

## PART C—INSPECTION OF SUBORDINATE COURTS

*(The instructions contained in this Chapter do not apply to the Union territory of Delhi)*

1. A portion of the civil and criminal work of each subordinate district court should be regularly examined and criticised each month by the District and Sessions Judge, who should so far as circumstances permit, keep himself acquainted with the working of the courts subordinate to him, and comment on any irregularities which may come to his notice. The registers of subordinate courts should also be periodically inspected.

Monthly inspection of subordinate Courts by District and Sessions Judge.

2. When examining the records of subordinate Courts inspecting officers should particularly note the number of adjournments granted in any case, and the reasons for them; if it is found that adjournments are granted unnecessarily, the presiding officer of the court concerned should at once be warned, and, if the practice continues, a report should be made to the High Court.

Duty of Inspecting officers to see that unnecessary adjournments are not granted.

3. In districts not visited by the <sup>[1]</sup>Administrative Judge, the District and Sessions Judge should inspect the courts of Subordinate Judges and Magistrates and forward copies of inspection notes to the High Court.

Inspection by District Judge in districts not visited by the <sup>[1]</sup>Administrative Judge.

4. In districts which are visited by the <sup>[1]</sup>Administrative Judge the District and Sessions Judge should report on those Subordinate Judges and Magistrates outside headquarters who are not inspected by the <sup>[1]</sup>Administrative Judge.

Inspection by District Judge in districts visited by the <sup>[1]</sup> Administrative Judge.

5. As the inspection of Subordinate Courts usually takes place in the cold weather, the report should reach the High Court by the 1<sup>st</sup> May. The inspection notes, which should be as brief as possible, should be on the lines of the <sup>[1]</sup>Administrative Judge's notes and should be type-written.

Date and scope of inspection notes.

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[1] Substituted vide Correction Slip No. 126 Rules/II.D4 dated 23.11.2002

High Court shall receive amount report as to work of every judicial Officer.

6. In this way the High Court will receive annually a report on the work of each Judicial Officer as inspected by the <sup>[1]</sup>Administrative Judge or the District Judge.

Inspection by the District Magistrates and sub-Divisional Magistrates.

<sup>[2]</sup>7. The Chief Judicial Magistrate may call for and examine the record of any proceedings before any inferior Criminal Court as provided in Section 435 of Code of Criminal Procedure.

Inspection of Tehsildar's Courts.

8. The orders requiring the annual inspection of civil courts do not, however, apply to the civil work of tahsildars and naib-tahsildars who are *ex-officio* Subordinate Judges but rarely exercise these powers. It is desirable, however (though not essential), that the work of those tahsildars who do more than a nominal amount of civil work should be inspected every two years or so, subject to the condition that no extra expenditure is incurred. In the case of a tahsildar who does a fair amount of civil work and is stationed at a place which it is impossible to visit without making a special journey, the special sanction of the High Court must be obtained in advance and will normally be granted, funds permitting, but not more often than once in two years.

9. List of suitable subjects for inquiry will be found in Chapters 2 and 3 relating to the Superintendence and Control of Civil and Criminal Courts, respectively.

Inspection by presiding officer.

<sup>[3]</sup>10. The importance of careful supervision of registers and pending files by presiding officers can hardly be exaggerated.

On the first working day in the second week of the months of January, April, July and October, every District and Sessions Judge/Additional District and Sessions Judge/Assistant Sessions Judge, Judge Small Cause Court, Subordinate Judge and Judicial Magistrate shall carry out regular inspection of his own court and shall fix no judicial work for those days.

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[1] Substituted vide Correction Slip No. 126 Rules/II.D4 dated 23.11.2002

[2] Substituted vide Correction Slip No. 28 dated 16.07.1968

[3] Substituted vide Correction Slip No. 28 dated 16.07.1968

<sup>[1]</sup>11. He shall inspect in detail the work of the ministerial staff and the registers and shall, in particular, look through the oldest files pending and see whether any unnecessary delay has occurred or wrong orders have been passed. He should check all old registers preserved in his court, report any losses that have occurred and arrange for the destruction of all registers liable to be destroyed. The inspection shall be made as early as possible in accordance with the instructions contained in Chapter 2-B or chapter 3-B, as the case may be, of this Volume. The Presiding Officer shall then write a detailed inspection note on the lines of the <sup>[2]</sup>Administrative Judges' note. The quarterly inspection notes shall give the following information :-

- (1) Number of old cases of each category at the end of the preceding quarter.
- (2) Number of old cases of each category at the end of the quarter in respect of which a report is recorded.
- (3) If the number of old cases shows an increase the cause or causes of the increase should be indicated.
- (4) Histories of five oldest cases of each category.
- (5) Disposals (in terms of civil appeals where necessary) for each month in the quarter.

This note shall be submitted by the Chief Judicial Magistrate, Judge Small Cause Court, a Subordinate Judge and a Judicial Magistrate to the District & Sessions Judge. The District & Sessions Judge shall submit to the High Court the inspection note of his own court and those of Additional District & Sessions Judges and Assistant Sessions Judges and shall verify that they are complete in all respects-The District & Sessions Judge need not submit to the High Court the inspection note of the Chief Judicial Magistrate, Judge Small Cause Court, Subordinate Judge, and a Judicial Magistrate, but he shall submit a report on their work to the High Court.

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[1] Substituted vide Correction Slip No. 28 dated 16.07.1968

[2] Substituted vide Correction Slip No. 126 Rules/II.D4 dated 23.11.2002

Work of predecessor not to be criticised.

12. The presiding officers shall not criticise the work done by their predecessors but shall confine their criticism to the period during which cases were dealt with by them.

Inability to inspect on the date fixed.

13. If any officer is unable to make an inspection of his own court on the prescribed date, he shall do so as soon as possible thereafter and, in any case, in the month in which the inspection should have been made.