

PART B- SESSIONS HOUSES.

1. The following instructions have been issued by these Judges with regard to control over Sessions Houses.

2. In accordance with Punjab Government Consolidated Circular No. 28, the management of Sessions Houses is vested in the Sessions Judges concerned. Funds are provided under the head "27- Administration of Justice- Civil and Sessions Courts Circuit and Sessions Houses" for which they are both the disbursing and the controlling officers,- vide Appendix D to the Punjab Budget Manual (Fourth Edition), pages 258-59.

Management.

3. It has been brought to the notice of the Honourable Judges that in certain districts the allotment placed at the disposal of the Sessions Judges by this Court is, according to past practice, transferred to the Deputy Commissioners who incur expenditure therefrom on their own responsibility. This is perhaps due to misapprehension of the revised rules. They are, therefore, pleased to direct that District and Sessions Judges should in future keep the allotment in their own hands, if they so desire.

District Judges are disbursing officers.

4. It should be made clear to all concerned that as laid down in the circular quoted, a Sessions House is primarily intended for the use of a Sessions Judge as a Sessions Court for disposal of his judicial work. These officers have therefore the first claim to use the Sessions House. But subject to this condition Financial Commissioners and Commissioners are also entitled to use the buildings when on tour but should first ascertain that it is not required by the Sessions Judge for the trial of cases. The management of Sessions Houses vests with the sessions Judge whose permission must be obtained before a Sessions House is occupied by anyone other than the Financial Commissioner or the Commissioner. When permission is given by a Sessions Judge to any person to occupy a Sessions House it will be subject to the rules given in the circular and to the condition that the occupant

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will vacate as soon as the building is required by the Sessions Judge, the Financial Commissioner or the Commissioner.

The Financial Commissioner will be entitled to the occupation of the whole of the Sessions House while on Official tour.

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5. Whenever the Financial Commissioner or the Commissioner requires the use of the Sessions house as his residence while on tour, the correct procedure would be for the Deputy Commissioner on his behalf or for the Financial Commissioner or the Commissioner direct to enquire whether cases have been fixed or not. In one instance a Sessions Judge was asked to postpone the cases, if fixed, as the Sessions House was required for the use of the Commissioner and in another case the same request was made as it was wanted by another higher officer, the excuse advanced for this being that Sessions Houses are shown in the list of Rest Houses and could, therefore be used as such by Government officers entitled to the use of Rest Houses. This view of the case is wrong. A Session House can be used as a Rest House only if it is not first required by the Sessions Judge and then by the Financial Commissioner or the Commissioner of the Division.