. Inserted vide Notification No.294/Rules/DHC dated 26.8.2010

- (4) Any cross-claim set up by the defendant by way of set-off.
  - (5) All documents received by the Court during the trial as evidence between the parties.
  - (6) Any award of arbitrators, or deed of withdrawal, compromise or confession of judgment.
  - (7) The judgment or other final order.
  - (8) The decree.
  - (9) All notes in the handwriting of the Judge.
  - (10) Any application for review of judgment, or for a new trial, with the Court's orders thereon.
  - (11) Any order passed by the High Court as a Court of reference or revision.
  - (12) All orders passed in execution proceedings with all applications, writs of which service has been affected, notices, reports and returns relating thereto.
  - (13) All receipts and acknowledgements filed in execution proceedings.
  - (14) Written statements of parties.
  - (15) Processes by which service is effected on the defendants in suits decided *ex parte*.
  - (16) Powers of attorney of Counsel or agents of parties.
- (c) *In appeal cases*—
- (1) The index of papers.
  - (2) The order sheet or chronological abstract of orders.
  - (3) The petition of appeal.
  - (4) Copies of judgments and decrees of Lower Courts.
  - (5) Any cross-objection filed by the respondent under Order XLI, Rule 22, of the Code of Civil Procedure.
  - (6) Issues referred for trial by the Appellate Court, with the evidence and findings thereon.
  - (7) Commissioner's proceedings held thereunder, and reports of Commissioners.
  - (8) Any additional evidence, oral or documentary admitted by the Appellate Court under Order XLI, Rule 27, of the Code of Civil Procedure.
  - (9) Application to the Appellate Court to refer to arbitration, reference, the award or other final return of the arbitration with the proceedings, depositions and documents submitted therewith and any applications to set aside the award, with the Court's orders thereon.
  - (10) Deeds of withdrawal, compromise or confession or judgment.
  - (11) The judgment or other final order.
  - (12) The decree of the Appellate Court.
  - (13) All notes in the handwriting of the Judge.
  - (14) Applications for review of judgment, with the Court's orders thereon.
  - (15) Any judgment and decree of a superior Court of appeal.

(16) Powers of attorney of Counsel or agents of parties.

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

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

(a) *In original cases tried by a Court of Session—*

- (1) The index of papers.
- (2) The order sheet or chronological abstract of order.
- (3) The charge, original and as amended by the Sessions Judge.
- (4) All depositions of witnesses and statements of accused persons, including depositions and statements transferred from the file of the Committing Magistrate.
- (5) All documentary evidence.
- (6) The final order.
- (7) The verdict of the jury.
- (8) All notes in the handwriting of the Judge.
- (9) The judgment or order of the High Court as a Court of appeal, reference or revision.
- (10) Warrants returned after execution of sentence.
- (11) All proceedings relating to the realization of fines.

(b) *In Magisterial inquiries and trials—*

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

(c) *In appeal cases—*

- (1) The index of papers.

- (2) The order sheet or chronological abstract of orders.
- (3) The petition of appeal.
- (4) Copy of the judgment of the Lower Court.
- (5) Any additional evidence taken under Section 428 of the Code of Criminal Procedure.
- (6) The final order of the Court.
- (7) All notes in the handwriting of the Judge.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

be preserved in perpetuity.

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

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

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

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

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

(3) Part A of the cases relating to any of the offences specified in Section 44 (*see* Section 39 of the new Code) of the Code of Criminal Procedure, as offences of which all persons are bound to give information, in which any of the suspected persons have escaped apprehension : provided that, whenever it is known that the offender or offenders on whose account such records are kept, are dead, the records may be destroyed.

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

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

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

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

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

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

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

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

(5) Part A of Criminal cases relating to any offences other than those specified in Section 44 (*See* Section 39 of the New Code) of the Code of Criminal Procedure in which any suspected persons have escaped apprehension provided that, whenever it is known that the suspected offender or offenders on whose account such records are kept, are dead, the records may be destroyed.

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



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

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

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

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

**<sup>5</sup>[11-A Records to be preserved for 10 years – The following record shall be preserved for a period of 10 years and shall then be destroyed:**

**Part ‘A’ of all proceedings under Industrial Disputes Act, 1947 including orders, judgments and exhibited documents of Industrial Tribunal and Labour Courts, provided the award or order passed in such proceedings has not been fully implemented or become incapable of being implemented as prescribed under Rule 70-A of the Industrial Disputes (Central) Rules, 1957 (as amended from time to time).**

**11-B Records to be preserved for 7 years – The following record shall be preserved for a period of 7 years and shall then be destroyed:**

**(a) Part ‘B’ of all proceedings under the Industrial Tribunal Act, 1947, as prescribed under Rule 70-A of the Industrial Disputes (Central) Rules, 1957 (as amended from time to time)**

**(b) Part ‘A’ of all proceedings before Motor Accident Claim Tribunal not covered by sub-rule (5) of Rule 13.]**

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

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

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

*Note 2—*In January, April, July and October, each the record-keeper will receive from Civil Courts,—*vide* paragraph 1 of Chapter 16-A, Part III, Rules and Orders, Volume IV, lists of execution cases in respect of records which are six years’ old or about to become six years’ old

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<sup>5</sup>. New Rules 11-A & 11-B inserted vide Notification No.294/Rules/DHC dated 26.8.2010

in which decrees have been fully executed or have become incapable of further execution. On the receipt of these lists, the record-keeper should make a note to this effect on each file and he should not destroy any file unless it contains this note without ascertaining whether the decree has been fully executed or has become incapable of further execution.

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

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

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

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

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

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

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

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

<sup>6</sup>**[(5) Part 'A' of all proceedings before Motor Accident Claims Tribunal where an award has been passed on the basis of a settlement arrived at between the parties and compensation paid to the claimants/victims or where case relates to damage to a vehicle and compensation has been paid to the claimant and no appeal or revision has been preferred against such an award.]**

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

(1) Part B of civil and criminal cases and appeal provided that papers relating to deposits and payments thereof shall be separated and preserved until such time as the accounts of the deposits and repayments concerned have been audited and any objections raised in connection therewith have been finally settled and that Part B of civil cases, and civil appeals in which a first or a second appeal lies to the High Court, shall not be destroyed until the period of limitation for

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<sup>6</sup>. Sub-rule (5) inserted vide Notification No.294/Rules/DHC dated 26.8.2010

instituting such an appeal has expired or until the appeal, if instituted, is decided by the High Court.

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

**15. Mode of reckoning period**—The period prescribed above shall except in the case noted below, be taken to run from the date of the final order of the Court of first instance, or, in the event of an appeal <sup>7</sup>[or challenge], from that of decision of the appeal <sup>8</sup>[or such challenge].

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

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

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

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

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

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

#### *C—Registers*

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

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<sup>7</sup>. Inserted vide Notification No.294/Rules/DHC dated 26.8.2010

<sup>8</sup>. Inserted vide Notification No.294/Rules/DHC dated 26.8.2010

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

Criminal Register Nos. VII, VIII, and XVI.

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

Civil Register Nos. XXVI and XXVII.

Criminal Register No. IX.

Miscellaneous Register G and I.

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

Civil Register Nos. X, XI and XIII.

Criminal Register Nos. II and X.

Miscellaneous Register Nos. A and H.

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

Civil Register Nos. VI and XIV.

Criminal Register Nos. I, III, IV and XIV.

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

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

Criminal Register No. XV.

Miscellaneous Register B.

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

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

Civil Register Nos. VII, VIII, IX, XII, XVII, XXI-C, XXII and XXIII.

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

Miscellaneous Register C, D, E and F.

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

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

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

*D—Other Papers*

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

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

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

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

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

Civil Court Deposit Accounts Register and Forms		Period for which it is proposed to preserve the register etc.
Number	Heading	
Form No. 1	Note Book of Execution Bailiff	3 years
Form No. 2	Register of Receipts (Cash system)	Permanently
Form No. 3	Register of Receipts (Voucher system)	Do
Form No. 4	Register of Distribution (Cash system)	12 years
Form No. 5	Cash Book (Cash system)	Permanently
Form No. 6	Receipt Form (Cash system)	6 years
Form No. 7	Voucher Form (Cash and voucher systems)	One year from the date of last audit
Form No. 8	Cheque Form (Cash system)	3 years
Form No. 9	Challan Form (Cash and voucher systems)	6 years
Form No. 11	Treasury Pass Book (Cash system)	Permanently
Form No. 12	Extract register of receipts (Cash system) (Form 28 Civil Account Code, Volume I)	6 years
Form No. 13	Clearance Register (Cash system)	Do
Form No. 14	List of repayments (Cash system) (Form 47, Civil Account Code, Volume II)	3 years
Form No. 15	Lapsed Deposits (Cash system) (Form No. 29 Civil Account Code, Volume I)	Permanently
Form No. 16	Refund of lapsed deposit (Cash and voucher systems) (Form No. 30, Civil Account Code, Volume I)	3 years
Form No. 17	Intermediate Register of money-orders, etc.	One year from the date of last audit

Form No. 18	Stock Book of Forms of Receipt Book/Cheque Books	One year from the date of last audit
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### SHERIFFS' PETTY ACCOUNTS

<b>Sheriffs' Petty Accounts Register and Forms</b> New Number	Heading	Old Number	Heading	Period for which it is proposed to preserve the Register
Form No. 1	Register of Receipts	Register A	Register of Receipts	Permanently
Form No. 2	Register of Disbursement	Register B	Showing payments	12 years
Form No. 3	Cash Book	Register C	Showing receipts and disbursements and cash balance in hand of Agent each day	Permanently
Form No. 4	Treasury Pass Books			Permanently
Form No. 5	Receipts Form	Form G	Receipt Book	Six year from the date of last entry in the cash book
Form No. 6	Register of Processes Including warrants, etc.	Register D	Register of processes and warrants etc.	Three years from the date of its last entry, but subject to the condition mentioned against Form No. 8
Form No. 7	Note Book of Process Servers	Form H	Note Book of Process Servers	As against Form No. 6
Form No. 8	Payment Order Form	Form I	Court Payment Order	One year from the date of last audit and if at the last audit any objection was raised in connection with any documents or records they should be retained until the next audit, and should not be destroyed until one year has elapsed since the removal of the objection originally raised
Form No. 9	Challan Form	Form J	(a) Memo to accompany remittance of surplus money to the treasury	<div style="border: 1px solid black; width: 100px; height: 40px; margin: 0 auto;"></div>

		Form K	(b) Of monthly balance to the treasury	6 years
			(c) Consolidated Memo of remittance to the treasury	
Form No. 10	Cheque Form	Form L		3 years
Form No. 11	Statement of lapsed deposit (Form 29 Civil Account Code, Volume I)			Permanently
Form No. 12	Voucher for Refund of lapsed deposits Form No. 30, Civil Account Code, Volume I			3 years
Form No. 13	Stock Book of Forms of Receipt Books and Cheque Books	Form M	Stock Book of Forms	As against Form No. 8

*Note*—The main principal which should guide the destructions of accounts record should be that so long as an objection is outstanding and the accounts have not been completely checked and accepted in audit, they and the supporting documents should not be destroyed even though the period of preservation prescribed in the rules may have expired.

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

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

Notification

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

**Rules**

*A. General*

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

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

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

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

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

(1) Ambala District Jail.

(2) Hissar District Jail.

(3) Gurdaspur District Jail.

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

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

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

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

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

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

*Part A shall contain the following papers:*

(1) The index of papers.

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

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

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

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

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



- (6) All depositions of witnesses.
- (7) All documents received by the Court during the trial, as evidence between the parties other than copies of Civil, Revenue or Municipal records.
- (8) Commissions' proceedings held thereunder, and reports of Commissioners.
- (9) Applications to refer to arbitration, the award of other final return of the arbitrators, with the proceedings, dispositions and documents submitted therewith and, any application to set aside the award with the Court's orders thereon.
- (10) Instruments of withdrawal, compromise or confession of judgment.
- (11) The Judgment or other final order.
- (12) The decree and all documents relating to the preparation or amendment thereof.
- (13) All notes in the handwriting of the Judge.
- (14) Any order by the Court accepting an application for review of judgment or for a new trial.
- (15) Judgments and decrees of Appellate Courts, if any.
- (16) All orders passed in execution proceedings with applications, objections, writs of which service has been effected, notices, reports and returns relating thereto.
- (17) All receipts and acknowledgements filed in execution proceedings.
- (18) Processes by which service is effected on the defendants in civil suits decided *ex parte*.
- (19) Powers of attorney of Counsel or agents of parties.

*Part A (i) shall contain the following papers:*

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

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

#### *B. Judicial Records*

<sup>1</sup>[**4. Records to be divided into two parts A and B**—All other Civil records and proceedings under the Delhi Rent Control Act, 1958 and all Criminal records shall be arranged in two parts—A and B.]

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

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

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

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

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

(1) The index of papers.

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

(3) The plaint with the papers annexed thereto.

(4) Any cross-claim set up by the defendant by way of set-off.

(5) All documents received by the Court during the trial as evidence between the parties.

(6) Any award of arbitrators, or deed of withdrawal, compromise or confession of judgment.

(7) The judgment or other final order.

(8) The decree.

(9) All notes in the handwriting of the Judge.

(10) Any application for review of judgment, or for a new trial, with the Court's orders thereon.

(11) Any order passed by the High Court as a Court of reference or revision.

(12) All orders passed in execution proceedings with all applications, writs of which service has been affected, notices, reports and returns relating thereto.

(13) All receipts and acknowledgements filed in execution proceedings.

(14) Written statements of parties.

(15) Processes by which service is effected on the defendants in suits decided *ex parte*.

(16) Powers of attorney of Counsel or agents of parties.

(c) In appeals cases—

(1) The index of papers.

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

(3) The petition of appeal.

(4) Copies of judgments and decrees of Lower Courts.

(5) Any cross-objection filed by the respondent under Order XLI, Rule 22 of the Code of Civil Procedure.

(6) Issues referred for trial by the Appellate Court, with the evidence and findings thereon.

(7) Commissioner's proceedings held thereunder, and reports of Commissioners.

(8) Any additional evidence, oral or documentary admitted by the Appellate Court under Order XLI, Rule 27, of the Code of Civil Procedure.

(9) Application to the Appellate Court to refer to arbitration, references, the award or other final return of the arbitration with the proceedings, despositions and documents submitted therewith

and any applications to set aside they award, with the Court's order thereon.

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

(11) The judgment or other final order.

(12) The decree of the Appellate Court.

(13) All notes in the handwriting of the Judge.

(14) Applications for review of judgment, with the Court's orders thereon.

(15) Any judgment and decree of a superior Court of appeal.

(16) Powers of attorney of Counsel or agents of parties.

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

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

(a) In original cases tried by a Court of Session—

(1) The index of papers.

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

(3) The charge, original and as amended by the Sessions Judge.

(4) All depositions of witnesses and statements of accused persons, including depositions and statements transferred from the file of the Committing Magistrate.

(5) All documentary evidence.

(6) The final order.

(7) The verdict of the jury.

(8) All notes in the handwriting of the Judge.

(9) The judgment or order of the High Court as a Court of Appeal, reference or revision.

(10) Warrants returned after execution of sentence.

(11) All proceedings relating to the realization of fines.

(b) In Magisterial inquiries and trials—

(1) The index of papers.

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

(3) The final Police report (Challan), or petition of complaint.

(4) All depositions of witnesses and statements of accused persons.

(5) All documentary evidence.

(6) The charge, where a formal charge is drawn up.

(7) The final order of the Court.

(8) All notes in the handwriting of the Magistrate.

- (9) The judgment of the Appellate Court, if any.
  - (10) The judgment of the High Court in revision, if any.
  - (11) Warrants returned after execution of sentence.
  - (12) All proceedings relating to the realization of fines.
  - (13) Bonds for good behaviour taken under Section 110 of the Code of Criminal Procedure.
- (c) In appeal cases—
- (1) The index of papers.
  - (2) The order sheet or chronological abstract of orders.
  - (3) The petition of appeal.
  - (4) Copy of the judgment of the Lower Court.
  - (5) Any additional evidence taken under Section 428 of the Code of Criminal Procedure.
  - (6) The final order of the Court.
  - (7) All notes in the handwriting of the Judge.

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

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

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

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

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

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

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

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

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

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

(8) Correspondence with other offices on matters connected with the administration of justice, including annual reports and the statements appended thereto: provided that heads of offices may, with the previous sanction of the District Judge, order the destruction after three years, of any correspondence of a merely formal or ephemeral character, after personally satisfying

themselves, in regard to each paper ordered to be destroyed, that its retention is no longer necessary.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<sup>1</sup>[(6)].

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

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

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

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

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

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

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

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

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

*Note 3*—Only such portion of the record, if any, as relates to the attachment, sale and delivery of immovable property in execution of decrees, including all objections, proceedings, and orders

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1. New sub-rule (6) inserted vide Notification No. 205/Rules/DHC dated 16-10-2003. However, the same was deleted vide Notification No.294/Rules/DHC dated 26.08.2010 and added as sub-rule (5) of Rule 12.

thereon should be taken out and preserved permanently as required by Rule 7 when the record is destroyed under Rule 12.

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

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

<sup>1</sup>[(4)]

<sup>9</sup>[(5) Part A of all proceedings under Delhi Rent Control Act, 1958 seeking possession including Sections 14, 14A, 14B, 14C, 14D, Sections 21, 22, 24 of the Act and all proceedings for fixation of standard rent under Section 6 and Section 9(4) of the Delhi Rent Control Act.]

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

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

(2) Records of Criminal cases <sup>10</sup>[(except cases referred to in sub-rule (1) <sup>11</sup>[and sub-rule (1A)] of Rule 14)] inquired into or tried by Magistrates and not otherwise provided for in these rules.

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

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

<sup>12</sup>[(5)Part A of proceedings under Delhi Rent Control Act, 1958 other than proceedings mentioned under Rule 10(6) including proceedings under Sections 13, 23, 26, 27, 31, 34, 44 and 45 of Delhi Rent Control Act, 1958.]

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

<sup>13</sup>[(1) Records of criminal cases involving traffic offenses punishable under the Motor Vehicles Act, 1988, inquired into or tried and disposed of by courts of Magistrates, provided that there is no requisition received in such respect for purposes of any other proceedings.]

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1. New sub-rule (4) inserted vide Notification No. 205/Rules/DHC dated 16-10-2003. However, the same was deleted vide Notification No.294/Rules/DHC dated 26.08.2010 and added as sub-rule (5) of Rule 13.

<sup>9</sup>. New sub-rule (5) inserted vide Notification No.294/Rules/DHC dated 26.08.2010

<sup>10</sup>. Inserted vide Notification No.01/Rules/DHC dated 3.1.2007.

<sup>11</sup>. Words “and sub-rule (1A)” inserted vide Notification No.294/Rules/DHC dated 26.08.2010

<sup>12</sup>. New sub-rule (5) inserted vide Notification No.294/Rules/DHC dated 26.08.2010.

<sup>13</sup>. New sub-rule (1) inserted and existing sub-rules (1) & (2) renumbered as sub-rule (2) & (3) vide Notification No.01/Rules/DHC dated 3.1.2007.

**<sup>14</sup>[(1A) Records of all criminal cases inquired into or tried by the Magistrate, where an accused has pleaded guilty or compounded the offence.]**

(2) Part B of all civil and <sup>15</sup> [proceedings under the Delhi Rent Control Act, 1958 and] criminal cases and appeals provided that papers relating to deposits and payments thereof shall be separated and preserved until such time as the accounts of the deposits and repayments concerned have been audited and any objections raised in connection therewith have been finally settled and that Part B of civil cases, and civil appeals in which a first or a second appeal lies to the High Court, shall not be destroyed until the period of limitation for instituting such an appeal has expired or until the appeal, if instituted, is decided by the High Court.

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

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

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

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

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

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

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

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

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<sup>14</sup>. New sub-rule (1A) inserted vide Notification No.294/Rules/DHC dated 26.08.2010

<sup>15</sup>. Inserted vide Notification No. 205/Rules/DHC dated 16-10-2003.



circumstances admit of. In District offices it will probably be most convenient to keep them with the appropriate village bundles.

### *C. Registers*

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

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

Criminal Registers Nos. VII, VIII and XVI.

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

Civil Registers Nos. XXVI and XXVIII.

Criminal Register No. IX.

Miscellaneous Registers G and I.

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

Civil Registers Nos. X, XI and XIII.

Criminal Register Nos. II and X.

Miscellaneous Registers Nos. A and H.

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

Civil Registers Nos. VI and XIV.

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

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

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

Criminal Register No. XV.

Miscellaneous Register B.

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

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

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

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

Miscellaneous Registers C, D, E and F.

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

When a book is full, the names of the peons still in service or of the petition-writers still holding

licences should be copied into a new register and the old register destroyed.

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

*D. Other Papers*

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

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

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

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

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

Civil Court Deposit Accounts Registers and Forms		<i>Period for which it is proposed to preserve the registers etc.</i>
<i>Number</i>	<i>Heading</i>	
Form No. 1	Note Book of Execution Bailiff	3 years
Form No. 2	Register of Receipts (Cash system)	Permanently
Form No. 3	Register of Receipts (Voucher system)	Do
Form No. 4	Register of Disbursement (Cash system)	12 years
Form No. 5	Cash Book (Cash system)	Permanently
Form No. 6	Receipt Form (Cash system)	6 years
Form No. 7	Voucher Form (Cash and voucher systems)	One year from the date of last audit
Form No. 8	Cheque Form (Cash system)	3 years
Form No. 9	Challan Form (Cash and voucher systems)	6 years
Form No. 11	Treasury Pass Book (Cash system)	Permanently

Civil Court Deposit Accounts Registers and Forms		<i>Period for which it is proposed to preserve the registers etc.</i>
Form No. 12	Extract register of receipts (Cash system) (From 28 Civil Account Code, Volume I).	6 years
Form No. 13	Clearance Register (Cash system)	Do
Form No. 14	List of repayments (Cash system) (Form No. 47, Civil Account Code, Volume II)	3 years
Form No. 15	Lapsed Deposits (Cash system) (Form No. 29, Civil Account Code, Volume I)	Permanently
Form No. 16	Refund of lapsed deposit (Cash and Voucher system) (Form No. 30, Civil Account Code, Volume I).	3 years
Form No. 17	Intermediate Register of money-orders, etc.	One year from the date of last audit.
Form No. 18	Stock Book of Forms of Receipt Books/Cheque Books.	One year from the date of last audit.

## SHERIFFS' PETTY ACCOUNTS

### Sheriffs' Petty Accounts Registers and Forms

<i>New Number</i>	<i>Heading</i>	<i>Old Number</i>	<i>Heading</i>	<i>Period for which it is proposed to preserve the Registers</i>
Form No. 1	Register of Receipts	Register A	Register of Receipts	Permanently
Form No. 2	Register of Disbursement	Register B	Showing payments	12 years.
Form No. 3	Cash Book	Register C	Showing receipts and disbursements and cash balance in hand of Agent each day	Permanently
Form No. 4	Treasury Pass Books			Permanently
Form No. 5	Receipt Form	Form G	Receipt Book	Six years from the date of last entry in the cash book

<i>New Number</i>	<i>Heading</i>	<i>Old Number</i>	<i>Heading</i>	<i>Period for which it is proposed to preserve the Registers</i>
Form No. 6	Register of processes including warrants, etc.	Register D	Register of processes and warrants etc.	Three years from the date of its last entry, but subject to the condition mentioned against Form 8.
Form No. 7	Note Book of Process Servers	Form H	Note Book of Process Servers	As Against Form No. 6
Form No. 8	Payment Order Form	Form I	Court Payment Order	One Year from the date of last audit and if at the last audit any objection was raised in connection with any documents or records they should be retained until the next audit, and should not be destroyed until one year has elapsed since the removal of the objection originally raised.
Form No. 9	Challan Form	Form J	(a) Memo to accompany remittance of surplus money to the treasury	6 Years
	Form K	(b) Of monthly balance to the treasury		
	Form L	(c) Consolidated Memo of remittance to the treasury.		
Form No. 10	Cheque Form			3 years
Form No. 11	Statement of lapsed deposit (Form 29, Civil Account Code, Volume I)			Permanently
Form No. 12	Voucher for Refund of lapsed deposits Form No. 30, Civil Account Code, Volume I			3 years
Form No. 13	Stock Book of Form of Receipt Books and Cheque Books	Form M	Stock Book of Forms	As against Form No. 8

*Note*—The main principle which should guide the destructions of accounts records should be that so long as an objection is outstanding and the accounts have not been completely checked and accepted in audit, they and the supporting documents should not be destroyed even though the period of preservation prescribed in the rules may have expired.

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