

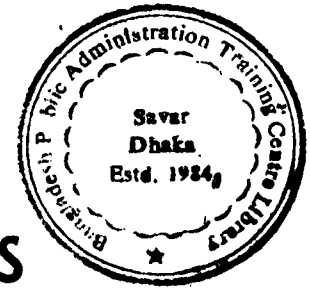


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ADMINISTRATIVE REFORM

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

**GENERAL INSTRUCTIONS
AND
QUESTIONNAIRES
FOR
INSPECTION OF COURTS
OF MAGISTRATES**



CABINET DIVISION

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

PRESIDENT'S SECRETARIAT

Cabinet Division

No. CD/CJ-1/1R-1/82/128(3000), Dhaka, the 1st November, 1984.

MEMORANDUM

SUB : General Instructions and Questionnaires for Inspection of Courts of Magistrates.

During recent visit to Upazilas, the undersigned observed that inspection of courts of magistrates was not conducted thoroughly. In most cases inspections were perfunctory in nature. In many cases, they were so hasty and hurried that there was hardly any sense in undertaking such inspections.

2. The matter was discussed in the Conference of the Divisional Commissioners and Deputy Commissioners on 15-8-1984. It was agreed that circulation of a set of questionnaires will facilitate thorough inspection of courts of magistrates. Accordingly, questionnaires, contained in the Inspection Manual have been reviewed and amended, wherever necessary, for making them suitable for the purpose.

3. These questionnaires and the general instructions for inspection should be meticulously followed by District Magistrates, Additional District Magistrates and other inspecting officers. It is hoped that inspections conducted in accordance with the instructions and questionnaires will gradually improve the present state of administration of criminal justice in the country.



N. N. Chowdhury

(M. NURUN NABI CHOWDHURY)
Additional Secretary.

Distribution :

- a. All Divisional Commissioners.
- b. All District Magistrates.
- c. All Additional District Magistrates.
- d. All Upazila Magistrates.
- e. The Chief Metropolitan Magistrates, Dhaka and Chittagong.

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PART-I
GENERAL INSTRUCTIONS AND QUESTIONNAIRES

Inspection by District Magistrates, Additional District Magistrates, Chief Metropolitan Magistrates and Additional Chief Metropolitan Magistrates of the Judicial Work of the Courts subordinate to them.

PART-I

GENERAL INSTRUCTIONS AND QUESTIONNAIRES

The Government attaches great importance to thorough inspection by District Magistrates, Additional District Magistrates, Chief Metropolitan Magistrates and Additional Chief Metropolitan Magistrates of the judicial work for the supervision of which they are responsible. The judicial experience of a DM, ADM, CMM or ACMM furnishes him with much valuable knowledge which can usefully be imparted to junior officers. The general principles which should guide the District Magistrate and all such Magistrates in conducting inspections are the following:

- (1) The correctness of the conclusion arrived at by a judicial officer is the proper subject matter for decision by the Appellate Court, or for action under section 417 or sections 435 to 438 of the Code of Criminal Procedure. The object of inspection is to improve the methods of the judicial officer whose work is inspected and not to criticise findings.
- (2) The Government deprecates criticism of a judicial officer's work which is based on statistics alone; it is neither fair nor expedient to criticise an officer with reference to:
 - (a) percentage of successful appeals against his orders;
 - (b) percentage of cases convicted or acquitted; and
 - (c) percentage of complaints dismissed under section 203 Criminal Procedure Code.

2. It is legitimate to examine such figures with a view to the subsequent examination of records to which the figures may direct attention, and they should be examined with this objects, but a judgement of an officer's work based on figures alone may obviously be unfair, and may thus cause his work to deteriorate instead of improving it.

- (1) Similarly, while the examination of Registers is essential to check routine work of the office and to ensure the proper maintenance of the necessary records and may also be useful for directing attention to errors in the handling of particular cases, or to flaws in organisation, it is of little value by itself as a method of a judicial officer's work. The only practical method by which an inspecting officer can appraise the quality of a judicial officer's work and give instruction which will be valuable to the officer whose work is inspected, is the examination of a substantial number of individual case records, and inspection should be conducted mainly by this method. It is unnecessary to prescribe rigidly either the extent to which or the frequency with which such examinations are to be made, but the Government thinks that monthly inspections are desirable.

3. The Government believes that these principles are understood and followed by many supervising and subordinate officers, but not by all, and it believes that their observance and the knowledge that they have been authoritatively prescribed will enhance the public confidence in the magistracy and will increase the confidence and self-reliance of Magistrates in performing their duties.

The points to be noticed in inspection relate principally to:

- (1) the organisation and distribution of judicial work with a view to secure economy of judicial time and efficiency;
- (2) the proper handling of the case from its inception with a view to its expeditious disposal; and
- (3) the strict observance of the law, viz., the Criminal Procedure Code, the Penal Code and of the Evidence Act, with a view to arrive at a correct decision.

4. When any record which is examined calls for remark, the number and date of the case should be noted for facility of reference by the officer whose work is being inspected, and the defect should be specifically stated. Where points of general interest are disclosed or where some common form of shortcoming is detected, circulation of the result of inspection to other courts in the district may often prove beneficial.

5. The questions and remarks which follow are primarily intended for the use of DM, ADM, CMM and ACMM. These will, however, be found largely suitable for use by Upazila Magistrates/Trying Magistrates in supervising the work of their subordinate Magistrates, if any. An intelligent examination of the questions cannot but help to improve the work of any Magistrate for they will direct his attention to most of the defects which are observed during inspections, or which have been made the subject of judicial comment.

SECTION-1

6. Under the heading of organisation and distribution of work, the following points require attention:

- (1) Is the Upazila Magistrate/Trying Magistrate/Metropolitan Magistrate free from non-magisterial works?
- (2) Do touring Magistrates take care to arrange their tours and, so as to avoid postponement of cases and unnecessary attendance of parties on days when they are absent from headquarters?
- (2a) Do Magistrates avoid holding inquiries or trial on gazetted holidays or Fridays except with the consent of parties and in case of urgent necessity?
- (3) Are the benches properly organised? Are rosters prepared fixing dates of attendance for the Magistrates, and are they adhered to? Are explanations taken of failure to attend?
- (4) Are postponed cases always heard by the same Magistrates?

- (5) Do Honorary Magistrates give sufficient notice when they will be absent (except in emergencies) so that other Magistrates and parties do not have to attend unnecessarily? (Where applicable).
- (6) Have the different days of the week been allotted to the Thana, so that the Police officers from the Thana are not called with avoidable frequency from their regular duties and that an excessive number of charge-sheets are not received on any particular day?
(Applicable for Metropolitan areas and for Magistrates having jurisdiction of more than one Police station).
- (7) Does the Magistrate in-charge of taking complaints and police reports and of the distribution of criminal work conduct his business in a methodical manner?
- (8) Does he keep himself informed of the daily state of the files in subordinate courts?
- (9) Does he retain cases in his own file until the presence of parties and witnesses is secured and the case is ready for hearing?
- (10) When the Magistrate who has taken cognizance is absent, are orders of the D.M. taken regarding transfer of cases? What happens in a Upazila or Metropolitan area?
- (11) Does the Magistrate in-charge himself do a fair share of judicial work?
Note—This question cannot be satisfactorily answered by a mere examination of the General Register, or a mere consideration of the number of cases disposed of by him. The number of witnesses examined by each Court should also be taken into account. An adequate idea may be formed after an examination, first of register and then of the records.
- (12) Is there a fixed time for the presentation of complaints?
- (13) Is an Inspection Book, or Guard Files of Inspection Reports maintained showing the action taken on all previous inspections? Have all defects noted in previous inspections been specially looked for and found absent?
- (14) Do Session Judges inspect the Courts of Subordinate Magistrates, and is a note of these inspections kept in the Inspection Book?
- (15) Are all circulars affecting judicial work collected in files and kept readily available, and is a precis prepared annually or all additions?
- (16) Does the Public Prosecutor appear in all appeals and revision cases where appearance on behalf of the Government is considered necessary? (*vide* Prosecution of Criminal Cases, rule 6). What arrangements have been made to ensure that information of all such appeals is obtained by the DM/CMM?
- (17) Are appeals against acquittals under section 417 Cr. P.C., in practice filed in the High Court within 3 months of the date of judgement? Is the application for appeal against acquittal submitted to Legal Remembrancer within two months of the date of order?

- (18) Are the orders of Government observed regarding defence at the expense of Government of persons charged with offences punishable with death in the Courts of Session? Is the accused in such cases, when sent to the Session Courts, informed of the arrangements made on his behalf?
- (19) In cases of offences relating to marriage, are the instructions of Government observed that enquiries should, whenever possible, be made by Sub-Registrars, Marriage Registrars or Chairmen, Union Parishads, Chairmen/Commissioners of Pourashavas?

SECTION-2

7. Under the heading of the proper handling of a record, with a view to its expeditious disposal, the following questions present themselves. It is not intended that answers to all these questions should be categorically recorded; they are formulated so as to draw attention to defects which are commonly observed:

- (1) (a) Is the order-sheet legibly written?
- (b) Are all orders written and signed by the Magistrate himself?
- (c) Does it contain every interlocutory order from the date of complaint as well as the substance of the final order?
- (d) When complaints are dismissed summarily under section 203 Cr. P.C., without enquiry are order-sheets dispensed with?
- (e) Does it contain a full statement of the reasons for which an adjournment is granted and an indication of the fact that the Magistrate regards them as sufficient to justify a remand? Are the reasons, in fact, sufficient?
- (2) Are Title-pages and Tables of contents attached to A and B files from the beginning of the case?
- (3) Is issue of process postponed under section 202 of the Cr.P.C. for valid reasons which have been recorded, or is there any indication that it is postponed merely in the hope that the case may settle itself and result in dismissal under section 203 Cr. P.C.?
- (4) When an inquiry/investigation (enquiry) is ordered under section 202 of the Cr.P.C. (whether by a Magistrate, a Police Officer or other persons), and when a warrant of arrest is issued to a Police Officer, is a date fixed for the submission of a report, and does the Magistrate insist on obtaining a report on that date, whether or not the enquiry has been completed or the warrant executed?
- (5) Are non-cognizable cases referred to the Police for enquiry only in exceptional cases when the Magistrate requires information on specific matters of fact?

(Rules 42 and 346, Volume I, Police Regulations).

- (6) Are adjournments unnecessarily long ?
- (7) Are Police cases adjourned to a day fixed for the Police Stations to which they belong ?
(For the Courts of CMM, ACMM, DM, ADM and TM only).
- (8) Is there any instance in which an accused person has been irregularly called on to show cause why a process should not issue against him ?
- (9) When a case has to be postponed because the accused or witnesses are absent and the Nazir or concerned staff has not returned the summons, does the Magistrate insist on an explanation being furnished of the delay in returning the summons ?
- (10) When a person against whom summons has issued, is absent, does the Magistrate ascertain (in cases in which the summons is returned late as well as in those in which it is returned in time) whether the summons was served personally, and does he institute prosecutions under section 174 of the Penal Code or 485 Cr.P.C. when a summons is disobeyed ?
- (11) When the case is adjourned owing to the absence of a witness or the accused does the order-sheet show whether the summons had been served or action against the accused and surety has been initiated ?
- (12) Does the order-sheet show—
 - (a) the parties and witnesses present on each occasion ?
 - (b) when each witness is discharged ? When a witness is discharged without cross-examination immediately after examination-in-chief is it distinctly noted with reasons that cross-examination has been declined or deferred ?
- (13) Have there been adjournments owing to the absence on the day fixed for hearing of one member of a bench or Honorary Magistrates ?
- (14) When a case has been postponed for want of time, is preference given to it over other cases on the next date fixed for hearing ?
- (15) When witnesses are present and an adjournment is necessary is the case taken up from day to day, and, if not, is there sufficient reason for not doing so ?
- (16) If summonses are frequently returned late, is sufficient time being allowed for service ? Has each bench clerk prepared a statement showing minimum number of days to be ordinarily allowed for service in each Police Station, Upazila or Union ?
- (17) When the record shows that a witness has been detained several days, does the witness register show correctly each appearance of the witness ?

- (18) When a witness is present on one or more days in the court of one Magistrate and the case is on a subsequent date transferred to another Magistrate, "is a note made in the remarks column of the register of the court of the first Magistrate to the effect that the case has been transferred to the court of another Magistrate and is a note made in the 'remarks' column of the register of the trying court showing the number of times the witnesses were present on previous dates in the first court?"

N.B.—No discredit attaches to the Trying Magistrate for the days on which the witness is shown in his register as present in another court. The statistics of attendance of witnesses are meant to show correctly the number of witnesses brought to Court and the total number of days for which they are detained, and this purpose is not served by showing one witness who attended on two days as two witnesses who attended one day each.

- (19) When a witness is recalled after discharge, is his attendance shown against the original entry?
- (20) Do order-sheets show excessive delay in the submission of charge-sheets in Police cases or of stoppage of further investigation under section 167 Cr.P.C. or of reports for action under section 109 Cr.P.C.? Is unnecessary delay in any respect on the part of any Police officer brought to the notice of the District Magistrate? Have the Calendar days been correctly counted when completion reports under section 173 Cr.P.C. from I.Os were received?
- (21) Have applications been made for remand to Police Custody in order to complete investigations? Were these made personally by the senior Court Police officer to the CMM/ACMM/Upazila Magistrate/Trying Magistrate (UMs/TMs) or, in his absence, to the Magistrate in-charge? Were orders of remand in such cases passed only in the presence of the accused for adequate reasons? Are such reasons recorded?
- (22) Do Magistrates satisfy themselves that sufficient evidence has been obtained to justify a remand? (Section 344 Cr.P.C.). Where remands are taken in order to ascertain previous convictions, does the Magistrate satisfy himself that progress is being made in such inquiries and that active steps are really being taken?
- (23) In proceedings, under section 109 Cr. P.C., are witnesses invariably sent with the accused to prove an arrest and the circumstances which justified the arrest? (Rule 523, Volume I, Police Regulations).
- (24) Is there excessive delay between the hearing of arguments and the delivery of judgements?
8. Under the heading of strict observance of the law with a view to arrive at a correct decision, the following questions present themselves:
- (1) (a) Section 200 Cr.P.C.—Is the substance of complaints properly recorded as to show clearly what the complainants allege?

- (b) Is the examination of complainant an intelligent inquiry into the subject matter of complaint carried far enough to enable the Magistrate to decide whether there is sufficient ground for proceedings, and to prevent the subsequent introduction of fresh allegations and false evidence ?
- (2) When a case is referred to a subordinate Magistrate under section 202 Cr.P.C. for inquiry, but not for disposal, is care taken to see that subsequent orders are passed by the Magistrate having cognizance power ?
- (3) Section 203 Cr.P.C.—Are reasons recorded when cases are dismissed ? Are these reasons adequate ?
- (4) Has any time been prescribed within which processes, process fees or other fees shall ordinarily be paid, and is the power of dismissal under section 204(3) Cr.P.C., used when this time is exceeded ?
- (5) Does the Magistrate understand the procedure of trial of cases ? Has he taken adequate and appropriate care while taking action under section 241A or 242 Cr.P.C. at the commencement of trial ?
- (6) Section 243 Cr.P.C.—When the accused person admits that he has committed the offence, is his admission recorded in such a manner as to leave no doubt that he understands clearly the charge he is answering ?
- (7) Section 250 Cr.P.C.—Is cause shown and recorded before an order to pay compensation and/or to suffer imprisonment or to pay fine is passed ?
- (8) (a) Section 342 Cr.P.C.—Is the examination of the accused conducted in a manner which really affords him an opportunity of explaining circumstances in the evidence against him, or does the court conduct the examination perfunctorily ? Is the Magistrate content with a mere promise by the accused that he will file a written statement ?
- N.B.*—Section 342 is an essential part of the trial and its compliance is mandatory.
- (b) Is the examination made immediately before the accused is called on for his defence ?
- (c) Is due attention paid that an accused person should not be questioned inquisitorially for the purpose of forcing him to incriminate himself ?
- (d) Are the requirements of section 364, Cr.P.C. complied with ?
- (9) Is the evidence recorded in precise and intelligible language which leaves no doubt as to the meaning to the witness ? Are depositions legibly recorded ?

- (10) Are the requirements of section 360, Cr.P.C. complied with, and do the depositions contain a certificate to this effect?
- (11) Are depositions recorded in a manner which make it clear whether the evidence of facts which could be seen or heard is the evidence of witnesses who say that they saw or heard them?
(Section 60, Evidence Act).
- (12) Do the records examined show that the Magistrate takes an active and intelligent interest in the case and has all relevant evidence brought before him in order to ascertain the truth?
- (13) Do depositions recorded in cases under section 110, Cr.P.C., of evidence referring to opinions or the grounds on which those opinions are held show that the evidence is of persons who hold the opinions on those grounds?
(Section 60, Evidence Act).
- (14) (a) Are admissions as to the contents of documents excluded until proof is given of the right to give secondary evidence?
(Sections 64 and 22 Evidence Act).
(b) Are the provisions of section 136 Evidence Act, properly appreciated and applied?
(c) Has due care been exercised to exclude irrelevant matter and needlessly long cross-examination on relevant matter?
- (15) Are the High Court Rules about the marking as exhibits of articles and documents admitted as evidence strictly observed? Is care taken to mark as an exhibit not more than what has actually been proved? Proof of a signature does not necessarily prove the contents of a document.
- (16) Are the lists of documents and articles exhibited prepared as they are admitted in evidence? Are they intelligible and signed by the Magistrate, or are they left to the bench clerk to prepare as he likes?
- (17) Are there any documents on the record which have not been formally admitted as evidence and properly proved?
- (18) Do judgments conform with the provisions of section 367, Cr.P.C. in all particulars?
- (19) Do Magistrates bear in mind the instructions as to short sentences?
- (20) Where enhanced sentence is passed under section 75 of the Penal Code, does the judgement contain the date of each previous conviction and the sentence passed as well as the particular offence charged?
- (21) Are the provisions of section 511, Cr.P.C. as to the manner in which previous convictions are to be proved properly observed?
- (22) (a) Trial in absentia—Are the provisions of section 339B sub-section (1) of Cr.P.C. for notification in the official gazette and publication in one Bengali daily Newspaper complied by the Magistrate at the appropriate time and in proper manner in respect to absconding accused persons?

- (b) Are trials against accuseds in absentia under section 339B, sub-section (1) and sub-section (2) of the Cr.P.C. held in the proper manner ?
- (23) (a) Does the Magistrate take proper care in counting the working days in order to maintain the statutory time-limit to complete the trial of a case ?
(Section 339C, Cr.P.C.)
- (b) Are reasons stated by the Magistrate when due to his inability he extends time to conclude the trial of a case beyond the specified time of 60 working days (up to 30 working days) ?
- (24) Are reasons recorded by the Magistrate in the disposal of bail petitions in non-bailable offences? Are entries in bail bonds legible and made in the proper manner ?
- (25) When a bond has been forfeited under section 514 Cr.P.C. is a warrant issued before the case is treated as disposed ?
- (26) In proceedings under chapters VIII, X, XI and XII of the Cr.P.C. does the Magistrate himself determine the precise lines of the orders? Is care taken to set forth accurately the substance of the information received (*vide* section 112, 144) and the grounds on which the Magistrate takes action, and to avoid the inclusion of any charge not based on that information ?
- (27) In issuing orders for arrest or search or the prevention of any act, does the Magistrate satisfy himself that his order is in accordance with any specific provision of Law? In his order to the Police does he record formally the grounds of his order and cite the law under which he acts? When Police are deputed to maintain order in a disturbed area are precise instructions given to them ?
- (28) (a) Is the power to reject sureties exercised in accordance with section 122 Cr.P.C. ?
- (b) Does the Magistrate who takes a bond, whether from accused, surety or witness, satisfy himself that it is in proper order ?
- (29) Does the Magistrate avoid the use of the expression "civil dispute" and confine his attention to the question whether an offence has or has not been committed ?
- (30) Is the hearing of cases begun without awaiting the report of the Chemical Examiner ?
- (31) Section 145, Cr.P.C. cases—
- (a) Are the instructions contained in rule 29, page 10 of the High Court Rules and Circular Orders (Criminal), as to the prompt disposal of those cases understood and followed ?
- (b) Is care taken accurately to define the subject matter of dispute, and, if necessary, to have a map prepared or to hold a local trial, and is every effort made to bring the matter to a decision on the date fixed for hearing ?

- (c) Is there any tendency to utilise too readily section 146, Cr.P.C. to attach the subject of dispute instead of determining the fact of present possession?
- (32) Sending of case records to the Court of Session and D.M.—
- (a) Where a sending may be necessary, are efforts made to accelerate proceedings so as to make the sending before the date of the commencement of the next session?
- (b) Section 205C and 205CC, Cr.P.C.—Do Magistrates while sending cases for trial take appropriate steps as per provisions of law?
- (c) Is due care and attention exercised in sending of cases, and particularly in cases where death has resulted from an unlawful act?
- (33) Summary trials under section 260, Cr.P.C.—Has this procedure been employed in proper cases? Is there any instance of a Magistrate avoiding summary trial when the case is triable summarily and the Magistrate has power to do so?
(For such Magistrate trial of a case summarily is mandatory.)
Are all the particulars required by section 263 duly recorded, and, in cases where an appeal lies, is a judgment recorded in accordance with section 264?
(Time limit for such trials is 60 working days only.)
- (34) Are confessions ordinarily recorded by a selected Magistrate, or by the Magistrate senior in rank and class? Is the revised form (M) 84 employed? Are the High Court Rules [page 8, Rules 23, 24, High Court Rules and Circular Orders (Criminal)] in the matter carefully followed?
- (35) (a) Is the sentence of imprisonment or/and fine awarded by the Magistrate commensurate with the gravity of the offence or of the maximum punishment prescribed under the law?
- (b) Have reasons been stated by the Magistrate while awarding too severe or too lenient punishment to a convicted accused?
- (36) When a sentence of whipping has been passed was the propriety of the punishment duly considered, both with reference to the person on whom it was inflicted and to the offence?
- (37) Are the recommendations on whipping borne in mind when inflicting this punishment on juvenile offenders?
- (38) Are local inspections under section 539B, Cr.P.C. undertaken only for proper reasons, and is a memorandum recorded of relevant facts observed, and does the court take care to avoid the substitution of this method for the recording of evidence which should be obtained from witnesses?
- (39) Are the provisions of the Children Act, 1984 (for offenders below the age of 16 years) observed by all Trying Magistrates?

- (40) Is proper use made, where practicable, of section 562, Cr.P.C. and of the provisions of the Children Act, 1974, so as to avoid the imprisonment of youthful offenders ?
- (41) Do Magistrates when dealing with youthful offenders bear in mind the definition of 'child' and 'Young person' as laid down by the Government ?
- (42) Are steps taken to ensure that child offenders are tried by Magistrates specially selected for the purpose ?
- (43) Is proper use made of section 565, Cr.P.C. for the surveillance of previously convicted offenders ?
- (44) Are the provisions of section 545 and 546A Cr.P.C. and of section 31 of the Court Fees Act utilised in suitable cases ?

ORGANISATION

SECTION-4

9. Supervision :

- (1) Does the Magistrate in charge receive daily statements of remands from each subordinate court supplied by Court Sub-Inspector ?
- (2) Does the DM/ADM/CMM/ACMM inspect regularly the Complaint Registers and Trial Registers of subordinate courts? This should be done monthly, but is not likely to be profitable unless combined with an examination of records.
- (3) Do all Upazila Magistrates, including Trying Magistrates and Metropolitan Magistrates inspect regularly the Complaint Registers and the Trial Registers of their own? This should be done monthly, but is not likely to be profitable unless combined with an examination of records. At headquarters District Magistrates/Additional District Magistrates and in Metropolitan areas CMM/ACMM should themselves make similar inspections at intervals.
- (4) Is a statement of undertrial prisoners forwarded from each Jail to the DM/CMM once a fortnight ?
- (5) Is a monthly return submitted from each subordinate court of cases more than one month old? [Form (M) 55],
- (6) What use is made of the monthly return and the above statement ?

PART-II
REGISTERS

PART-II.
REGISTERS

[*Vide* High Court Rules and Circular Orders (Criminal)],
(Volume I, Chapter IX, Page 212):

A—PRIMARY REGISTERS:

A(1)—Register of Complaints (C.R.) of offences.

1. Is an excessive number of cases made over to the Police for enquiry? Are enquiries entrusted to private persons, Chairman of Union Parishads and others?
2. Are all adjournments entered in the column for preliminary orders where Register (M) 34 is not maintained? Are they over frequent or unduly long?
3. Is the result of appeals or revision entered in the column of remarks where Register (M) 34 is not maintained?
4. Are there any long-pending cases, or are disposals generally prompt? The records of several long-pending cases should be examined in detail.
5. Does the final order show how the case is to be entered in the Statistical Register?
6. Does the final order, in case of acquittal or dismissal, state if the case is wilfully false, fictitious or by mistake of fact?
7. Does the Magistrate attest the correctness of the entry in column 7? Are all entries promptly made and signed by the Magistrate as soon as made?
8. Are cases entered which are received from other courts under sections 174, 182, 193, 211, Penal Code, section 69, Insolvency Act, etc.? Are non-cognisable cases received on report entered? Are cases entered of which cognisance is taken under section 190(c) Cr.P.C.?
9. If Register (M) 30A (Register of convictions and sentences passed under the Motor Vehicles Act, 1939) is kept, are entries in column 7 made by the Trying Magistrate in his own hand.

A(2)—General Register (G.R.) of cases cognisable by the Police:

[Form (M) 31, *see* F.R.B. I, 410, 411 at seq.]

1. Is this kept up under the supervision of the Senior Court Officer (Court Inspector/ASP/AC, Prosecution)?
2. Are cases promptly reported to the Magistrate? Compare columns 5 and 6.
3. Is the duty of dealing with cases submitted in final report form undertaken by the District Magistrate or Additional District Magistrate or a Senior Magistrate at district headquarters and by the Upazila Magistrates at Upazilas?
4. Is there any delay in disposal by the Police? Are takids issued when reports are delayed? (Columns 5 and 10).

5. Are final reports promptly disposed? (Columns 11 and 16).
6. In cases of theft does the Magistrate note the amount of property stolen?
7. Are the dates of adjournments entered in column 15, and are the results of appeal or revision entered in column 16?
8. Is discretion exercised by the O/C in refusing enquiry under section 157 Cr.P.C.?
9. Is action taken under section 182 or 211, Penal Code (P.C.) in the case of false charges? Do investigating officers lodge regular complaints to the Magistrate under section 200, Cr.P.C. in such cases? Is the original case disposed of without awaiting the result of such prosecution?
10. Are the following entries made in red ink:
 - (1) entries in columns 10—14 when final report has not been submitted within 14 days;
 - (2) entries in columns 15 and 16 after a case has been remanded three times;
 - (3) a conspicuous red cross in the remarks column where the accused is at large;
 - (4) the letters "P.C." in column 12 against the name of an accused previously convicted;
 - (5) the letter "R" against railway cases; and
 - (6) the underlining of names of persons charged with offences under chapters XII and XVII, P. C.
11. Is the number of the page of the conviction Register properly noted?

A(3)—Register of unimportant cases cognisable by the Police, in which the first information report is not used [Form (M) 32].

1. What is the number of prosecutions compared with former years? Is there any special reason for the difference, if any?
2. Are any cases entered other than those for which the Register is intended?
3. Is there any delay in disposing of these cases? (Columns 7 and 8).
4. What is the procedure of the Police in making arrest? Are offenders unnecessarily detained in custody?
5. Are benches authorised to dispose of these cases, and, if so, is there delay?
6. Where Register (M) 34 is not kept are the dates of adjournments entered in column 7 and are the results of appeals or revision entered in column 9?

A(4)—Register of miscellaneous cases [Form (M) 33].

(See notes 1—8 on the form itself. High Court Rules and Circular Orders, Volume II, page 61).

1. Are all cases dealt with Magistrates in the district, Metropolitan area or Upazila included in this Register ?
2. Does the Register contain any cases which ought to be in Register (M) 30, 31 or 32 ?
3. Are all adjournments and orders of transfer noted in column 9, and is the result of appeal or revision noted in column 19 where Register (M) 34 is not kept ?
4. Have there been instances of registered members of criminal tribes being prosecuted under section 109, Cr.P.C., when they could have been more effectually dealt with under section 24 of the Criminal Tribes Act ? (Police Regulations, Bengal, I, 521).
5. Is there any indication that the procedure prescribed in rule 524, volume I of the Police Regulations, Bengal, regarding the institution and disposal of proceedings under section 110, Cr.P.C., is not followed ?

A(5)—Trial Register [Form (M) 34]

1. Is this Register kept only by such Magistrates as do not keep registers (M) 30—33 ?
2. Does a comparison of columns 2—5 with the registers therein mentioned show that this register is correct ?
3. Are adjournments properly noted in column 11 ?
4. Does the Magistrate initial the final order in column 10 ?
5. Is the result of appeals noted in column 10 ?
6. Is simple imprisonment awarded improperly ?
7. Are there any old cases undisposed of ? What is the cause of the delay ?

A(6)—Register of Appeals [Form (M) 35]

1. Is this Register written up-to-date ?
2. Is there any unnecessary delay in disposing of appeals ?

A(7)—Register of Revision cases [Form (M) 36]

The same questions as for Register (M) 35:

A(8)—Register of Warrants of Imprisonment [Form (M) 37]

1. Are the names of prisoners entered in chronological order, according to the date of sentence?
2. Is the date in column 4 correctly calculated?
3. Are warrants regularly received back from the jail, and action taken in case of delay?
4. Are the entries in column 3 correct when compared with the records of cases?
5. Are warrants, when returned, filed with record?
6. Is this Register written up for each year, and are cases of unexpired sentences brought forward?

B—SUBSIDIARY REGISTERS**B(1)—Diary [Form (M) 38]**

1. Check with order-sheets of cases and say whether the Diary is properly kept.
2. Are cases fixed for future dates duly entered with their case numbers and are adjournments properly brought forward?
3. Are officers late in arriving in office?
4. Does the Diary show what work, if any, other than judicial work, has been performed?
5. Does the Magistrate himself fix future dates? In doing so, does he look to the work already fixed for such date?

B(2)—Register of Petitions [Form (M) 39]

1. Check the Register with some records and see if all petitions are properly entered.
2. Are any petitions of old date undisposed of?
3. Is the serial number of each petition written on it?
4. Are orders recorded on the order-sheet and not on the petitions themselves?

B(3)—Daily Register of Court-fees [Form (M) 40]

1. Is a serial number given to each stamp and noted on the document after punching?
2. Compare the record of a day's work and see if all stamps have been properly entered.

3. Is the Register initialled daily by the presiding officer? Is it totalled monthly?
4. Are the stamps sufficient?

B(4)—Register of the Attendance of Witnesses [Form (M) 41]

1. Compare with some records and see if complainant and witnesses are properly entered on each of the date on which the record shows them to have attended.
2. Does the Register show the names of witnesses examined and discharge, or discharged without examination?
3. In all cases where the parties are called up are the witnesses present noted in the Register, even if the case is postponed?
4. Is the Register regularly initialled and dated by the presiding Magistrate?
5. Is receipt of expenses paid to witnesses acknowledged by them in the Register?
6. Are the witnesses paid by or in the presence of the Magistrate? Does he personally check the bills?
7. Are complainants and witnesses examined in preliminary enquiries excluded from the Register? (Note 2 to section 10, page 215, Volume I, High Court Rules and Circular Orders).
8. Is a list of all witnesses in attendance for examination made over to the bench clerk before 12-30 p.m. each day by the Court Police Officer or other officer of the Court? (High Court Rules and Circular Orders, Volume I, page 29).

B(5)—Register of Processes Issued [Form (M) 42]

1. Is this Register kept by each Court?
2. Is care taken to distinguish criminal from revenue processes?
3. Is the date of return fixed with due discrimination?

B(6)—Register of Processes received for Issue [Form (M) 43]

(The questions in the Revenue Inspection Manual may be referred to).

1. Is the Register examined periodically by the Magistrate in-charge?
2. How many salaried and occasional peons are there under the Nazir? Does the number admit of reduction? Do the peons succeed in serving the average number of processes fixed for the district? Test this by the figures of the last quarter.
3. How are processes distributed among the peons? Are processes to be served in another district or in Upazilas sent by post? Is care taken that criminal and revenue processes to be served in the same locality are made over one peon? Is there a large scale map of the District/Upazila in the Nazarat?

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4. How is the number of days for service calculated? Are processes returned punctually by the peons, and do they reach the issuing court punctually?
5. Has there been excessive delay in any instance? If so, what action was taken?
6. Check the accuracy of the Register by comparing the records of a few cases.
7. Can all process serving peons read and write? Are their Diaries examined by the Nazir? Are affidavits of service taken, and by whom?
8. Is there any delay in making over processes from the courts to the Nazir, or from the Nazir to the peons?
9. Is there any delay in the deposit of Talabana?
10. Are processes written out by the parties, or by the clerks?
11. Are the process fees sufficient? Are ferry tolls charged, or do the peons cross free? Is there an undue proportion of free processes?
12. Are all warrants served by the Police?

B(7)—Register of Application for Copies [Form (M) 44]

(See instruction—Record Room and Copying Department Manual)

B(8)—Register of Lawyers [Form (M) 46]

1. Is the Register kept up-to-date? Does each page bear the names of two practitioners only?
2. Is care taken to see that all Lawyers renew their certificates?
3. Is the necessary note made in the column of remarks in the case of Lawyers enrolled in another district?

C—Statistical Register (M) 51(i) and 51(ii).

1. Is Register (M) 51(i) kept in unbound pages for each head of crime? Is one Register kept for headquarters and one for each Upazila/Metropolitan area?
2. Is the Register written up as soon as final orders are passed on cases? Compare with Case Registers.
3. Are crimes entered under their proper Readings? Compare with records of cases. Is the printed schedule of offences adhered to?
4. Are the instructions contained in Form (M) 51(ii) [High Court Rules and Circular Orders (Criminal), Volume II, pages 76—78] observed?

Form (M) 52

1. Is this kept for each Court, and are entries made as soon as the trial is concluded?
2. Is a note made in column 70 to show by what agency the accused was brought to trial, whether by Police, Excise Officers, Forest Officers, etc?
3. Is a separate page reserved for fines imposed, whipping, simple imprisonment and fine legal?

Form (M) 53 and 54

1. Are these registers properly maintained?

ACCOUNTS REGISTERS

[See Chapter VIII, High Court Rules and Circular Orders (Criminal), and Appendices IV, V, VI, VII thereto.]

Registers of Fines [Forms (M) 23 and 24]

1. Who is the Magistrate in-charge, and when did he last inspect the department?

2. Are the Register of criminal fines and the subsidiary Register of outstanding fines [Forms (M) 23 and 24] maintained in one set for the headquarter's office by the Magistrate's cashier? Has he furnished security, and is it sufficient? (Appendix IV, Rule I).

3. Are all fines notified to the fine clerk on printed fine cheques?

Are the cheque forms bound in books of 100 forms and serially numbered?

Are the forms employed in every case of fine?

Compare the fine register with counterfoil fine cheque books.

Are there any omissions, Does a scrutiny of the Trial Registers (e.g., the Register of cognisable cases, Register of complaints, Register of miscellaneous cases and Register of unimportant cases) disclose any instance of failure to issue fine cheque?

4. Is each entry in the Fine Register initialled by the Magistrate imposing the fine after securing in columns 15, 16, 17 the signature of the clerks concerned, and after comparison of the fine cheque and the final order in the Case Register? (Appendix IV, Rules 16 and 17).

Does the Magistrate examine the Fine Registers daily and check and initial his own fines?

Is a weekly certificate given by the Magistrate in-charge of the Fine Register that all fines which have been written off under proper authority?

During this weekly examination does the Magistrate check the entries in the Fine Register by the fine cheque counterfoils and those counterfoils by the various Trial Registers?

Are the treasury chalang also referred to in order to check payments into the treasury?

5. If the fine is not paid does the fine clerk apply without delay for a warrant or other order of the Magistrate?

Are the payments made during the currency of the term of imprisonment at once reported by the fine clerk to the Magistrate and by the Magistrate to the Jail Officer? [Columns 12 and 19 of Register (Appendix IV, Rule 10)].

6. When warrants are received for realisation of fines from the Sessions or High Court, are they entered in the Register with a distinguishing mark in red ink? (Appendix IV, Rule 5).

7. Are amounts awarded as compensation and/or fine under section 250, Cr. P. C. Section 22 Cattle Trespass Act, cost of processes, etc., recoverable under section 31 Court Fees Act, and portion of fine awarded as compensation under section 545, Cr.P.C., entered in red ink in the Register of criminal fines?

Are realisation in such cases credited as criminal deposits and are credits noted in red ink in the remarks column of the Register?

Are the rules governing disbursements of compensation (Sections 19 and 20) observed?

8. Are fines sent to the treasury daily as realised, and the fine Register duly initialled by the treasury muharrir?

9. Are fines remitted on appeal shown in column 8 with a remark?

10. Are all outstanding fines entered in the subsidiary Register of outstanding fines? What is the oldest outstanding fine, and why is it not realised or remitted? Is the outstanding balance of fines at the end of a year carried into the next year's Register and properly certified to be correct? (Failure to ensure this has facilitated fraud in the past).

11. Is there any delay in remitting fines to the treasury?
[See columns 12 and 14 of fine Register (M) 23 and columns 17 and 18 of subsidiary Register (M) 24].

12. What is the outstanding balance of fines? Can it not be reduced?

13. Is due attention paid to the provision of section 386(I), Cr.P.C. especially in cases where the whole of the imprisonment in default has been undergone?

14. When a warrant is issued for payment of a fine is it made returnable on a certain date?

What is the maximum time ordinarily allowed for the return of a warrant?

Is this date fixed with due regard to the time necessary for (a) attachment, (b) days and hours allowed for payment, thereafter, (c) ultimate sale and (d) return duly endorsed after execution?

15. Are steps taken to insist on the return of each warrant within the time specified in it, whether the fine or any part of it is realised or not, and are reminders sent to the Police for time-expired warrants? (High Court Rules, Chapter VIII, Appendix IV, Rule 25).

16. Is any note made in Register (M)23 of the date fixed for the return of each warrant issued?

17. Is a fine order-sheet started in connection with each fine warrant issued in order to control the return of the warrant, the realisation of the fine, in subsequent re-issue, if necessary, of the warrant, and the steps for securing, if necessary, the remission of the fine? When the Magistrate inflicting the fine is transferred are these fine order-sheets automatically made over to the Magistrate who takes over charge of his work?

18. If a defaulter dies, is any final enquiry made as to his assets?

19. Have any fines been improperly remitted before imprisonment in default has been fully undergone?

20. Are the rules prescribing accounts procedure for fines imposed in other district correctly applied?

Are such fines entered in the Magistrate's cash-book and not in the fine Register?

Is the necessary footnote made in the fine statement?

Are realisations in such cases immediately communicated to the district where the fine was imposed by the despatch of both treasury receipt and the fine warrant?

Are steps taken by the fine clerk to secure early acknowledgement of such despatch?

21. Are fines creditable to Municipalities excluded from the General Fine Register and entered in separate Registers for each municipality? Is the procedure for payment for such amounts, whether through the treasury or direct to the municipality, correctly followed? (Appendix V, Chapter VIII, High Court Rules and Circular Orders).

22. Are there any benches maintaining registers in form (M) 27? Are all entries from these registers incorporated in the Metropolitan area or Upazila Fine Registers?

Is a monthly statement in the prescribed form with copy of the Fine Register submitted by the bench muharrir? (Chapter VIII, Appendix VI).

23. What arrangement is in force to secure that returns are secured from every court having power to fine?

Does the Magistrate collect all such returns ?

If he embodies them in his own return, is this collection return based on the records or accounts of the Courts and not on those of the treasury ?

Are they compared with the treasury figures before despatch ?

24. Have the balance sheets regularly been received from Metropolitan area and Upazila and transmitted ?

THANA REGISTER OF WARRANTS FOR THE LEVY OF FINES

[Form (M)26]

[*Vide* page 41, Chapter I, Section 117 of the High Court Rules and Circular Orders (Criminal), and rules 25—31 of Appendix IV to Chapter VIII].

1. Is the Register compared with Fine Register at least once a quarter, and by a Magistrate or some responsible person other than clerk in-charge of the Fine Registers ? [Rule 31(a)]. Do the amounts shown in column 9 agree with the Fine Register ? Does the Register show any fines which ought to be remitted ? Do the entries of fines imposed by Magistrates in other districts correspond with entries in the Magistrate's cash book and the footnotes in the fine statements ?

2. Are steps taken to bring irrecoverable fines of other districts to the notice of the Magistrate concerned with a view to their remission and removal from the Register ?

3. Do the Police refrain from paying domiciliary visit, unless authorised by fresh orders, once the warrant has been returned ? Are such enquiries, if ordered made by an officer of not lower rank than a Sub-Inspector ? Do zone ASPs/ACs test reports ?

4. If a new warrant is issued is it entered in red ink in the Thana Register ? (Chapter VIII, Appendix IV, Rules 26 and 28).

DEPOSIT REGISTER RULES

[Chapter VIII, High Court Rules and Orders, Volume I (Criminal)]

1. Are entries in the Register of A and B deposits posted for the date to which they refer in accordance with rule 69 ?

2. Are all items of deposit in the Registers of receipts numbered in an annual consecutive series of members, commencing on 1st April and ending with the last day of March in each official year ? (Rule 70).

3. Are all notes of claims affecting decretal and other moneys in deposit noted at the time in the deposit Register ? Is the superintendent or any other senior ministerial officer made responsible for this duty ? (Rule 71).

4. Has a plus and minus memorandum been punctually drawn up at the end of the month's entries in proper form ?

5. Has the Clearance Register been correctly written up? Verify some entries.
6. Did the subordinate Courts send up their copies of Clearance Register, and have they been compared with the entries in the Register of receipts at headquarters? Verify some entries. (Rule 92).
7. Was the Clearance Register for the district forwarded to Accountant-General (Civil), Bangladesh, on the due date? (Rule 93).
8. Has the balance of B deposit, as it stood on June 1st, been verified? (Rule 95).
9. Examine the statement of lapsed deposit and note if they were prepared according to the rules? (Rule 98).

ACCOUNTS DEPARTMENT

[The figures relate to Volume I, Chapter VIII of the Court's general Rules.]

1. Is the superintendent responsible for the general control and supervision over the accountant? (113). How frequently does he inspect?
2. Are the Registers written up-to-date? Are all corrections correctly made and initialled?
3. Does the cashier's General Cash-book tally with the Registers of Chalans and payment orders? (55).
4. Does the cash-book tally with the treasury pass book?
5. Are the balances in the General Cash-book correctly brought forward? (58).
6. Have you verified the cash in the cashier's possession?
7. Are excess balances regularly remitted to the treasury? (13).
8. Do the treasury advice lists agree with the Register of Chalans and payment orders? (66).
9. Do the Registers of deposit, receipts and repayments agree with each other and with the Registers of Chalans and of payment orders? (68-69).
10. Does the Clearance Register tally with the Register of Deposits received? (90).
11. Do (1) the Register of judicial fines and forfeitures, (2) the Register of Stamp Duties and Penalties, (3) the Register of Miscellaneous Receipts tally with the Register of Chalans?
12. Do the entries in the Register of Payment Orders and Deposits agree with the order-sheets of the records concerned?
13. Does the Register of Refund of court fee stamps tally with the Register of payment order? (*Vide* note 3 to rule 47).

14. Are credits to Government regularly and correctly made? (105).
15. Are district officers employed as accountant and cashier? (112).
16. Are all Account Registers paged before being brought into use?
17. Have there been any instances of delay in the receipt of the treasury advice lists from the treasury? If so, what were the reasons for the delay?
18. Are the balances shown in the peremptory cash-books correct? Is the balance shown in words?
19. Are the rules as to peremptory cash and peremptory cash-books strictly observed?
20. Have there been any instances of delay in dealing with applications for payment orders, refunds, etc.?

WITNESSES

1. Are the rules of the High Court as to examination and cross-examination of witnesses carefully followed? (High Court Circular letter No. 14, dated the 8th September, 1919).
2. Are the rules framed by Government for the payment of the expenses of Complainants and witnesses before Criminal Courts carefully followed? (Notification No. 5979 J., dated the 3rd August, 1922, and rule thereto.)

COURT OFFICE (Prosecutions)

Is the prosecution of police cases ever left in the hands of legal practitioners engaged by private persons without the express sanction of the Superintendent of Police or the Magistrate?

Process Register (P.R.B. I, 389)

1. Are fine warrants shown in a separate section of the Register? Is a date noted for the return of the warrant whether executed or not? Are dates of issue of reminders noted? and date of actual return?
2. Have any processes other than warrants of arrest, fine warrants, orders issued under sections 87 and 88, Cr. P. C., search warrants and notices to be affixed to the notice boards of police-stations been sent to the police for service or execution? If so, what classes of processes have been sent and why has the agency of the police been utilised?
3. Is a date noted in the Warrant Register for the return of a warrant whether executed or not?
4. If the actual date of return also noted?

Does the Court Officer take care to keep fine warrants distinct from warrants of arrest?

Hajat Register (P.R.B. I, 392)

Is the Register properly maintained? Has the Magistrate initialled the Register whenever a prisoner present in court has been released on bail or recognizance?

Malkhana Registers (P.R.B.I, 420—22)

1. Is the building secure? Does it contain a strong box with a good lock?
2. Are all articles neatly labelled? And do the labels tally with the register numbers?
3. Were all outstanding items brought forward in red ink on the 1st January?
4. Have any articles been in the Malkhana for an excessive time? Are orders for disposal obtained promptly and regularly?
5. Have arms and ammunition been entered separately from other property and are the rules for their custody and disposal strictly observed?
6. Do sums shown as deposited in the Treasury agree with the Accounts Cash-book?
7. Are exhibits in coining cases transmitted to the Magistrate?

Appeal Register (P.R.B.I, 404 and 418)

Is notice of appeal received in all cases and in sufficient time? Is proper provision made for conducting appeals?

Appeal Register (P.R.B.I, 434—40)

1. Are entries made as soon as sentence is passed?
2. Are the sheets put up weekly to the Magistrate? And does the Magistrate compare it with the General and Complaint Registers to see that all necessary entries have been made, and give the prescribed certificate?
3. Are extracts regarding criminals residing in other district sent to the district concerned?
4. Are cases in which the real name and residence of the convict is not known entered in red ink?
5. Are the completed volumes of the Conviction Register bound and kept in the Magistrate's record-room or other safe place?
6. Are cross-references made in the index against each conviction when the same man has been convicted more than once?

7. Does the Sadar Court Officer certify on the backs of charge-sheets that he has searched the indices? And do Upazila Court officers send him verification rolls when a person is sent up for trial from a police-station other than in which he resides or has his home?

General Duties of District Magistrate/Additional District Magistrate/Chief Metropolitan Magistrate/Additional Chief Metropolitan Magistrate.

Is the Magistrate familiar with the rules relating to the following subjects:

- (i) Procedure to be followed in cases of misconduct on the part of police officers (P.R.B.I., 39).
- (ii) Regulation of processions and assemblies. (P.R.B.I, 34).
- (iii) Relations between magistracy and police (P. R. B. I, 36—43).
- (iv) Preparation of cases for additional police (P. R. B. I, 1190).
- (v) Rules for dealing with riots and disturbances (P. R. B. I., 773—780).
- (vi) Procedure for extradition (P. R. B. I, 387).
- (vii) Procedure for conspiracy and gang cases (P. R. B. I, 208-209).
- (viii) Verification of confession (P. R. B. I, 254).
- (ix) Procedure to be followed in cases of railway accidents (P. R. B. II, App. XXIII, 22-27).
- (x) Criminal Tribes Act, VI of 1924 and rules framed under it.

PART-III
MAGISTRATE'S RECORD ROOM AND COPYING DEPARTMENT

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PART-III

XXII—MAGISTRATE'S RECORD ROOM AND COPYING DEPARTMENT

[Chapter III, pages 87 to 97 and Chapter IV, pages 100 to 108 of High Court. General Rules and Circular Orders, Volume I (Criminal)].

1. Are records despatched to the district Record Room by Magistrates at headquarters in the course of the next month and at Metropolitan area/Upazila in the fourth month of after disposal?
2. Has the Magistrate/ADM/DM/CMM fixed a date for despatch of records from subordinate courts so as not to cumber the record room with too many records at once?
3. Does the Magistrate in-charge make proper use of the "List of records sent to the district record room" so that
 - (1) no delay takes place in the Munshikhana in forwarding cases to the record room?
 - (2) no reply takes place in the record room in disposing of cases sent in?
4. How many undisposed of cases are there in the hands of Record-keeper? Has he any established place for keeping these, so that the Magistrate in-charge may note at a glance if the volume is increasing or is kept low? And so that there may be no danger of undisposed of cases being mixed up with disposed of cases?
5. Has the Record-keeper disposed of all records of the past month? Or has he arrears? Are records filed according to the period of preservation and the order of dates of decision?
6. Are records transmitted with lists? Is the list (page 72 of the High Court Rules) properly filled up especially as to columns 16, 18 and 19?
7. Are separate lists prepared for record of each of the five classes into which cases have been classified under rule 40, Chapter III of the High Court General Rules and Circular Orders? Are these lists preserved for the same period as the records to which they relate?
8. Does the issuing court give every list a serial number?
9. Is transfer made to the appropriate list, of the records of cases or appeals in which the sentence is modified or reversed by a higher court?
10. Are the papers of a record divided into A and B files before it is made over to the Record -Keeper? In summary cases, are the form of Register and the record of deposition only treated as the A file?

11. Are the paper in each file classified strictly in accordance with rules given in Section I-B and C, Chapter III, Pages 76 to 87 of the High Court General Rules and Circular Orders, Volume I (Criminal) ?
12. Are records of complaints dismissed under section 203 Cr.P.C. formed into weekly or monthly or quarterly bundles with a title page and table of contents to each bundle? Are records of appellate or revisional courts arranged with A file only?
13. Is a title page and table of contents duly and correctly written up and prefixed to each file in accordance with rules 32 and 33, section I, chapter III, except in cases tried summarily and those mentioned in rule 40, class V?
14. Are title pages, table of contents or order-sheets prepared for A file summary trial cases?
15. Are combined title pages and table of contents prepared for records of class V, rule 40 cases?
16. Are exhibits or documents admitted as evidence at the trial of a case entered in a separate list and kept separately? Has any notice been given to parties or their Lawyers to take back their exhibits? Is a note made in the list of exhibits when documents are returned?
17. What evidence is there that the Record-Keeper checks and compares the list of documents and the table of contents with the papers in the file before placing it in proper shelf or rack? Are the index lists of all courts arranged and bound up from time to time so as to form a catalogue of records?
18. Examine the records and see if they have been destroyed in accordance with Section III, Chapter III, pages 88 to 91 of the High Court General Rules and Circular Orders, Volume I (Criminal).
19. Has the record room been regularly inspected by the Magistrate in-charge and the District Magistrate/ADM/CMM/ACMM? Are notes of inspections intelligently kept?
20. Have all the court-fee stamps contained in the record been property punched on presentation, as required by Section 30 of the Court-fees Act? Is a round punch used for this purpose?
21. Have they been punched a second time with a triangular punch in the record room?
22. Have the dates of punching by the record-keeper been duly recorded on the table of contents?
23. How are the punched pieces destroyed?
24. Have labels affixed to copies or other similar documents liable to be stamped under the Court-fees Act, been cancelled by punching out with a square punch a portion of the label so as to remove neither the figure head nor that part of the label upon which its value is expressed, and is the signature of the officer attesting the document with date written across the label and upon the paper on either side of it?

25. Is there any record of an occasional inspection of records made by heads of offices in order to ascertain that the stamps have been properly punched and have not been removed?
26. Are any records injured by insects or damp? And have adequate steps been taken to secure them?
27. Is the accommodation sufficient?
28. Who has access to the record room? Is there a "no admittance" notice above the door?
29. Is a register of applications for copies in form No. (M) 44, Appedix A, pages 68-69, of the High Court General Rules and Circular Orders, Volume II (Criminal) regularly kept and up-to-date? Are the columns totalled monthly?
30. Is a ministerial officer other than a copyist in-charge of this register?
31. Are applications received at a fixed time? By whom? Is there any undue delay in the preparation of copies? What is the average time taken in copying? How old is the oldest unsatisfied application and is there a sufficient explanation for the delay?
32. How many applications for copies, search and return of documents are pending for disposal? Are unclaimed copies ready for delivery before the close of the preceding month destroyed on the last day of the next month? Are unused folios returned and a receipt taken?
33. Are charges for copies properly calculated and do the sheets bear the proper number of words?
34. Is information required promptly supplied to the applicants?
35. How is the task comparing performed? When an extra fee is paid for urgency, is the copy given on the same day as the application? Are the copies compared by an officer of the fixed establishment or by a special comparer? Is a comparing clerk entertained when the surplus annual receipts from copying fees exceed Tk. 1,440?
36. How many typists and copyists are there in the record room? Is their work carefully performed? Can every one copy both English and Bengali efficiently?
37. Is the principle that "all copies of English documents should be typed" strictly adhered to?
38. Are copies written legibly with good ink? If not, does the comparing clerk require a fresh copy to be made by the typist or copyist? Does the typist or copyist bear the cost incurred in making the fresh copy?
39. Are uncertified copies allowed to be converted into certified copies after comparison with originals upon the application of the person to whom they have been granted and upon his filing with such application the necessary court-fee stamps required by law?
40. When any case is required from the record office for reference does the officer requiring it give a note to the record-keeper specifying the case required? Is the note kept in the bundle and on the return of the record given up and cancelled?

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