

PART C-- PERIODICAL REPORTS AND RETURNS DUE TO
DISTRICT AND SESSIONS JUDGES AND DISTRICT
MAGISTRATES, AND BY THEM TO THE HIGH COURT.

In addition to the annual statements, certain monthly and quarterly returns have been prescribed by the High Court in order to enable the Judges to exercise a constant check upon the state of business in subordinate Courts and the manner in which that business is disposed of.

Introductory.

2. District and Sessions Courts are required to submit the following monthly returns :-

District and Sessions Judges statements.

No.1.--Statement of Sessions cases, Criminal appeals and Criminal References and of Civil appeals, Original Civil Cases, Insolvency and Liquidation cases instituted, disposed of and pending in the court of the District and Sessions Judge during the month.

No. 2.-- Statement of persons punished and acquitted by the Sessions Court during the month.

No. 3.-- Statement of persons awaiting trial by the Sessions Court.

No. 4.-- Statement showing the number of civil suits instituted, disposed of and pending in the Courts of Subordinate Judges during the month (except for the month of September).

3. All monthly statements submitted to the High Court will be retained in the High Court Office.

Monthly statements to be retained in High Court.

4. The following returns are required from Civil Courts subordinate to the District Judge :-

Subordinate Judge's statements.

Civil Quarterly District Statements

No. 1.- Showing civil suits and appeals disposed of and pending and execution work, and the number of hearings fixed for civil cases in each Courts.

No. 2.- Showing the number of fresh Civil suits and Execution cases instituted in the Civil Courts.

Note.- Quarterly returns must reach the High Court by the 10th of the month succeeding the quarter to which they relate.

5. District Criminal Courts are required to submit the following returns :-

District Criminal Courts' statements.

Criminal Quarterly District Statements

No. 1.- Showing Criminal cases instituted, disposed of and pending.

No. 2.- Explanation of Criminal cases pending over four months.

No. 3.- Showing convictions of persons previously convicted.

No. 4.- Showing the number of fresh cases instituted.

Note I.- Due by District Magistrates to Sessions Judges on the 5th and to High Court on the 10th of the month succeeding the quarter to which they relate.

Note II.- The instructions given in rule 8 of the Part B of this Chapter should, with necessary modifications, be followed by the Criminal Courts in preparing the monthly and quarterly statements.

6. Magistrate's statement No. 2 should be prepared according to the following directions :-

Criminal Courts Statement No. 2

(a) Columns 1 to 6 should be filled in by the official concerned.

- (b) The cases should be entered in the order in which they were instituted.
- (c) The Magistrate should sign the statement and he will be responsible for the correctness of the entries thereof.
- (d) In column 7 the explanation for delay in the disposal of a case should be given in some detail. The circumstances in which service on witnesses or accused could not be effected, the time actually taken by the appellate court in disposing of transfer applications, etc., should be given. If the record was sent to some Court, the number and date of the letter by which it was requisitioned and also the number and date of the letter by which it was sent should be given.
- (e) History sheets containing abstracts of orders passed on different dates in all cases pending over one year (provided they are not stayed) should be furnished with the Statement.

7. District Magistrates and District and Sessions Judges should carefully scrutinize the monthly statements of their Districts, as they come before them, in order to enable them to remark, upon anything that may appear to be irregular or unsatisfactory, and to take immediate steps to correct what is amiss. Their remarks and orders should be communicated at once to the officer concerned. The District Magistrate should forward a copy of his remarks and orders with the statements, to the Sessions Judge, the original draft being retained with the office copies of the statements in the District office for record.

Remarks.

8. On receipt of the District Criminal Statements, the Sessions Judge should carefully review them, notice and take measures to correct any irregularities which have been passed over by the District Magistrate and forward at once a copy of his remarks to the District Magistrate, for

Submission to High Court.

communication to the officer concerned. When the Sessions Judge has thus disposed of the District Criminal Statements he will submit them, with the District Magistrate's remarks, and a copy of his own to the High Court, retaining a copy of his own remarks for record in his office.

The Sessions Judge should note in the covering letter whether a copy of the remarks recorded by him was sent to the District Magistrate.

Statement No. III

9. With reference to quarterly statement No. III of convictions of persons previously convicted, it is directed that, when intimation is received by a District Magistrate from the Sessions Judge or the High Court that the sentence passed by a subordinate Magistrate on a second conviction is light, without the records being called for, the District Magistrate shall look into the case himself and make such communication as he thinks proper to the Magistrate concerned; or, if he considers the punishment awarded completely inadequate, report the case for revision in the usual way.

Forms.

10. Forms of the statements required in paragraphs 2, 4 and 5 above will be found in the Books of Forms given in the Rules and Orders, Volume VI.

Reference.

11. Detailed instructions regarding the annual reports and returns required for the preparation of the annual notes on the Administration of Civil and Criminal Justice will be found in Part B of this Chapter.

Certificate as to
delivery of
judgement.

12. (i) All District and Sessions Judges should, in their monthly statements of work, furnish a certificate to the following effect :-

“Certified that judgments have been delivered within a month of the final hearing of arguments in all suits and appeals except in the following cases.....”

They should also append a certificate in the following form on the Subordinate Civil Courts statement referred at paragraph 2(4) above :-

- (1) Certified that all Subordinate Judges have pronounced judgments within a month of the final hearing of arguments in all suits and appeals, except in the cases for which explanations are attached.
- (2) Certified that the provisions of Section 4 of the Punjab Regulation of Accounts Act were duly complied with in all suits for debts tried by all the Civil Courts.

(ii) A certificate in the following form should also be furnished with the statements showing the work instituted, disposed of and pending in the Court of the District Judge and the Courts of Subordinate Judges during the month of August each year :-

“Certified that decrees have been drawn up in all suits and appeals decided by the undersigned all Subordinate Judges before the vacation and that the records of all such suits and appeals have been consigned to the Record Room* except in the following cases for which explanations are attached-”

13. It is the duty of the District Judge to control and adjust to the best advantage and equalize the work in subordinate courts. He should watch institutions and disposals and see that each officer's out-turn is normal. He should therefore make his remarks on the monthly pending file statements under the following heads :-

- (i) Subordinate Judges who in his opinion have not given sufficient out-turn and have therefore been warned.
- (ii) Steps taken or proposed to be taken to equalize work in different courts.

Remarks by District Judge on monthly statements.

*Delete if necessary.

- (iii) Suggestions for investiture of or enhanced Small Cause powers in order to quicken disposal of petty cases.
- (iv) Steps taken or proposed to be taken to prevent accumulation of execution cases where such work is heavy.
- (v) Steps taken to ensure that 3rd and 4th class cases are not neglected owing to higher class cases.

14. In order to put a stop to bad cases of delay in subordinate Courts, abstracts of order-sheets shall be submitted by each Subordinate Judge to his District Judge in respect of all original suits, appeals and execution cases pending over for more than a year. The District Judge shall examine them and after recording his remarks thereon, with details of action, if any taken, by him to prevent a recurrence of the same mistake, shall forward them to the High Court. They shall not be forwarded simply "for examination by the Judges". District Judges shall similarly submit abstracts of order-sheets for their own courts.

Date of sub-
mission of
abstract.

15. Abstracts for the whole division shall be submitted at one and the same time and by the 15th of the month following the quarter to which they relate which shall be clearly specified in the forwarding letter.

Note 1: Under the orders dated 17.02.2014 of Hon'ble the Chief Justice, passed on the recommendations of Hon'ble Executive Committee (Computer and E-Governance Committee), the new proformas meant for sending monthly/quarterly/half yearly/annual statements/reports of the Subordinate Courts were forwarded to all the District and Sessions Judges in the States of Punjab, Haryana and U.T. Chandigarh vide this Court's letter No. 257 Spl/Gaz.II(9) dated 26.03.2014 and to the Presiding Officers of Labour Courts of the States of Punjab, Haryana and U.T., Chandigarh vide this Court's letter No. 259 Spl/Gaz.II(9) dated 26.03.2014, respectively with the request to forward the work done statements in the standardized spreadsheet proformas through post and also by e-mail.

Note 2: However, the revision of Punjab and Haryana High Court, Rules and Orders, Volume-IV is under process.